

# KEVIN CROW

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## CURRENT APPOINTMENTS

**Asia School of Business**, Kuala Lumpur, Malaysia  
Assistant Professor of International Law and Ethics, August 2018 – Present

**MIT Sloan School of Management**, Boston, USA  
International Faculty Fellow, February 2018 – Present

## EDUCATION

**Transnational Economic Law Centre / Universität Halle-Wittenberg**, Halle, Germany  
Ph.D., International Law, submitted December 2017

**London School of Economics and Political Science**, London, United Kingdom  
LL.M., Legal Theory, November 2013

**University of Southern California Law School**, Los Angeles, USA  
J.D., August 2013

**University of Washington**, Seattle, USA  
B.A., Political Science, Phi Beta Kappa, March 2010

## ATTORNEY QUALIFICATION

State Bar of California, License # 305036

## OTHER LEGAL AND ACADEMIC POSITIONS

**Columbia University Freedom of Expression Initiative**, New York City, USA  
Editor & Researcher, April 2015 – Present (pro re nata, U.S., German, Malaysian, and ECtHR cases)

**Universität Halle-Wittenberg Law School**, Halle, Germany  
Lecturer & Senior Researcher, January 2015 – January 2018

**Center of Excellence for International Courts (iCourts)**, Copenhagen, Denmark  
Visiting Researcher, August 2017 – September 2017

**Asia School of Business in Collaboration with MIT Sloan**, Kuala Lumpur, Malaysia  
Research Associate, August 2015 – February 2017; Postdoc, February 2018 – July 2018

**Destination Justice**, Phnom Penh, Cambodia / Annemasse, France  
Affiliate Consultant, January 2015 – January 2017 (pro bono, pro re nata)  
Associate Legal Consultant, September 2013 – January 2015

- Legal consultant for defense teams at the Khmer Rouge UN-Cambodia Hybrid Tribunal (ECCC); represented arbitrarily detained prisoners from a variety of jurisdictions at UN working groups.

## **ARTICLES**

- *The Opacity of Proportionality in International Courts: Could Categories Clarify?*, 52 GEO. WASH. INT'L L. REV. (forthcoming, 2019).
- *International Law and Corporate Participation in Times of Armed Conflict: Financial Liability Through ISDS?*, 37 BERKELEY J. INT'L L. 1 (forthcoming, 2019).
- *International Corporate Obligations, Human Rights, and the Urbaser Standard: Breaking New Ground?* (with Lina Lorenzoni Escobar), 36 B.U. INT'L L. J. 87 (2018).
- *The Concept of 'Development' in International Economic Law: Three Definitions and an Inquiry Into Origin*, 14 MANCHESTER J. INT'L ECON. L. 148 (2017).
- *The Merits or the Messenger?: Complementarity and the Referral Process in the ICC's Application of Article 17 of the Rome Statute*, 26 J. TRANSNAT'L L. & POL'Y 53 (2017).
- *The Emerging Neoliberal Penalty: Rethinking Foucauldian Punishment in a Profit-Driven Carceral System*, 52 CRIM. L. BULL. 1 (2016).
- *Does UNDRIP Matter?*, 13 HIBERNIAN L. REV. 119 (2014).
- *Should 'Terrorism' Include States?*, 1 LSE FORUM J. 245 (2013).

## **BOOK**

- INTERNATIONAL CORPORATE PERSONHOOD: NEW TRAJECTORIES IN LAW (forthcoming, Routledge, Taylor & Francis, 2020).

## **BOOK CONTRIBUTIONS**

- *Bandung's Fate*, in Ingo Venzke & Kevin John Heller (eds.), CONTINGENCY IN INTERNATIONAL LAW (forthcoming, Oxford 2020).
- *Corporations and Crimes Against Humanity: Financial Liability Through ISDS?*, EUROPEAN YEARBOOK OF INTERNATIONAL ECONOMIC LAW, 9<sup>TH</sup> ED. (forthcoming, Springer 2019).
- *DSB Supervision of Implementation at the WTO* (with Prof. Dr. Christian Tietje), MAX PLANCK EI PRO ENCYCLOPEDIA OF INTERNATIONAL LAW (forthcoming, Oxford 2019).
- *The Scope of the ICC Registrar's Powers Under Regulation 135*, André Klip & Steven Freeland (eds.), ANNOTATED LEADING CASES OF INTERNATIONAL CRIMINAL TRIBUNALS ("ALC"), Vol. LVII (forthcoming, Intersentia 2019).
- *The Reform of Investment Protection Rules in CETA, TTIP, and Other Recent EU-FTAs: Convincing?* (with Prof. Dr. Christian Tietje), in Stefan Griller, Walter Obwexer & Erich Vranes (eds.), MEGA-REGIONAL AGREEMENTS: TTIP, CETA, TISA. NEW ORIENTATIONS FOR EU EXTERNAL ECONOMIC RELATIONS (Oxford 2017).
- *Prosecutor v. Radovan Karadzic*, André Klip & Steven Freeland (eds.), ALC Vol. LIV (Intersentia 2017).

- *Recent ICC Applications of Article 17 of the Rome Statute*, André Klip & Göran Sluiter (eds.), ALC Vol. LII (Intersentia 2016).

## **BOOK REVIEWS**

- *Review: Alexander Hinton, The Justice Façade*, 17 J. INT'L CRIM. JUST. (forthcoming, 2019).
- *Review: Anthea Roberts, Is International Law International?*, 21 J. INT'L ECON. L. 739 (2018).
- *Review: Diane Desierto, Public Policy in International Economic Law: The ICESCR in Trade, Finance, and Investment*, 21 J. INT'L ECON. L. 1 (2018).
- *Review: Iryna Marchuk, The Fundamental Concept of Crime in International Criminal Law*, 15 J. INT'L CRIM. JUST. 2 (2017).

## **WORKING PAPERS**

- *A Taxonomy of Proportionality in International Courts*, iCourts Working Paper Series No. 107 (November 2017).
- *The Urbaser Standard: Breaking New Ground?* (with Lina Lorenzoni-Escobar), Beiträge Transnationalen Wirtschaftsrecht, Heft 144 (2017).
- *A Chapter-by-Chapter Analysis of the Trans-Pacific Partnership*, Working Paper for the Asia School of Business (February 2016).

## **POLICY PAPERS & ONLINE PUBLICATIONS**

- *The Use of 'Human Rights' and 'Development' by Evangelical Organizations*, OpenDemocracy (June 2018), <https://www.opendemocracy.net/kevin-crow/how-us-evangelical-organizations-deploy-human-rights-and-development>.
- *Trump's Travel Ban v. Macron's Police Power Reforms*, Social Europe (June 2017), <https://www.socialeurope.eu/2017/06/trumps-travel-ban-v-macrons-police-power-reforms/>.
- *Four Key Features of the Emerging 'Trumpism'*, Social Europe (April 2017), <https://www.socialeurope.eu/2017/04/four-key-features-emerging-trumpism/>.
- *'Trumpism', the TPP, and the Politics of Uncertainty*, Pol'y Papers on Transnat'l Econ. L. No. 46, Transnational Economic Law Research Centre (TELC) (Feb. 2017), [http://tietje.jura.uni-halle.de/sites/default/files/PolicyPaper/PolicyPaper\\_No46.pdf](http://tietje.jura.uni-halle.de/sites/default/files/PolicyPaper/PolicyPaper_No46.pdf).
- *The TPP and Malaysia: Local Impact and Implications Following the Conclusion of the Partnership Negotiations*, Pol'y Papers on Transnat'l Econ. L. No. 44, TELC (Oct. 2015), [http://tietje.jura.uni-halle.de/sites/default/files/PolicyPaper/PolicyPaper\\_No44.pdf](http://tietje.jura.uni-halle.de/sites/default/files/PolicyPaper/PolicyPaper_No44.pdf).
- *The TPA in 2015: A Quick Look at the Latest Incarnation of the U.S. President's 'Fast Track' Trade Negotiation Authority*, Pol'y Papers on Transnat'l Econ. L. No. 43, TELC (June 2015), <http://telc.jura.uni-halle.de/de/node/24>.
- *Here's How You Can Make a Real Difference in the Aftermath of the Michael Brown & Eric Garner Grand Jury Decisions*, WonderHowTo (Dec. 2014), <http://legal->

[issues.wonderhowto.com/how-to/heres-you-can-make-real-difference-aftermath-michael-brown-eric-garner-grand-jury-decisions-0158984/](https://issues.wonderhowto.com/how-to/heres-you-can-make-real-difference-aftermath-michael-brown-eric-garner-grand-jury-decisions-0158984/).

## **TEACHING**

- **Asia School of Business**, Kuala Lumpur, Malaysia, 2018 – Present
  - Ethics & Legal Accountability, Fall/Spring 2018, 2019
  - Public International Law & the Private Sector, Spring 2019
- **Universität Halle-Wittenberg Law School**, Halle, Germany, 2015 – 2018
  - International Economic Law, ELSA/WTO Moot, Fall 2015 – 2017
  - International Human Rights Law (14-week lecture, 100+ students), Spring 2015
  - International Investment Law, Skadden FDI Moot, Spring 2016 – 2017
  - Introduction to U.S. Constitutional Law (14-week lecture, 200+ students), Fall 2015 – 2018

## **CONFERENCE PAPERS**

- *International Anti-Corruption Law and the International Corporate Person*, Wharton/SciencesPo Conference on ‘The Transnationalization of Anti-Corruption Law’, Paris, December 2018.
- *International Corporate Personhood: Future Roads*, UN 8<sup>th</sup> Annual Forum on Business & Human Rights, United Nations Palais des Nations, Geneva, November 2018.
- *Bandung’s Missed Legacies: Alternative Normative Approaches to International Law?*, ACIL Conference, ‘Contingency in International Law’, Amsterdam, June 2018.
- *Redesigning International Adjudication*, Howard League Conference, ‘Redesigning Justice’, Oxford, March 2018.
- *International Human Rights Law as a Tool of Repression: International Evangelical Organizations, Development Funding, and LGBT Rights*, ARC Strategic Litigation Symposium, ‘The Use of Law by Social Movements & Civil Society’, Brussels, March 2018.
- *Human Rights and the Fluctuation of Executive Powers in the U.S.: From Nixon to Trump*, ‘Populism, Nationalism, and Human Rights’ at Maastricht University, The Netherlands, January 2018.
- *Corporate Subjectivity and Crimes Against Humanity: Can Arbitrators Push the Boundaries of Investor-to-State Financial Liability?*, Colloquium on ‘International Investment Law and the Law of Armed Conflict’, National University of Athens, Greece, October 2017.
- *Corporate Human Rights Obligations and International Investment Law: Urbaser’s Potential*, ESIL IHRL Interest Group at the 13<sup>th</sup> Annual ESIL Conference, Naples, September 2017.
- *Migrations of Power: International IP Law and the Implications of Eli Lilly*, I-CON Conference, ‘Courts, Power, Public Law’, Copenhagen, July 2017.
- *International Law as Evangelism: American Christianity and the UN Development Project*, Hebrew University, ‘Law as Religion, Religion as Law’, Jerusalem, June 2017.

- *The Proportionality' Delusion in International Law*, LUISS Guido Carli University, 'Constitutional Adjudication: Between Pluralism and Unity', Rome, May 2017.

## **OTHER TALKS & PRESENTATIONS**

- *The Evolving Status of Corporate Subjectivity to International Law: Developments in ISDS*, presented to the IFF Research Seminar Series at the MIT Sloan School of Management, February 2018.
- *A Taxonomy of Proportionality in International Courts*, presented to the iCourts Research Seminar at the University of Copenhagen Law School, 13 September 2017.
- *International Corporate Obligations, Human Rights, and the Urbaser Standard: Breaking New Ground?*, with Lina Lorenzoni Escobar, presented at the Law After Lunch Seminar Series at the University of Halle-Wittenberg Law School, 27 April 2017.
- *Is There a Better Way to Approach 'Judgment' in International Law?: International IP Law and the Case of Eli Lilly*, presented at the Asia School of Business, Research Seminar, 13 February 2017.
- *The Asymmetry of Investor-State Obligations Under International Investment Law*, presented to the World Bank in Kuala Lumpur as part of the Half-Baked Seminar Series, 6 December 2016.
- *Food Security and the Human Right to Knowledge*, presented to the Summer School on Food Security at the University of Halle-Wittenberg Law School, 15 September 2016.

## **ACADEMIC SERVICE**

- ASB Seminar Series (Faculty Coordinator)
- MBA Planning & Policy Committee
- MBA Values Committee

## **PROFESSIONAL CERTIFICATES**

- **University of Washington Online**, Dynamic Public Speaking, April – May 2018
- **Harvard Business Publishing**, Case Method Teaching, March 2018

## **PROFESSIONAL MEMBERSHIPS**

American Society of International Law (ASIL); Asian Society of International Law (AsianSIL); European Society of International Law (ESIL); Academy of Legal Studies in Business (ALSB).

## **LANGUAGES**

English: Native; German: B2; Indonesian: B1.

## **WEBSITES**

Bepress Selected Works Page: [https://works.bepress.com/kevin\\_crow/](https://works.bepress.com/kevin_crow/)  
 SSRN Author Page: <https://ssrn.com/author=2633239>