



And in Cooperation with the

## Looking Past Guantanamo: Are New Concepts Needed for Terrorist-Related Detentions?

The next conversation in global counter-terrorism will consider the long-term future of terrorist-related detentions. The resolution of this conversation will depend on chosen model to govern the detention. Many lawyers have argued that the United States and its allies are at war with terrorists under the laws of armed conflict. Yet others counter that terrorism is fundamentally a domestic criminal offense and should be prosecuted under the law enforcement paradigm. While substantial efforts have been made to resolve these and related disagreements by making procedural alterations in the military commissions or the proposed National Security Court, many critics argue that these modifications are unable to overcome the very same conceptual challenges that justify the changes. After more than six years of discussion, this issue remains unresolved within the legal community. This conference advances that conversation by asking whether the law enforcement and international humanitarian law models are able to theoretically address the unique characteristics of international terrorism or whether new concepts are needed.

**September 19, 2008, 10:00 am – 4:00 pm**  
**American University Washington College of Law**  
**Room 603, 4801 Massachusetts Avenue, NW**

- 9:30 am Registration
- 10:00 am **Welcome Remarks**
- 10:10 am **Panel 1: Conceptual Implications of Terrorist Detentions Since 9-11**  
*Moderator: Richard Wilson, Professor, Washington College of Law*  
*Panelists: Sandy Hodgkinson, Deputy Assistant Secretary of Defense, Department of Defense, Carrie Newton Lyons, Assistant Professor, University of Akron School of Law*
- 11:45 pm Lunch & Book Signing with *Ben Wittes*
- 12:45 pm **Panel 2: Are American Courts Creating New Concepts to Govern Terrorist-Related Detentions?**  
*Moderator: Stephen Vladeck, Professor, Washington College of Law*  
*Panelists: David Rivkin, Partner, Baker Hostetler; David Laufman, Partner, Kelley Drye; Justin Florence, Associate, O'Melveny & Myers*
- 2:15 pm 'Break
- 2:30 pm **Panel 3: Are New Legal Concepts Needed for Terrorist-Related Detentions?**  
*Moderator: Daniel Marcus, Professor, Washington College of Law*  
*Panelists: Madeline Morris, Professor, Duke Law School; Ben Wittes, Research Director in Public Law, Brookings Institute; David Remes, Partner, Covington & Burling; and Deborah Colson, Human Rights First*
- 4:00 pm Adjourn

**Registration is free but is required. If CLE is requested (4.5 credits), the cost is \$55.**

**WCL is an accredited provider for Virginia, Pennsylvania and New York and accreditation can also be applied for from any other state as requested. To register, please go to [www.wcl.american.edu/secle](http://www.wcl.american.edu/secle)**

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