

Buffalo Human Rights Law Review
Associate Application

2024



To apply for an associate position on the *Buffalo Human Rights Law Review* for the 2024-2025 academic year, please submit the following documents in Word or PDF format to law-bhrlr@buffalo.edu by 11:59 pm on either **June 3, 2024**, or **July 8, 2024**:

1. **Cover Sheet**
2. **Cover Letter or Statement of Interest (maximum 1 page)**
3. **Resume**
4. **Associate Exam**
 - a. ***Textual Edits.*** On pages 6-8, edit the passage for grammar and punctuation. Please make your edits on the article pages in colored ink (**red**). Assume all substantive content presented in the passage is true and supported by the footnotes (i.e., you do not need to check the sources for content).
 - b. ***Bluebook Corrections*** (footnotes 1 through 20). **On pages 9-28 (citepack)**, rewrite footnotes 1 through 20 in accordance with the *Bluebook* (21st ed.) under “original citation.” **If you made changes to the citation, make sure to explain them in the subsequent boxes.** If you think you have found a discrepancy, use your best judgment in answering (you can also add a brief note explaining the alleged issue).

Offers to join the *Buffalo Human Rights Law Review* as an associate will be sent by email no later than July 22, 2024.

Late applications will not be considered. Questions or concerns may be emailed to the following:

- Gabriella Walsh, Editor-in-Chief: gnwalsh@buffalo.edu
- Bailey Hughes, Executive Editor: bphughes@buffalo.edu
- Hannah Campbell, Managing Editor: hbaker@buffalo.edu

BUFFALO HUMAN RIGHTS LAW REVIEW

The *Buffalo Human Rights Law Review* (*BHRLR*) focuses on the interdisciplinary study of international human rights law. Founded in 1994 as the *Buffalo Journal of International Law*, the *BHRLR* was renamed in 1997 to better reflect the journal's projects and relationship to the UB Law International Law Program and the Buffalo Human Rights Center. The *BHRLR* publishes annually in the Spring. Together with the related Buffalo Human Rights Center, the Baldy Center for Law & Social Policy, and the UB Law Jessup International Moot Court competition teams, the *BHRLR* seeks to unite professionals, students, legal practitioners, policymakers, advocates, and cross-disciplinary scholars, and to encourage thereby the development and practical application of human rights law.

The *BHRLR* strives to be one of the preeminent publications in the field of human rights. In furtherance of this endeavor, the *BHRLR* is supported by an Editorial Board of Advisors composed of internationally recognized scholars and actors in human rights. The *BHRLR* prides itself on maintaining the highest level of integrity and objectivity in its selection process. As a result, admission to the *BHRLR* is open to the entire student body. Working on *BHRLR* is a good opportunity to sharpen your research and writing skills, to learn the *Bluebook*, and to have your own work published.

Because of the skills it teaches, membership on a journal is highly regarded by various employers. Further, if you are interested in human rights and international law, membership on the *BHRLR* strengthens your exposure to and understanding of international human rights issues. The benefits of joining the *BHRLR* extend well beyond top-paying jobs at major firms and prestigious judicial clerkships, NGOs and international fellowships and opportunities.

Members of the *BHRLR* spend many hours working together and as a result they form a vital part of the international network at UB Law. In conjunction with the Human Rights Center, members of the *BHRLR* usually overlap with other international initiatives and opportunities at UB Law.

In short, serving as a member of the *BHRLR* not only enhances your professional opportunities and abilities, it is an opportunity to make many new friends that share an interest in applying an international perspective to their Law School careers.

For more information, contact us at: law-bhrlr@buffalo.edu

COVER SHEET

Contact Information:

Name	
Phone Number	
Class Year (1L, 2L)	
Email Address	

Grading Rubric (leave blank, for journal use only):

Category	Value	Score
Resume	10	
Cover letter or Statement of Interest	10	
Textual Edits	30	
<i>Bluebook</i> Corrections	88	
Total	138	

ASSOCIATE EXAM INSTRUCTIONS

Edit the following passage for grammar and punctuation (the “**Textual Edits**”). Make your edits in colored ink on the pages of the article.

Type the corrected footnotes in the provided citepack (the “**Bluebook Corrections**”). Corrections should be made in accordance with The Bluebook: A Uniform System of Citation, 21st Edition.

For the purposes of this exam, assume that all footnote sources support all statements in the text.

Grading:

One point will be awarded for each correct change.

One point will be deducted for each unnecessary change.

Disclaimer: This text is adapted from a previously published article and the University at Buffalo asserts no copyright in the following work. A citation to the original work will be provided, upon request, at the close of the application period.

Climate change increasingly poses humanitarian concerns for the international community.¹ Populations that rely on the environment for survival are the most vulnerable to environmental degradation and often the least able to adapt to climate changes.² Large numbers of “climate change refugees from across the globe has already migrated or been displaced from natural disasters and climate changes.³ Projections of increasing internal and international human migration are staggering.⁴ “This reality raises not only profound justice questions, but also geopolitical, national security, and economic ones. As places become unlivable, climate change refugees will increase, as will the risk of armed conflict in some of the most impacted areas”⁵

Scholars primarily discuss planned relocation and climate change refuge, both proactive and reactive, as a climate change adaptation strategy for least developed countries (LDCs) and small island developing states (SIDS).⁶ However there is growing concern about the sufficiency of legal structures at the international level and in developed nations receiving climate change refugees.⁷ Scholars propose independent conventions and domestic legislative amendment.⁸

This paper proposes legal flexibility as a climate change adaptation strategy for the United States. Proactively creating sufficient legal structures that will protect the rights of those forced to relocate as a result of climate changes, while protecting the economic and national security interests of the United States, is a necessary element of a National adaptation plan.⁹ Regardless of the growing momentum around recognizing human mobility in the United Nations Framework

¹ Andrea C. Loux, The Persistence of the Ancient Regime: Custom, Utility, and the Common Law in the Nineteenth Century, 79 Cornell Law Review 183, 210-213 (1993).

² Magid, *supra*, note 11.

³ June Carabell, Keith Carabell & Harvey Gordenker v. U.S. Army of Corps of Engineers, 391 Fed.3d 704, 709 (6th Circuit 2006)

⁴ Nate Silver, Why It's Hard to Score the Fiscal Deal, FiveThirtyEight Blog, New York Times (January 3, 2014, 1:45 p.m.), <http://fivethirtyeight.blogs.nytimes.com/2014/01/02/why-its-hard-to-score-the-fiscal-deal/>.

⁵ Hari M. Osofsky, McAllister, Leslie K., CLIMATE CHANGE LAW AND POLICY, page 378 (2012).

⁶ Connecticut Gen. Statute § 9-365, 2012.

⁷ Alex Miller, Sugar Dating: A New Take on an Old Issue, 20 BUFF. J. GENDER, L. & SOC. POL'Y 33, 34 (July 15 2012).

⁸ Amy L. Kluesner, And They're Off: Eliminating Drug Use in Thoroughbred Racing, 3 Harvard Journal of Sports and Entertainment Law 297, 308-310 (2012).

⁹ Yusri Mohamed & Maya Gebeily, *First Fuel Since Start of War Delivered to United Nations in Gaza*, REUTERS (November 15, 2023) <https://www.reuters.com/world/middle-east/first-truck-with-fuel-begins-crossing-into-gaza-egypt-2023-11-15/>.

Convention on Climate Change and recent progress in Paris,⁹ the United States should take measures to recognize international and internal climate migrants.¹⁰ The Intergovernmental panel on Climate Change (IPCC)'s most recent report to policy-makers warns that greenhouse gas emissions are at a historical high and clearly influence the climate system.¹¹ Climate changes already, and will continue, to have widespread impacts on human and natural systems."¹² The United Nations High Commissioner for Refugees (UNHCR), the United Nations' refugee agency, has growing concern about climate change and its humanitarian impacts on least developed countries (LDCs)¹³ LDC's are "climate change hotspots," where changes will "force people into increasing poverty and displacement, exacerbating the factors that lead to conflict."¹⁴ Increasing climate change induced displacement poses a complex challenge for responding to humanitarian needs.¹⁵

Post-industrial economic and population growth drive greenhouse gas (GHG) emissions, creating unprecedented atmospheric concentrations of carbon-dioxide methane and nitrous oxide.¹⁶ GHG emissions and other anthropogenic forces are extremely likely to have been this leading cause of vast changes to the global climate system since the mid-20th century.¹⁷ Earth's atmosphere and ocean warming while snow and ice are diminishing. Combined, land and ocean surface temperatures show a global average warming of 0.85C from 1880 to 2012.¹⁸

¹⁰ Medtronic, Incorporated. v. Nuvasive, Incorporated, No. IPR2014-00073, Paper 31, at 4 (Patent Trial and Appeal Board October 3, 2014).

¹¹ Aluminum Scuba Tank Buoyancy Compensation System, US Patent Number 5,788,475 (filed November 5, 1996) (issued August 4, 1998).

¹² Manfred Nowak & Elizabeth McArthur, *The United Nations Convention Against Torture: A Commentary* 28 (Oxford Univ. Press, 1st ed. 2008).

¹³ William A. Schabas, *The International Legal Prohibition of Genocide Comes of Age*, 5 Human Rights Review, 47 (2004).

¹⁴ Kluesner, *supra* 8, at 309.

¹⁵ See Weissbrodt, David and Anti-Slavery International (2002) "Abolishing Slavery and its Contemporary Forms," Office of the United Nations High Commissioner for Human Rights, United Nations, New York and Geneva p. 2, available at: <http://www.ohchr.org/Documents/Publications/slaveryen.pdf>.

¹⁶ See Rep. of the Working Grp. On China U.N. Doc. A/HRC/11/25, at para.2. (29 May 2009). See: Article five of the ECHR, Council of Europe Treaty Series No. 5, 1950.

¹⁷ The Ruling (Jerusalem District Court) 6749/08/11 2013 State of Israel v D.A. and others, hereinafter: the Jerusalem Court Conviction.

¹⁸ Johanna E. Bond, *International Intersectionality: A Theoretical and Pragmatic Exploration of Women's International Human Rights Violations*. Vol. 52 EMORY LAW JOURNAL 71 (2003) pp. 157-158.

The IPCC's report also points out that "each of the last three decades has been successively warmer at the Earth's surface than any preceding decades since 1850," and the last 30 years are likely the warmest 30-year period the Northern Hemisphere has seen in the last 1,400 years.¹⁹ Ocean surface waters (upper 75 m) have increased by 0.11°C per decade from 1971 to 2010, and it is 'virtually certain' that the upper 700 m of ocean has warmed during the same period.²⁰

¹⁹ see e.g. UN COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, General Comment 7, Forced evictions, and the right to adequate housing (Sixteenth session, 1997), U.N. Doc. E/1998/22, annex IV at 113 (20 May 1997), paras. 14 and 16.

²⁰ See id

BEGINNING OF CITEPACK:

Original Citation:

- (1) Andrea C. Loux, The Persistence of the Ancient Regime: Custom, Utility, and the Common Law in the Nineteenth Century, 79 Cornell Law Review 183, 210-213 (1993).

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(6) Connecticut Gen. Statute § 9-365, 2012.

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- (9) Yusri Mohamed & Maya Gebeily, *First Fuel Since Start of War Delivered to UN in Gaza*, REUTERS (Nov. 15, 2023) <https://www.reuters.com/world/middle-east/first-truck-with-fuel-begins-crossing-into-gaza-egypt-2023-11-15/>.

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(15) See Weissbrodt, David and Anti-Slavery International (2002) “Abolishing Slavery and its Contemporary Forms,” Office of the United Nations High Commissioner for Human Rights, United Nations, New York and Geneva p. 2, available at: <http://www.ohchr.org/Documents/Publications/slaveryen.pdf>.

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(18)Johanna E. Bond, International Intersectionality: A Theoretical and Pragmatic Exploration of Women's International Human Rights Violations. Vol. 52 EMORY LAW JOURNAL 71 (2003) pp. 157-158.

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(20) See id

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