

January 2012

DAVID J. SCHEFFER

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EMPLOYMENT

CURRENT ACADEMIC APPOINTMENT:

Mayer Brown/Robert A. Helman Professor of Law and Director of the Center for International Human Rights, Northwestern University School of Law, Chicago, Illinois, May 2006 to present. (Visiting professor of law August 2005-April 2006).

--Course instruction to date: International Criminal Law; International Human Rights Law, Corporate Compliance and the Social Mandate (formerly Corporate Human Rights Responsibility), Executive LL.M. (Tel Aviv) instruction in International Human Rights Law (2009, 2010 and 2011), International Human Rights in Transitional Democracies.

--Supervise International Externship Program, and participate as faculty adviser in International Team Project periodically.

--Director of the Memory of Atrocities Project and Atrocities Museum Exhibit Project of the Center for International Human Rights.

--Co-Managing Editor of the law school's Cambodia Tribunal Monitor (www.cambodiatribunal.org).

--Faculty Advisor, *Northwestern University Journal of International Human Rights*.

--Dean's Teaching Award 2007-2008.

--Secured endowment for CIHR and significant further project fundraising.

--Developed International Externship Program and joint 4-year JD/LLM degree in International Human Rights.

--See <http://www.law.northwestern.edu/faculty/profiles/DavidScheffer/> and www.law.northwestern.edu/humanrights/.

CURRENT UNITED NATIONS APPOINTMENT:

Special Expert to the Secretary-General on the United Nations Assistance to the Khmer Rouge Trials, January 2012 to present.

PAST:

Distinguished Guest Lecturer, International Law Summer Study Abroad Program of Thomas Jefferson School of Law (San Diego) and the University of Nice School of Law (France), Nice, France, July 2011. Lectures on international criminal law and corporate social responsibility.

Faculty Member, The Summer Institute for Global Justice, University of Utrecht, The Netherlands, Summer 2005 (jointly administered by the Washington University School of Law and Case Western Reserve University School of Law). Course instruction: Atrocity Law and Policy.

Visiting Professor of Law, The George Washington University Law School, Washington, D.C., August 2004-May 2005. Course Instruction: International Law I, International Organizations Law, and International Criminal Law.

Visiting Professor of Law, Georgetown University Law Center, Washington, D.C., July 2003-August 2004. Course Instruction: International Law I, International Institutions Law, and Atrocity Law Seminar. Also International Law I in GULC's summer program at University College, Faculty of Laws, London (July-August 2004).

Visiting Lecturer, National University of Ireland (Galway), July 2003. Special course on the International Criminal Court. Delivered lectures in 2008 and 2009 courses.

Visiting Lecturer, The Duke-Geneva Institute in Transnational Law, Geneva, Switzerland, July/August 2002 (jointly administered by Duke and Geneva Universities). Course Instruction: War Crimes, Terrorism, and Crimes Against Humanity: The Content and Enforcement of International Criminal Law.

Senior Lecturing Fellow, Duke University Law School, Durham, North Carolina, September-October 2001. Course Instruction: Legal Responses to War Crimes, Genocide, and Crimes Against Humanity.

Adjunct Professor of Law, Georgetown University Law Center, Washington, D.C., January 1992-December 1996. Course Instruction: Law of International Institutions.

Adjunct Professor, Graduate School of International and Public Affairs, Columbia University, New York, New York, 1986-1987. Course Instruction: The United States in World Affairs.

GOVERNMENT EMPLOYMENT

U.S. Ambassador at Large for War Crimes Issues, U.S. Department of State, August 1997-January 20, 2001. First to hold this new ambassadorship. Nominated by President Clinton in May 1997 and confirmed by the U.S. Senate in July 1997. Supervised the new Office of War Crimes Issues (staff of eight) and reported directly to Secretary of State Madeleine Albright. Led and administered U.S. support for international and hybrid criminal tribunals and other international justice initiatives globally and helped coordinate U.S. responses to atrocities. Helped lead U.S. efforts in establishment of the International Criminal Tribunals for the former Yugoslavia and Rwanda, the International Criminal Court, the Special Court for Sierra Leone, the Extraordinary Chambers in Cambodia, and the special courts in Kosovo and East Timor. Led the U.S. delegation to U.N. negotiations on the International Criminal Court (1997-2001), including the Rome Conference in June-July 1998. Chaired the newly created Atrocities Prevention Inter-Agency Working Group that met monthly to assess possible future atrocities (1998-2001). See www.state.gov/www/global/swci/index.html for the home page of the Office of War Crimes Issues during the Clinton Administration, which includes areas of work and all public speeches delivered as ambassador.

Senior Adviser to the Secretary of State, U.S. Department of State, February 1997-July 1997. Reported directly to Secretary of State Madeleine Albright on a wide range of war crimes and other foreign policy issues while preparing for my confirmation hearing.

Senior Adviser and Counsel, Office of the U.S. Permanent Representative to the United Nations, U.S. Department of State, March 1993-January 1997. Reported directly to U.S. Permanent Representative to the U.N. Madeleine Albright and represented her in Washington policy discussions. Exercised responsibility for war crimes issues and national security and peacekeeping policies. Served for four years on the Deputies Committee of the National Security Council and during 1995-1997 as deputy head of the U.S. delegation to U.N. talks on the International Criminal Court.

Senior Consultant, Committee on Foreign Affairs, U.S. House of Representatives, 1987-1988. Professional adviser to Chairman Dante Fascell. Advised on international law and legal aspects of arms control, arms exports, U.N. peacekeeping, antiterrorism, Middle East, Persian Gulf, war powers, Iran-Contra affair, intelligence oversight, cases in federal and international courts and tribunals. Drafted legislation, including the Antiterrorism and Arms Export Amendments Act of 1989, working particularly close with Rep. Howard Berman (D-Ca.).

OTHER PROFESSIONAL EMPLOYMENT, INCLUDING LAW FIRMS, NGOs & THINK TANKS

Partner, BlueLaw LLP, Washington, D.C., June 2005 to April 2006. Law firm specializing in national security, government procurement, war crimes, and foreign rule of law projects.

Senior Vice President, United Nations Association of the U.S.A., March 2002-June 2003 (New York and Washington, D.C. offices). Under the leadership of William Luers, President of UNA-USA, supervised a headquarters staff of 45 in operations of the largest foreign affairs membership organization in the United States (20,000) with chapters across the country, and directed the policy work and communications projects of UNA-USA. Administered a joint venture with the Project on Justice in Times of Transition of Harvard University, in collaboration with the United Nations, to promote the rule of law in post-conflict societies. Oversaw budgetary, financial, and employee issues and relationships with the UNA-USA Board of Directors. Built links to UNA-USA chapters nationwide through frequent travel and speaking. Appeared in the media often on behalf of UNA-USA. Engaged in daily fundraising and project development.

Senior Fellow, U.S. Institute of Peace, Washington, D.C., April 2001-February 2002. Recipient of the Jennings Randolph Fellowship to speak and write on war crimes policy during the Clinton Administration. Also addressed a wide range of legal issues regarding antiterrorism following September 11, 2001.

Senior Associate, Carnegie Endowment for International Peace, Washington, D.C., 1989-1992. Analyzed, commented, and published on current developments in international and national security law. Co-chaired the Carnegie Project on Self-Determination (1991-1992). Served as Senior Consultant to the Carnegie Endowment National Commission on America and the New World (1991-1992).

International Affairs Fellow, Council on Foreign Relations, Washington, D.C., 1986-1987. Assigned as staffer to the Arms Control, International Security and Science Subcommittee, Committee on Foreign Affairs, U.S. House of Representatives.

Research Associate, Center for International Affairs, Harvard University, 1983-1984. Research and writing on international law.

Associate Attorney, Coudert Brothers (New York (2 years) and Singapore (4 years)), 1979-1986 (with 10 month leave to study and write at Harvard University's Center for International Affairs). Practiced international banking & corporate law and libel law, including syndicated loans, joint ventures, contracts, Third World debt financing, agencies and distributorships, foreign investment, and international trade. Transactions and travel for clients in Asia, United States, and Latin America. As a senior associate representing major New York bank as lead manager, helped structure and negotiate the first new money syndicated loan to Colombia in the 1980s. Represented major television network and drafted the pleadings that successfully defeated the largest money libel claim prior to 1985 against any defendant in federal or state courts. In Asia represented numerous U.S., Japanese, Canadian, and European banks in loan transactions with customers in Indonesia, Thailand, Malaysia, Brunei, and Singapore. Represented major American insurance company to strategize, negotiate, and protect its investments in Malaysia, and drafted and negotiated many joint venture agreements for U.S. oil contractors operating in Southeast Asia. Spent significant periods of time working out of the firm's Tokyo and London offices as well.

Legal Assistant, Dewey, Ballantine, Bushby, Palmer & Wood, New York City, 1978-1979. Securities and corporate law, including tender offers and foreign investment in China. Worked on a tender offer involving major U.S. corporations and helped advise major U.S. construction company on some of its earliest projects in China. Transferred to Coudert Brothers shortly before being sworn into the N.Y. Bar.

EMPLOYMENT DURING LAW SCHOOL AND COLLEGE

Legal Assistant, Office of the Assistant General Counsel for International Affairs, U.S. Department of the Treasury, Washington, D.C. 1977-78 (part-time).

Legal Assistant, Office of General Counsel, Phillips Petroleum Company Europe-Africa, London, U.K., Summers 1976-77.

Assistant to the President, Inter-American Foundation, Washington, D.C., Summer 1975.

Clerk-typist, Office of General Counsel, U.S. Board of Parole, Washington, D.C., Summer 1974.

Researcher, Council on Environmental Quality, Executive Office of the President, Washington, D.C., Summer 1973.

Clerk-typist, Washington Finance Center, U.S. Department of State, Washington, D.C., Summer 1972.

LEGAL EDUCATION

LL.M. (International and Comparative Law), 1978, **Georgetown University Law Center**, Washington, D.C.; Graduate paper requirement published in the *Harvard International Law Journal* (1978) (see below).

B.A., Final Honour School of Jurisprudence (Class II(1)), 1978 (exams taken in 1977), Worcester College, **Oxford University**, Oxford, U.K.; Frank Knox Memorial Fellow 1975-1977 (awarded by Harvard Univ.).

UNDERGRADUATE EDUCATION

A.B. magna cum laude, Government and Economics, 1975, **Harvard College**, Cambridge, Massachusetts; Senior thesis (*magna cum laude*): “Processes of Modernization in Scotland: The Political Economy of North Sea Oil”; Honors: Frank Knox Memorial Fellow, Harvard College Scholarship & Dean’s List, 1971-75, Ruskin [writing] Prize, 1975. Research grants: Center for International Affairs & JFK Institute of Politics. Editorial staffs of The Harvard Crimson and The Harvard Political Review.

BAR MEMBERSHIPS AND AWARDS

Bars of State of New York (1979 – present), District of Columbia (1987 – present), U.S. District Court (S.D.N.Y., 2nd Cir.; D.C. Circuit), U.S. Court of Appeals (D.C. and Federal Cir.), U.S. Court of International Trade, and U.S. Supreme Court. Recipient of the Max Kampelman Award 1999 (ABA-CEELI) and Honorable Mention for the National Institute of Military Justice’s 2009 Kevin J. Barry Award for Excellence in Military Legal Studies. Selected as one of *Foreign Policy’s* “Top Global Thinkers of 2011.”

PROFESSIONAL MEMBERSHIPS

Member, Council on Foreign Relations, 1991 to present; Term Member, 1985 - 1990.

Member, Advisory Committee, *Justice Beyond the Hague: Supporting the Prosecution of International Crimes in National Courts* (2011).

Member, Advisory Committee, *From Rome to Kampala: The U.S. Approach to the 2010 International Criminal Court Review Conference* (2010).

Member, Term Membership Committee, 1989 and 1990.

Member, The American Society of International Law, 1979 - present.

Member, Executive Council, 2002-2005, 1996 - August 1997.

Member, Executive Council Executive Committee, 2004-2005.

Judge, Jessup Moot Court Finals, 2003; Semi-Finals, 2004; Quarter-Finals, 2005; Semi-Finals, 2006. Co-Chairman of the Committee on the Annual Meeting 1991.

Member and co-author of the ASIL Joint U.S.-Soviet Study on International Law and International Politics (1989-1990).

Organizer of the U.S.-Soviet Conference on International Law and the Non-Use of Force (1990).

Chairman, Board of Directors, International Law Students Association, 2004-2008.

Editorial Adviser, *Genocide Studies and Prevention: an international journal*, 2006-present.

Member, Illinois Holocaust and Genocide Commission, May 2011 to present. (Appointed by Governor Pat Quinn)

Member, International Association of Genocide Scholars, 2007 to present.

Member, Chicago Council on Global Affairs, 2009 to present.

Member, Center for Human Rights Advisory Council, American Bar Association, 2004 to present.

Member, International Advisory Council, East-West Management Institute, 2005 to present.

Member, Chicago Committee of Human Rights Watch, 2007 to 2010.
At-Large Representative, Loudoun County (Va.) Community Criminal Justice Board, 2005 to 2006.
Member, International Law Association (American branch) (1992) and co-editor of the ILA's International Practitioner's Notebook (1992).
Member, United Nations Association of the U.S.A., 2002-2011. Member, UNA-USA National Advisory Committee on Collective Security, 1992. Member, UNA-USA Working Group on "The Future of the UN," 1989-1992.
Member, American Bar Association, 1979-1993, 2009 to present.

PUBLIC APPEARANCES AND PROFESSIONAL PRESENTATIONS

Over the last 32 years I have delivered hundreds of speeches and panel presentations to audiences around the world on private and public international law and on international politics and U.S. foreign policy. I have participated and continue to participate in scores of legal conferences globally. I have spoken (often on several occasions) at most of the major universities and law schools in the United States, in most major cities, at many U.S. military institutions (West Point, Air Force Academy, JAG schools, National Defense University, Army War College, Ft. Lewis), at major universities in Europe, Africa, Middle East, and Asia, and in a large number of professional settings and academic conferences worldwide. *My public speeches delivered while I was Ambassador at Large for War Crimes Issues (1997-2001) can be found at www.state.gov/www/global/swci/index.html*. Since my early days at the Carnegie Endowment for International Peace, I have appeared and continue to appear frequently in the national and international media discussing international law and politics. I was CNN Legal Analyst for the trials of leaders of Saddam Hussein's regime before the Iraqi High Criminal Tribunal and continue to appear as a CNN Legal Analyst on CNN and CNN International to analyze international law developments. The Northwestern Law Faculty Annual Review records contain a full listing of such non-media appearances and conference presentations since 2005 and could be requested.

Personal: Born (September 18, 1953) and raised in Norman, Oklahoma. Married to Michelle Huhnke, a trusts and estates law partner with Sugar & Felsenthal LLP (Chicago) and adjunct professor (trusts and estates law) at the University of Chicago Law School, and we are parents of a girl (18) and a boy (12). Fair comprehension of written French. Hobbies: Civil War studies and hiking.

SCHOLARSHIP

(Books and Book Chapters are listed in Bold)

Forthcoming and In Progress Publications

CORPORATE RESPONSIBILITY IN A GLOBAL SOCIETY (WITH CAROLINE KAEB, CO-EDITOR AND CO-AUTHOR) (2011 as an e-book) [available Nov. 2011].

American Perspective on the Crime of Aggression, in THE CRIME OF AGGRESSION: A COMMENTARY (CLAUS KRESS AND STEFAN BARRIGA, EDS.) (Oxford University Press, in progress).

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ALL THE MISSING SOULS: A PERSONAL HISTORY OF THE WAR CRIMES TRIBUNALS (Princeton University Press, 2012). See <http://press.princeton.edu/titles/9520.html>.

2011

Brief of Ambassador David J. Scheffer, Northwestern University School of Law, as Amicus Curiae in Support of the Petitioners, Esther Kiobel et al. v. Royal Dutch Petroleum Co., et al., ___ U.S. ___ (2011) (No. 10-1491) (December 20, 2011).

Maximizing Opportunities to Deter Atrocity Crimes, Human Rights International Criminal Law Online Forum, Office of the Prosecutor, International Criminal Court and the UCLA School of Law, October 6, 2011, at <http://uclalawforum.com/#Scheffer>.

Book Review of KATHRYN SIKKINK, *THE JUSTICE CASCADE: HOW HUMAN RIGHTS PROSECUTIONS ARE CHANGING WORLD POLITICS* (Norton, 2011), in *The New Republic, Online Review*, September 26, 2011, at <http://www.tnr.com/book/review/the-justice-cascade-kathryn-sikkink>.

Introduction: Atrocity Crimes Litigation During 2010, 9 NW. J. INT'L HUM. RTS 233 (2011).

Atrocity Crimes Litigation Year-in-Review (2010) Conference: Lines of Inquiry Memorandum, 9 NW.J.INT'L HUM. RTS 241 (2011).

***The Complex Crime of Aggression under the Rome Statute*, in PROCEEDINGS OF THE FOURTH INTERNATIONAL HUMANITARIAN LAW DIALOGS (DAVID M. CRANE & ELIZABETH ANDERSON, EDs.) 173 (2011).**

Brief of David J. Scheffer as *Amicus Curiae* Supporting Petition for Writ of Certiorari, *Kiobel v. Royal Dutch Petroleum Co.*, ___ U.S. ___ (2011) (No. 10-1491) (12 July 2011).

Brief of David J. Scheffer as *Amicus Curiae* in Support of Appellants and Reversal, U.S. Court of Appeals of the Ninth Circuit, *John Doe v. Nestle, S.A.*, No. 10-56739 (1 July 2011).

Justice League: The case for calling off the Tomahawks and bringing Muammar al-Qaddafi to The Hague, FOREIGN POLICY (ONLINE EDITION), June 29, 2011 at http://www.foreignpolicy.com/articles/2011/06/29/justice_league?page=FULL,1.

The Least Wanted Most Wanted Man, FOREIGN POLICY (ONLINE EDITION), June 2, 2011, at http://www.foreignpolicy.com/articles/2011/06/02/the_least_wanted_most_wanted_man.

***Crimes Against Humanity and the Responsibility to Protect* in FORGING A CONVENTION FOR CRIMES AGAINST HUMANITY (LEILA SADAT, ED.) 305 (Cambridge University Press, 2011).**

***The International Criminal Court*, in ROUTLEDGE HANDBOOK OF INTERNATIONAL CRIMINAL LAW (WILLIAM SCHABAS & NADIA BERNAZ, EDs.) 67 (ROUTLEDGE, 2011).**

The Five Levels of CSR Compliance: The Resiliency of Corporate Liability under the Alien Tort Statute and the Case for a Counterattack Strategy in Compliance Theory (with Caroline Kaeb), 29 BERKELEY J. INT'L L. 334 (2011).

2010

The Complex Crime of Aggression Under the Rome Statute, 23 LEIDEN J. INT'L L. 897 (2010).

***The Crime of Aggression* in BEYOND KAMPALA: NEXT STEPS FOR U.S. PRINCIPLED ENGAGEMENT WITH THE INTERNATIONAL CRIMINAL COURT (RACHEL GORE, ED.), ASIL Discussion Paper, 87 (2010).**

Introduction: Atrocity Crimes Litigation During 2009, 8 NW. J. INT'L HUM. RTS 235 (2010).

States Parties Approve New Crimes for International Criminal Court, 14 ASIL Insight 16 (June 22, 2010).

Amicus Brief on Behalf of David J. Scheffer, Director of the Center for International Human Rights, Northwestern University School of Law, The Prosecutor v. Nikola Sainovic, Dragoljub Ojdanic, Neboisa Pavkovic, Vladimir Lazarevic, Sreten Lukic [The International Criminal Tribunal for the Former Yugoslavia (Case No. IT-05-87-A)] (July 29, 2010).

***A Pragmatic Approach to the Crime of Aggression*, in INTERNATIONAL CRIMINAL JUSTICE: LAW AND PRACTICE FROM THE ROME STATUTE TO ITS REVIEW (ROBERTO BELLELLI, ED.) 609 (2010).**

Brief of David J. Scheffer, Director of the Center for International Human Rights, as Amicus Curiae in Support of the Issuance of a Writ of Certiorari, Presbyterian Church of Sudan, et al., Petitioners v. Talisman Energy, Inc., Respondent, United States Court of Appeals for the Second Circuit (No. 09-1262) (May 19, 2010).

2009

Closing the Impunity Gap in U.S. Law, 8 NW. J. INT'L HUM. RTS 30 (2009).

Introduction: Atrocity Crimes Litigation During 2008, 7 NW. J. INT'L HUM. RTS 161 (2009).

A Pragmatic Approach to Jurisdictional and Definitional Requirements for the Crime of Aggression in the Rome Statute, 41 CASE WESTERN RES. J. INT'L L. 397 (2009).

Brief of David J. Scheffer as Amicus Curiae in Support of Petitioner and Rehearing En Banc, The Presbyterian Church of Sudan, Rev. Matthew Mathiang Deang, et al., Plaintiffs-Appellants v. Talisman Energy, Inc., Defendant-Appellee, United States Court of Appeals for the Second Circuit (No. 07-0016-cv) (October 28, 2009).

Tenth Annual Grotius Lecture Response: For Love of Country and International Criminal Law, Further Reflections, 24 AM. U. INT'L. REV. 665 (2009); also published in PROCEEDINGS OF THE 102ND ANNUAL MEETING 12-16 (April 9-12, 2008), The American Society of International Law (2009).

The Legacy of Raphael Lemkin, Introduction to Lemkin's House in SILENCE OF GOD AND OTHER PLAYS BY CATHERINE FILLOUX 4-8 (2009).

Elevate Your Vision, 17 ILSA QUARTERLY 54 (APRIL 2009).

***Atrocity Crimes Framing the Responsibility to Protect*, in THE RESPONSIBILITY TO PROTECT: THE GLOBAL MORAL COMPACT FOR THE 21ST CENTURY (RICHARD COOPER AND JULIETTE VOINOV KOHLER, EDS.) 77 (2009).**

Cross-Fire Discussion of Lessons Learned from the Trials of Slobodan Milošević, Charles Taylor, and Saddam Hussein in CRIMINAL JURISDICTION 100 YEARS AFTER THE 1907 HAGUE PEACE CONFERENCE (WILLEM J.M. VAN GENUGTEN, MICHAEL P. SCHARF, & SASHA E. RADIN, EDS.) 188 (2009).

2008

The Constitutionality of the Rome Statute of the International Criminal Court (with Ashley Cox), 98 J. CRIM. L. & CRIMINOLOGY 983 (2008).

Atrocity Crimes Framing the Responsibility to Protect, 40 CASE WESTERN J. INT'L L. 111 (2008).

Introduction: Atrocity Crimes Litigation During 2007, 6 NW. J. INT'L HUM. RTS. 375 (2008).

The Growing Relevance and Enforceability of Corporate Human Rights Responsibility, 6 NW. J. INT'L HUM. RTS. 218 (2008).

A Review of the Experiences of the Pre-Trial and Appeals Chambers of the International Criminal Court Regarding the Disclosure of Evidence, 21 LEIDEN J. INT'L L. 151 (2008) (re-published as a book chapter in THE EMERGING PRACTICE OF THE INTERNATIONAL CRIMINAL COURT (GORAN SLUITER & CARSTEN STAHN, EDS.) 585 (2008)).

***The Security Council and International Law on Military Occupations*, in THE UN SECURITY COUNCIL AND WAR (VAUGHAN LOWE, ADAM ROBERTS, JENNIFER WELSH, AND DOMINIK ZAUM, EDS.) 580 (2008).**

Strategy for U.S. Engagement with the International Criminal Court (with John Hutson), CENTURY FOUNDATION REPORT (2008), available at www.tcf.org/Publications/internationalaffairs/Scheffer.pdf.

***The Extraordinary Chambers in the Courts of Cambodia*, in INTERNATIONAL CRIMINAL LAW, 3rd ed., (CHERIF BASSIOUNI, ED.) 219 (2008) (abridged version available at www.cambodiatribunal.org).**

***Nuremberg Trials*, in PROCEEDINGS OF THE FIRST INTERNATIONAL HUMANITARIAN LAW DIALOGS (DAVID M. CRANE & ELIZABETH ANDERSON, EDs.) 155 (2008).**

***Policy Issues Under the UN Charter and the Rome Statute*, in CONFERENCE ON INTERNATIONAL CRIMINAL JUSTICE (ROBERTO BELLELLI, ED.) 48 (2008).**

***A Pragmatic Approach to Jurisdictional and Definitional Requirements for the Crime of Aggression in the Rome Statute*, PROCEEDINGS OF TURIN CONFERENCE ON THE INTERNATIONAL CRIMINAL COURT (ROBERT BELLELLI, ED.) (2008).**

The Security Council's Struggle over Darfur and International Justice, JURIST (August 20, 2008), available at <http://jurist.law.pitt.edu/forumy/2008/08/security-councils-struggle-darfur.php>.

The US and the International Criminal Court Then and Now, JURIST (July 15, 2008), available at <http://jurist.law.pitt.edu/forumy/2008/07/us-and-international-criminal-court.php>.

Commentary to Boumediene, OPINIO JURIS BLOG (June 16, 2008), available at <http://opiniojuris.org/2008/06/16/commentary-to-boumediene>.

2007

***How Reform Initiatives Can Bridge the Gulf Between the United States and The International Criminal Court*, in AGATA FILJALKOWSKI, ED., INTERNATIONAL INSTITUTIONAL REFORM: PROCEEDINGS OF THE SEVENTH HAGUE JOINT CONFERENCE (T.M.C. Asser, 2007).**

***Why International Law Matters in God's World*, in DOING JUSTICE TO MERCY: RELIGION, LAW, AND CRIMINAL JUSTICE (MATTHEW BOULTON, KEVIN JUNG, & JONATHAN ROTHCHILD, EDs.) 101 (2007).**

Foreword in DAVID HAWK, CONCENTRATIONS OF INHUMANITY (Freedom House, 2007), available at www.freedomhouse.org/uploads/press_release/Concentrations_Inhumanity.pdf.

Gaps in U.S. Law Pertaining to Atrocity Crimes, Testimony of David Scheffer, Mayer Brown/Robert A. Helman Professor of Law, Northwestern University School of Law, Chicago, Illinois, Before the Subcommittee on Human Rights and the Law, Committee on the Judiciary, United States Senate: "No Safe Haven: Accountability for Human Rights Violations in the United States" (November 14, 2007), available at www.judiciary.senate.gov/testimony.cfm?id=3028&wit_id=6778. (Also composed and submitted written answers (accepted) to Senators' follow-up questions which will be published with entire hearing record in 2008.)

Brief of Professor David Scheffer, International Law Expert, as Amicus Curiae in Support of the Co-Investigating Judges, Case No. 002/14-08-2006, Kang Guek Eav (alias Duch) in the Pre-Trial Chambers of the Extraordinary Chambers in the Courts of Cambodia (3 October 2007), available at www.cambodiatribunal.org.

Brief of International Humanitarian Law Experts as Amici Curiae in Support of Petitioners Lakhdar Boumediene and Khaled A. F. Al Odah, Nos. 06-1195, 06-1196 (2007) (active co-author).

The Unbearable Constancy of Atrocity Crimes in Darfur and the Eastern Congo, 5 NW. U. J. INT'L HUM. RTS. 322 (2007).

Why the Cambodia Tribunal Matters to the International Community, available at www.cambodiatribunal.org.

The World Court's Fractured Ruling on Genocide, 2 GENOCIDE STUDIES AND PREVENTION 123 (2007).

International Criminal Court: Introductory Note to Decision on the Prosecution Application under Article 58(7) of the Statute In the Case of The Prosecutor v. Ahmad Muhammad Harun (“Ahmad Harun”) and Ali Muhammad Al Abd-Al-Rahman (“Ali Kushayb”) ICC Pre-Trial Chamber I, 46 INT’L LEGAL MATERIALS 532 (2007).

The Merits of Unifying Terms: “Atrocity Crimes” and “Atrocity Law,” 2 GENOCIDE STUDIES AND PREVENTION 91 (2007).

The End of Exceptionalism in War Crimes, HARVARD INT’L REV. (August 2007), available at <http://hir.harvard.edu/>; re-published at 16 ILSA QUARTERLY 16 (October 2007).

Overview of the Cambodia Tribunal (2007), available at www.cambodiatribunal.org.

Chronology of the Cambodia Tribunal (2007), available at www.cambodiatribunal.org.

Proposal on the Crime of Aggression, paper submitted to the Special Working Group on Aggression, Assembly of States Parties, International Criminal Court (May 24, 2007) (on file with author).

2006

Introductory Note to Military Commissions Act of 2006, 45 INT’L LEGAL MATERIALS 1241 (2006).

Genocide and Atrocity Crimes, 1 GENOCIDE STUDIES AND PREVENTION 229 (2006).

What if a Different U.S. Strategy Had Built a Different Court for Iraq? and What Happens to the Saddam Trial if Civil War Consumes Iraq? in MICHAEL P. SCHARF & GREGORY S. MCNEAL, *SADDAM ON TRIAL* 98 & 215 (2006).

Why Hamdan is Right About Conspiracy Liability, 15 ILSA QUARTERLY 29 (October 2006) and JURIST (March 30, 2006), available at <http://jurist.law.pitt.edu/forumy/2006/03/why-hamdans-right-about-conspiracy.php>.

How the Compromise Detainee Legislation Guts Common Article 3, JURIST (Sept. 26, 2006), available at <http://jurist.law.pitt.edu/forumy/2006/09/how-compromise-detainee-legislation.php>.

Hamdan v. Rumsfeld: The Supreme Court Affirms International Law, JURIST (June 30, 2006), available at <http://jurist.law.pitt.edu/forumy/2006/06/hamdan-v-rumsfeld-supreme-court.php>.

Jostling Over Justice, 154 FOREIGN POLICY 4 (May/June 2006).

Memorandum on the Application of International Standards of Due Process by the Extraordinary Chambers in the Courts of Cambodia (Open Society Justice Initiative, New York, 2006), available at www.osji.org/db/resource2?res_id=103267.

The Future U.S. Relationship with the International Criminal Court, 18 PACE INT’L L.REV. 801 (2006).

Staying the Course with the International Criminal Court, 1 CHINA REV. OF INT’L CRIM. L. 348 (2006).

BRIEF AMICUS CURIAE OF LOUISE DOSWALD-BECK, GUY S. GOODWIN-GILL, FRITS KALSHOVEN, VAUGHAN LOWE, MARCO SASSOLI AND THE CENTER FOR INTERNATIONAL HUMAN RIGHTS OF NORTHWESTERN UNIVERSITY SCHOOL OF LAW IN SUPPORT OF PETITIONER [COMMISSIONS – FAIR TRIAL STANDARDS], *SALIM AHMED HAMDAN, PETITIONER V. DONALD H. RUMSFELD, ET AL., RESPONDENTS*, SUPREME COURT OF THE UNITED STATES (NO. 05-184) (2005).

2005

The Collective International Responsibility to Protect: The Case of Darfur, Reforming the United Nations: The Use of Force to Safeguard International Security and Human Rights (Jan. 24-25, 2005), 5 NW. U.J. INT'L HUM. RTS. 118, at <http://www.law.northwestern.edu/journals/JIHR/v4/n1/10> (2005).

Blueprint for Legal Reforms at the United Nations and the International Criminal Court, 36 GEO. J. INT'L L. 683 (2005).

Article 98(2) of the Rome Statute: America's Original Intent, 3 J. INT'L CRIM. JUSTICE No. 2, 333 (2005).

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