

# Leila Nadya Sadat

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## Current Position

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### Washington University School of Law

**Director, Whitney R. Harris World Law Institute**, 2007 – present

**James Carr Professor of International Criminal Law**, since 2016

Henry H. Oberschelp Professor, 2004 – 2016

Professor of Law, 1998 – 2004

Associate Professor of Law, 1992 – 1998

Director and Co-Founder, Summer Institute for International Law and Policy, Utrecht University, The Netherlands (2005-2013)

**Director, Crimes Against Humanity Initiative** <http://crimesagainsthumanity.wustl.edu/>, multi-year project to write and have adopted the world's first global treaty on crimes against humanity

**Courses:** International Law, International Criminal Law, International Human Rights, International Business Transactions, European Union Law, Criminal Law, Civil Procedure, Foreign Affairs, Terrorism and Human Rights

**Faculty and University Service:** Law School Committees have included Admissions; Appointments; Curriculum; Promotions & Tenure; Strategic Planning; Student/Faculty Relations; Faculty Advisor and Coach, Philip C. Jessep International Moot Court Competition, 1998 – present. University Committees have included Assembly Series; Awards; Faculty Senate Council, Law School Representative 2006 – 2009 and 2017-2020; Holocaust Lecture; International Relations; Board Member, Association of Women Faculty 2013 – 2017.

### Northwestern University

#### Buffet Institute for Global Studies

Distinguished Visitor, 2018

### International Criminal Court

Special Adviser on Crimes Against Humanity to the ICC Prosecutor, December 2012 – present

## Education

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### University of Paris I – Sorbonne

Diplôme d'Études Approfondies (“D.E.A.”), *Droit International Privé et Droit du Commerce International*, July 1988

### Columbia University School of Law

Master of Laws, May 1987  
Perfect Record (received an “Excellent” for every course taken)  
Jervey Fellow in Foreign Law (full funding for the year at Columbia and the subsequent year at the Sorbonne)

### Tulane University School of Law

Juris Doctor, May 1985, *summa cum laude*  
Rank: 1/240; Grade Point Average: 3.95/4.00  
Tulane Law Review - Senior Notes Editor; received awards for two publications  
Order of the Coif • Merit Scholar • Faculty Medal

### Douglass College

Bachelor of Arts, January 1980; accelerated program  
Dean's List • National Merit Letter of Commendation • President, N.J. Student Ass'n

## Other Professional Experience

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### United States Commission on International Religious Freedom

**Commissioner**, 2001 - 2003. (Nominated by then Minority Leader Richard A. Gephardt, appointed by Congress). The 9-member Commission was established by the International Religious Freedom Act of 1998 to advise the President and the Department of State on Issues of International Religious Freedom, both generally and with regard to particular countries. See <http://www.uscirf.gov/>

### Private Practice

#### **Slaughter and May**, Paris, France (1991-92)

Associate, specializing in transnational litigation, sovereign debt restructuring and international lending agreements

#### **Law Offices of S. G. Archibald**, Paris, France (1988-91)

Associate, specializing in International Chamber of Commerce arbitrations, transnational litigation and international joint ventures

#### **Cleary, Gottlieb, Steen & Hamilton**, Paris, France (1987)

Associate, specializing in transnational litigation and Eurobond issues

### Judicial Clerkships

**La Cour de Cassation** (French Supreme Court), Fall 1988

**Le Conseil d'Etat** (French Council of State), Spring 1988

**The Honorable Albert Tate, Jr.**, U.S. Court of Appeals for the Fifth Circuit, Law Clerk, 1985-1986 Term

## **Academic Honors and Awards**

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**YWCA Women's Leadership Academy Award** (December 15, 2017)

**Arthur Holly Compton Distinguished Faculty Award**, Washington University (November 3, 2017)

**Honorary Doctor of Laws**, Northwestern University (June 2017)

**International Women's Day Award**, Washington University School of Law, Women's Law Caucus, March 6, 2017

**Alexis de Tocqueville Distinguished Fulbright Chair, Paris France** (Spring 2011)

**Israel Treiman Faculty Fellow**, Spring 1999; 2003-2004; 2014-2015

**Outstanding Article of the Year Award (2014)**, *Crimes Against Humanity in the Modern Age* (2014), International Association of Penal Law (American Branch)

**Outstanding Book of the Year Award (2011)**, FORGING A CONVENTION FOR CRIMES AGAINST HUMANITY, International Association of Penal Law (American Branch)

**Outstanding Article of the Year Award (2010)**, *The Nuremberg Paradox*, International Association of Penal Law (American Branch)

**Outstanding Article of the Year Award (2006)**, *Exile, Amnesty and International Law*, International Association of Penal Law (American Branch)

**Outstanding Book of the Year (2003)**, THE INTERNATIONAL CRIMINAL COURT AND THE TRANSFORMATION OF INTERNATIONAL LAW, International Association of Penal Law (American Branch)

## **Grants and Foundation Support Received**

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**Brookings – Washington University Joint Venture Fund**, 2010

**Deutsche Financial Grant** (to Support Single Currency Conference), 1997

**Humanity United Grant Recipient**, 2009

**Planethood Foundation**, 2012; 2016-17

**St. Louis Holocaust Museum**, 2018

**United States Institute of Peace Grant Recipient**, 2000-2001; 2009-2010

## **Publications**

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### **Books**

THE INTERNATIONAL CRIMINAL COURT (West Nutshell, 2018) (forthcoming)

SEEKING ACCOUNTABILITY FOR THE UNLAWFUL USE OF FORCE (Leila Nadya Sadat, ed., Cambridge, 2018) (forthcoming)

THE FOUNDERS (David M. Crane, Leila Nadya Sadat and Michael P. Scharf, eds, Cambridge, 2018)

FORGING A CONVENTION FOR CRIMES AGAINST HUMANITY (2d ed. Leila Nadya Sadat, ed., Cambridge 2013)

INTERNATIONAL CRIMINAL LAW: CASES AND MATERIALS (4th ed., Carolina, 2013) (with Bassiouni, Paust, et al.)

FORGING A CONVENTION FOR CRIMES AGAINST HUMANITY (Leila Nadya Sadat, ed., Cambridge 2011)

## Publications (cont.)

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THE THEORY AND PRACTICE OF INTERNATIONAL CRIMINAL LAW: ESSAYS IN HONOR OF M. CHERIF BASSIOUNI (Leila N. Sadat, Michael P. Scharf, eds., Martinus Nihof 2008)

INTERNATIONAL CRIMINAL LAW: CASES AND MATERIALS (3<sup>rd</sup> ed., Carolina, 2006) (with Bassiouni, Paust, et al.)

THE INTERNATIONAL CRIMINAL COURT AND THE TRANSFORMATION OF INTERNATIONAL LAW: JUSTICE FOR THE NEW MILLENNIUM (Transnational, 2002)

INTERNATIONAL CRIMINAL LAW: CASES AND MATERIALS (2<sup>nd</sup> ed., Carolina, 2000) (with Bassiouni, Paust, et al.)

MODEL DRAFT STATUTE FOR THE INTERNATIONAL CRIMINAL COURT BASED ON THE PREPARATORY COMMITTEE'S TEXT TO THE DIPLOMATIC CONFERENCE, ROME, JUNE 15-JULY 17, 1998, 13<sup>TER</sup> NOUVELLES ÉTUDES PÉNALES (Leila Sadat Wexler, special ed. 1998)

## Selected Articles and Essays

*A Contextual & Historical Analysis of the International Law Commission's 2017 Draft Articles for a New Global Treaty on Crimes Against Humanity*, \_\_ JOURNAL OF INTERNATIONAL CRIMINAL JUSTICE \_\_ (2018) (forthcoming)

*Whither Human Rights in the Era of Trump*, 35 NETHERLANDS QUARTERLY OF HUMAN RIGHTS 2 (2017) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2983865](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2983865)

*Washington University School of Law's Global Trajectory*, 53 WASHINGTON UNIVERSITY JOURNAL OF LAW AND POLICY 35 (2017) (150<sup>th</sup> Anniversary Essay)

*Putting Peacetime First: Crimes Against Humanity and the Civilian Population Requirement*, 31 EMORY INTERNATIONAL LAW REVIEW 197 (2017) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2836202](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2836202)

- Cited by the Extraordinary Chambers in the Courts of Cambodia

*The Nuremberg Trial, Seventy Years Later*, 15 WASHINGTON UNIVERSITY GLOBAL STUDIES LAW REVIEW 575 (2016) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2791774](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2791774)

*The Proposed Restatement Fourth of the Foreign Relations Law of the United States: Treaties - Some Serious Procedural and Substantive Concerns*, 2015 B.Y.U. LAW REVIEW 1673 (2016) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2650528](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2650528)

*Genocide in Syria: International Legal Options, International Legal Limits, and the Serious Problem of Political Will*, 5 IMPUNITY WATCH LAW JOURNAL 1 (2015) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2566260](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2566260)

*Can the International Criminal Tribunal for the former Yugoslavia Šainović and Perišić Cases Be Reconciled?* 108 AMERICAN JOURNAL OF INTERNATIONAL LAW 475 (2014) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2474639](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2474639)

*Seven Canons of ICC Treaty Interpretation: Making Sense of Article 25's Rorschach Blot*, 27 LEIDEN JOURNAL OF INTERNATIONAL LAW 755 (2014) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2355430](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2355430)

- Cited by the Appeals Chamber of the International Criminal Court in the *Labanga* appeals judgement

*Crimes Against Humanity in the Modern Age*, 107 AMERICAN JOURNAL OF INTERNATIONAL LAW 334 (2013) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2013254](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2013254)

## Publications (cont.)

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*America's Drone Wars*, 45 CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW 215 (2013)  
[HTTPS://PAPERS.SSRN.COM/SOL3/PAPERS.CFM?ABSTRACT\\_ID=2248048](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2248048)

*Avoiding the Creation of a Gender Ghetto in International Criminal Law*, 11 INTERNATIONAL CRIMINAL LAW REVIEW 655 (2011) (symposium in honor of Judge Patricia Wald)  
[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1937600](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1937600)

*On Legal Subterfuge and the So-Called "Lawfare" Debate*, 43 CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW 153 (2011) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1698168](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1698168)

*Beyond Kampala: Complementarity and the International Criminal Court: The Next Steps for U.S. Engagement*, ASIL DISCUSSION PAPER SERIES (November 2010)

*A Rawlsian Approach to International Criminal Justice and the International Criminal Court*, 19 TULANE JOURNAL OF INTERNATIONAL & COMPARATIVE LAW 261 (2010)  
[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1651191](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1651191)

- Eberhard P. Deutsch Distinguished Lecture on International Law

*On the Shores of Lake Victoria: Africa and the Review Conference for the International Criminal Court*, AFRICA LEGAL AID QUARTERLY 10 (March 2010) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1626323](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1626323)

*The Nuremberg Paradox*, 58 AMERICAN JOURNAL OF COMPARATIVE LAW 151 (2010)  
[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1408153](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1408153)

- Selected for the Princeton/Illinois Workshop in Comparative Law (2009)

*Transjudicial Dialogue and the Rwandan Genocide: Aspects of Antagonism and Complementarity*, 22 LEIDEN JOURNAL OF INTERNATIONAL LAW 543 (2009) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1313735](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1313735)

- *reprinted in* PROCEEDINGS OF THE SECOND INTERNATIONAL HUMANITARIAN LAW DIALOGS 123 (ASIL 2009)

*A Presumption of Guilt: The Unlawful Enemy Combatant and the U.S. War on Terror*, 37 DENVER J. INT'L L. 539 (2009)

- The 2008 Henry & Mary Bryan Lecture

*Shattering the Nuremberg Consensus: U.S. Rendition Policy and International Criminal Law*, 3 YALE JOURNAL OF INTERNATIONAL AFFAIRS 65 (2008)

- *Reprinted in part in* JANIS & NOYES, INTERNATIONAL LAW CASES & COMMENTARY (4<sup>th</sup> ed. 2011)

*Extraordinary Rendition, Torture and Other Nightmares from the War on Terror*, 75 GEORGE WASHINGTON UNIVERSITY LAW REVIEW 1200 (2007) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1008568](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1008568)

- distributed as part of the "basic materials" to every team (~ 600 worldwide) in the 2007 Philip C. Jessup International Moot Court Competition)

*Ghost Prisoners and Black Sites: Extraordinary Rendition under International Law*, 37 CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW 309 (2006), *reprinted in part in* 15 ILSA LAW QUARTERLY 9 (2007)  
[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=886377](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=886377)

*Exile, Amnesty and International Law*, 81 NOTRE DAME LAW REVIEW 955 (2006)  
[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=712621](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=712621)

- *reprinted in part in* LOUIS HENKIN, LAURENCE HELFER, ET AL, HUMAN RIGHTS (2d ed. 2008)

*An American Vision for Global Justice: Taking the Rule of (International) Law Seriously*, 4 WASHINGTON UNIVERSITY GLOBAL STUDIES LAW REVIEW 1 (2005) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=743128](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=743128)

## Publications (cont.)

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*Summer in Rome, Spring in The Hague, Winter in Washington? U.S. Policy Towards the International Criminal Court*, 21 WISCONSIN INTERNATIONAL LAW JOURNAL 557 (2004)

*Do All Arabs Really Look Alike?*, 50 WAYNE STATE LAW REVIEW 69 (2004) (symposium honoring Edward M. Wise)

*Terrorism and the Rule of Law*, 3 WASHINGTON UNIVERSITY GLOBAL STUDIES LAW REVIEW 135 (2004) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=387460](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=387460)

- *reprinted with updates in* THE INTERNATIONAL HUMANITARIAN LAW DIALOGS, August 29, 2007: Celebrating the 100th Anniversary of the Hague Rules of 1907 (American Society of International Law 2008)

*The Least Dangerous Branch: Six Letters from Publius to Cato in Support of the International Criminal Court*, 35 CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW 339 (2003)

*International Criminal Law and Alternative Modes of Redress*, PROCEEDINGS, KIEL SYMPOSIUM ON INTERNATIONAL LAW (Summer 2002)

*Redefining Universal Jurisdiction*, 35 NEW ENGLAND LAW REVIEW 241 (2001) (lead symposium article)

- *reprinted in* Paul Schiff Berman, *The Globalization of International Law* 241 (2006)

*The New International Criminal Court: An Uneasy Revolution*, 88 GEORGETOWN LAW JOURNAL 381 (2000) (with S. Richard Carden)

- *reprinted in part in* MARK JANIS & JOHN NOYES, INTERNATIONAL LAW, CASES AND COMMENTARY 418 (3<sup>rd</sup> ed. 2006)

*Custom, Codification and Some Thoughts About the Relationship Between the Two: Article 10 of the ICC Statute*, 35 DEPAUL LAW REVIEW 909 (2000) (festschrift for M. Cherif Bassiouni).

*Observations on the Consolidated ICC Text Before the Final Session of the Preparatory Committee*, 13bis NOUVELLES ÉTUDES PÉNALES (Leila Sadat Wexler, special ed. 1998)

*Prosecutions for Crimes Against Humanity in French Municipal Law: International Implications*, AMERICAN SOCIETY OF INTERNATIONAL LAW, PROCEEDINGS OF THE 91ST ANNUAL MEETING 270 (1997)

*International Law Association (American Branch) First Committee Report on Jurisdiction, Definition of Crimes and Complementarity*, 13 NOUVELLES ÉTUDES PÉNALES 159 (Spring 1997) (also published in 25 DENVER JOURNAL OF INTERNATIONAL LAW & POLITICS 211)

*The Proposed Permanent International Criminal Court: An Appraisal*, 29 CORNELL INTERNATIONAL LAW JOURNAL 665 (1996)

*Official English, Nationalism and Linguistic Terror: A French Lesson*, 71 WASHINGTON LAW REVIEW 285 (1996)

*Reflections on the Trial of Vichy Collaborator Paul Touvier for Crimes against Humanity in France*, 20 JOURNAL OF LAW & SOCIAL INQUIRY 191 (1995)

*The Interpretation of the Nuremberg Principles by the French Court of Cassation: From Touvier to Barbie and Back Again*, 32 COLUMBIA JOURNAL OF TRANSNATIONAL LAW 289 (1994)

- *reprinted in* BASSIOUNI, PAUST, ET. AL., INTERNATIONAL CRIMINAL LAW, 1st, 2nd, & 3rd editions

## Publications (cont.)

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### Selected Book Reviews, Symposia Contributions and Contributions to Collected Works

MAX PLANCK ENCYCLOPEDIA OF INTERNATIONAL PROCEDURAL LAW, Editor and Contributor (ongoing)

*The Urgent Imperative of Peace*, in SEEKING ACCOUNTABILITY FOR THE UNLAWFUL USE OF FORCE (Leila Nadya Sadat, ed., Cambridge 2017) (forthcoming) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3042603](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3042603)

*Accountability for the Unlawful Use of Force: Putting Peacetime First*, 58 HARV. INT'L. L. REV. 74 (2017) (Essay in honor of Benjamin B. Ferencz)

*Elements and Innovations of a New Global Treaty on Crimes Against Humanity*, in THE GREY ZONE: CIVILIAN PROTECTION BETWEEN HUMAN RIGHTS AND THE LAWS OF WAR (Mark Lattimer & Philippe Sands, eds., 2017) (forthcoming) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3026250](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3026250)

*Impunity Through Immunity: The Kenya Situation and the International Criminal Court*, in THE INTERNATIONAL CRIMINAL COURT AND AFRICA: ONE DECADE ON (with Benjamin Cohen) (Evelyn A. Ankumah, ed, 2016) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2705446](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2705446)

*The United States and the International Criminal Court: A Complicated, Uneasy, yet at Times Engaging Relationship*, International Law Association Report, 2016 (with Mark A. Drumbl), available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2808533](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2808533)

*Global Perspectives on Colorism: From Ferguson to Geneva and Back Again*, 14 WASH U. GLOBAL STUD. L. REV. 549 (2015) (introduction to the symposium) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2809357](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2809357)

*The Legal Challenges of Globalization: A View from the Heartland*, 13 WASH. U. GLOBAL STUD. L. REV. 415 (2014)(introduction to the symposium)

*Towards a New Global Treaty on Crimes Against Humanity*, in FOR THE SAKE OF PRESENT AND FUTURE GENERATIONS: ESSAYS IN HONOUR OF ROGER CLARK (Suzannah Linton, ed., 2015)

*The Legacy of the International Criminal Tribunal for Rwanda*, in ESSAYS IN HONOUR OF HASSAN JALLOW (Charles Jalloh & Alhagi Mahrong, eds., 2015) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2144848](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2144848)

*Codifying the Laws of Humanity and the "Dictates of the Public Conscience" Towards a New Global Treaty on Crimes Against Humanity*, in ON THE PROPOSED CRIMES AGAINST HUMANITY CONVENTION 17 (Bergmo & Song, eds., 2014) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2650554](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2650554)

*Crimes Against Humanity: Limits, Leverage and Future Concerns*, in THE FIRST GLOBAL PROSECUTOR (Martha Minow & Alex Whiting, eds.) (Univ. of Michigan Press, 2014)

*The International Criminal Court*, in THE CAMBRIDGE COMPENDIUM OF INTERNATIONAL CRIMINAL LAW (William Schabas, ed., 2016) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2437441](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2437441)

*The United States and Human Rights: Paradoxes and Challenges*, in CODIFICATION IN INTERNATIONAL PERSPECTIVE – SELECTED PAPERS FROM THE SECOND IACL THEMATIC CONFERENCE (Wen-Yeu Wang, ed. 2013) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2144849](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2144849)

*The Lomé Amnesty Decision of the Special Court of Sierra Leone*, THE SIERRA LEONE SPECIAL COURT AND ITS LEGACY (Charles Chernor Jalloh, ed. 2013)

*The Legacy of the International Criminal Tribunal for Rwanda*, in RULE OF LAW THROUGH HUMAN RIGHTS AND INTERNATIONAL CRIMINAL JUSTICE (Charles Riziki Majinge, ed., 2013) (festschrift for Adema Dieng) [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2144848](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2144848)

## Publications (cont.)

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*Discussant Remarks: Grotius Lecture Proceedings ASIL 106<sup>th</sup> Annual Meeting* (2012)

- *reprinted in* 28 AM. UNIV. L. REV. 373 (2013)

*Forging a Convention for Crimes Against Humanity in THE CHALLENGE OF HUMAN RIGHTS* (David Keane & Yvonne McDermott, eds., 2012)

*Unpacking the Complexities of International Criminal Tribunal Jurisdiction in ROUTLEDGE HANDBOOK OF INTERNATIONAL CRIMINAL LAW* (William A. Schabas, ed., 2011)  
[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1583105](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1583105)

*Individual Progress in International Law: Considering Amnesty, in PROGRESS IN INTERNATIONAL LAW* (Russell Miller & Rebecca Bratspies, eds. 2008)

*Cross-Fire Discussion of Lessons Learned from the Trials of Slobodan Milosevic, Charles Taylor, and Saddam Hussein* PROCEEDINGS, HAGUE JOINT CONFERENCE ON CONTEMPORARY ISSUES OF INTERNATIONAL LAW (The Hague, 2007)

*Breaking Developments in International Law: A Conversation on the ICJ's Opinion in Bosnia and Herzegovina v. Serbia and Montenegro, in 2007 ASIL PROCEEDINGS*

*Judgment at Nuremberg: Foreword to the Symposium, 6 WASHINGTON UNIVERSITY GLOBAL STUDIES LAW REVIEW* 491 (2007)

*The French Experience, in III INTERNATIONAL CRIMINAL LAW* (3d ed. 2007) (M. Cherif Bassiouni ed.)

*Competing and Overlapping Jurisdictions, in I INTERNATIONAL CRIMINAL LAW* (3d ed. 2006) (M. Cherif Bassiouni, ed.)

*The International Criminal Court and the Transformation of International Law, THE THEORY AND PRACTICE OF INTERNATIONAL CRIMINAL LAW: ESSAYS IN HONOR OF M. CHERIF BASSIOUNI* (Leila N. Sadat, Michael P. Scharf, eds., Martinus Nihof 2008)

*Selected Essays, in SADDAM ON TRIAL* (Scharf & McNeal, eds., 2006)

*The Effect of Amnesties Before Domestic and International Tribunals: Morality, Law, and Politics, in ATROCITIES AND INTERNATIONAL ACCOUNTABILITY* (Edel Hughes, William A. Schabas & Ramesh Thakur, eds. 2007)

*The Influence of International Law and International Tribunals on Harmonized or Hybrid Systems of Criminal Procedure, 4 WASHINGTON UNIVERSITY GLOBAL STUDIES LAW REVIEW* 651 (2005)(panel discussion)

*Commentary on Prosecutor v. Kvočka, in VIII ANNOTATED LEADING CASES OF INTERNATIONAL CRIMINAL TRIBUNALS* 743 (André Klip & Goran Sluiter, eds., 2005)

*The International Criminal Court and Universal Jurisdiction: A Return to First Principles, in INTERNATIONAL LAW AND INTERNATIONAL RELATIONS: BRIDGING THEORY AND PRACTICE* (Chandra Srikam, ed. 2006) (an SSRC project)

*Universal Jurisdiction, National Amnesties, and Truth Commissions: Reconciling the Irreconcilable, in UNIVERSAL JURISDICTION: NATIONAL COURTS AND THE PROSECUTION OF SERIOUS CRIMES UNDER INTERNATIONAL LAW* (Stephen Macedo, ed., Univ. Penn. Press, 2004)

- *cited in* BARRY E. CARTER, ET. AL., INTERNATIONAL LAW (5th ed. 2007)



## Publications (cont.)

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*International Criminal Law, The Use of Force and September 11th, 2001: Making the Rule of Law Count*, PROCEEDINGS, HAGUE JOINT CONFERENCE ON CONTEMPORARY ISSUES OF INTERNATIONAL LAW (T.M. Asser Institute, 2003)

*The Legal Legacy of Maurice Papon, in THE PAPON AFFAIR: MEMORY AND JUSTICE ON TRIAL* (Richard J. Golsan, ed., Rutledge, 2000)

94 AMERICAN JOURNAL OF INTERNATIONAL LAW 430 (1999) (reviewing, Virginia Morris and Michael P. Scharf, *The International Criminal Tribunal for Rwanda*)

Panel Discussion, *Association of American Law School Panel on the International Criminal Court*, 36 AMERICAN CRIMINAL LAW REVIEW 223 (1999)

*The Euro: A New Single Currency for Europe?* 4 COLUMBIA JOURNAL OF EUROPEAN LAW 219 (1998)

*International Criminal Law Comes of Age*, 8 CRIMINAL LAW FORUM 461 (1998) (reviewing, JORDAN J. PAUST, ET AL., INTERNATIONAL CRIMINAL LAW: CASES AND MATERIALS (1st ed., 1998))

*The Establishment of the International Criminal Court: From the Hague to Rome and Back Again, in NATIONAL SECURITY AND INTERNATIONAL LAW: THE UNITED STATES AND THE INTERNATIONAL CRIMINAL COURT* (American Academy of Arts and Sciences) (Sarah Sewall & Carl Kaysen, eds., Rowman & Littlefield, 2000)

*The French Experience, in III INTERNATIONAL CRIMINAL LAW* (M. Cherif Bassiouni, ed., Transnational, 2d ed. 1999)

*A First Look at the 1998 Rome Statute for a Permanent International Criminal Court: Jurisdiction, Definition of Crimes, Structure and Referrals to the Court*, III INTERNATIONAL CRIMINAL LAW (M. Cherif Bassiouni, ed., Transnational, 2d ed. 1998)

*The Role of the European Court of Justice on the Way to European Union, in EUROPE AFTER MAASTRICHT: AMERICAN AND EUROPEAN PERSPECTIVES* (Paul Michael Liitzeler, ed., Berghahn, 1994)

## Selected Commentaries, Blogs and Op-Eds

*Harris Institute Presents Testimony on Gun Violence at the Inter-American Commission on Human Rights*, Intlawgrrrls (March 2018) (with Fizza Batool), available at <https://ilg2.org/2018/03/08/harris-institute-presents-testimony-on-gun-violence-at-the-inter-american-commission-on-human-rights/>

*Global Trumpism*, series on *lex lata, lex ferenda*, available at <http://law.wustl.edu/harris/lexlata/>

*The UN International Law Commission Progresses Towards a new Global Treaty on Crimes Against Humanity*, AMERICAN SOCIETY OF INTERNATIONAL LAW INSIGHT (January 25, 2017) (with Kate Falconer), available at <https://www.asil.org/insights/volume/21/issue/2/un-international-law-commission-progresses-towards-new-global-treaty>

Founder and Contributor, *Lex lata, lex ferenda*, available at <http://law.wustl.edu/harris/lexlata/>

Windows on the World Blog, available at <http://law.wustl.edu/blogs/windowsontheworld/>

An American in Paris Blog, available at <http://law.wustl.edu/harris/travelblog/>

*The Crimes Against Humanity Initiative and Recent Development Toward a Treaty*, *Opinio Juris* (September 2014)

## **Publications (cont.)**

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*Recent Developments: Towards a New Global Treaty on Crimes Against Humanity*, EJIL Talk! (August 2014)

*International Rights Prosecutions by 2022*, available at <http://globalbrief.ca/blog/strategic-futures/what-will-have-been-the-consequences-of-international-human-rights-prosecutions-by-2022/4738>, (2012)

Contributor, ASIL Blog on the Kampala ICC Review Conference, available at <http://iccreview.asil.org/>

Contributor, Intlawgrlls Blog on the Kampala ICC Review Conference, available at <http://www.intlawgrlls.com/>

*Understanding the Goldstone Report: Controversy and Ramifications*, ILSA QUARTERLY, December 2009 (with Michael Scharf)

*Restoring America's Human Rights Record: Memo to the President-Elect*, JURIST, Nov. 13, 2008

Contributor, *Grotian Moment Blog, Saddam on Trial*, available at <http://www.law.case.edu/Academics/AcademicCenters/Cox/GrotianMomentBlog.aspx>  
ASIL Insight: *New Developments Regarding the Prosecution of Saddam Hussein by the Iraqi Special Tribunal*, AMERICAN SOCIETY OF INTERNATIONAL LAW (August, 2005)

*Dedicated Iraqis Have Courage to Spare as They Embark on Difficult Journey*, ST. LOUIS POST-DISPATCH, Jan. 23, 2005, at Newswatch, B4

*International Legal Issues Surrounding the Mistreatment of Iraqi Detainees by American Forces*, AMERICAN SOCIETY OF INTERNATIONAL LAW INSIGHT (May, 2004)

*The Abu-Ghraib Scandal: Accused Fall Under U. S. And International Laws*, ST. LOUIS POST-DISPATCH, May 23, 2004, at News, 1

*U. N. Tribunal is Best Option: Organization has the Expertise, Resources to Ensure Justice is Done*, USA TODAY, Dec. 17, 2003, at 16A

*Recent Developments at the ICTY and the ICTR*, AIDP INSTANT ANALYSIS, Fall 2003

*Postwar Iraq: What Would U. S. Do with Saddam?* ST. LOUIS POST-DISPATCH, Mar. 23, 2003, at B1

*International Justice: The World Can Hold Tyrants Accountable*, ST. LOUIS POST-DISPATCH, Oct. 14, 2002, at B7

*The Trial of Slobodan Milosevic*, AMERICAN SOCIETY OF INTERNATIONAL LAW INSIGHT (October, 2002)

*International Criminal Court: Would America Get a Fair Shake in a World Court? YES: So Lead It With Pride*, ST. LOUIS POST-DISPATCH, May 20, 2002, at B7

*The International Criminal Court Treaty Enters into Force*, AMERICAN SOCIETY OF INTERNATIONAL LAW INSIGHT (March-April, 2002)

*International Court Should Try Defendants*, ST. LOUIS POST-DISPATCH, Nov. 18, 2001, at B3

## **Films and Recordings**

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*Never Again: Forging a Convention for Crimes Against Humanity* (Producer) (Laureate of the St. Louis International Film Festival, 2017 and the New Haven Film Festival 2018)

*The Legacy of the Nuremberg Trials, Seventy Years Later*, UN Audiovisual Library of International Law (October 2016)

*Interpreting the International Criminal Court Statute*, UN Audiovisual Library of International Law (December 2017)

## **Research in Progress**

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*Complementarity at the Crossroads*

*From Auschwitz to Isis: Crimes Against Humanity in the Modern Age*

*U.S. Foreign Relations Restatement: Treaties* (ALI)

*Justice and Deterrence in International Criminal Law*

## **Selected Papers Presented, Conferences and Symposia (since 2012)**

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*Trump and International Law*, AALS Annual Meeting, January 5, 2018, San Diego, California

*Panelist, International Legal Exchange*, AALS Annual Meeting, January 3, 2018

*Panelist, ICC-ASP Side Event on Africa and the International Criminal Court*, December 11, 2017, New York, New York

*Panelist, ICC-ASP Side Event on Progress in Drafting a Convention on the Prevention and Punishment of Crimes Against Humanity*, December 11, 2017, New York, New York

*Chair, ICC-ASP Side Event on Activation of the Aggression Amendments*, December 11, 2017, New York, New York

*Panelist, Complementarity at the Crossroads*, October 21, 2017, Fordham University, New York, New York

*Moderator, The Activation of the Aggression Amendments*, convened by The Government of Liechtenstein, United Nations, September 20, 2017, New York, New York

*Chair and Expert Commentator*, Screening of *Never Again: Forging a Convention for Crimes Against Humanity*, August 27, 2017, Chautauqua, New York

*Convener and Expert Participant, Asia-Pacific Workshop on a Global Convention for Crimes Against Humanity*, December 12-13, 2016, Singapore

*Panelist, ICC-ASP Side Event on the Progress in Drafting a Convention on the Prevention and Punishment of Crimes Against Humanity*, November 21, 2016, The Hague, The Netherlands

*Chair and Expert Commentator*, Screening of *Never Again: Forging a Convention for Crimes Against Humanity*, International Law Weekend, October 29, 2016, Fordham University, New York, New York

*Chair and Expert Commentator, Current Failures and Future Prospects for Addressing the Crisis in Syria*, October 29, 2016, Fordham University, New York, New York

**Selected Papers Presented, Conferences and Symposia (since 2012) (cont.)**

*Panelist, Storey Nuremberg Collection and Personal Items from George E. Seay, Sr., The Nuremberg Trials: 70 Years Later*, October 24, 2016, Dallas, Texas

*Expert Commentator, The IMT at Nuremberg: A Lasting Legacy for the Future*, 10<sup>th</sup> Anniversary of the International Humanitarian Law Dialogs, September 29-30, 2016, Nuremberg, Germany

*Panelist, Author Meets Reader: Crime of Aggressive War, Genocide and Competing Representations: New Books on Iraq*, Law and Society Conference, June 3, 2016, New Orleans, Louisiana

*Expert participant, Experts Meeting on the Future and Importance of the ICC* organized by the Ministry of Foreign Affairs of the Netherlands, April 19, 2016, The Hague, the Netherlands

*Participant, Official Opening of the Permanent Premises of the International Criminal Court*, April 19, 2016, The Hague, the Netherlands;

*Participant, NGO Workshop on the International Law Commission Special Rapporteur Second Report on crimes against humanity*, May 21, 2016, Geneva, Switzerland

*Remembering Nuremberg, 70 Years Later*, keynote address at event organized by the International Nuremberg Principles Academy commemorating the 70<sup>th</sup> anniversary of the Nuremberg Trial, November 20, 2015, Nuremberg, Germany

*High-Level Roundtable on Universal Jurisdiction*, November 9-11, 2016, Florida State University Law School, Tallahassee, Florida

*Forging a Convention for Crimes Against Humanity*, Keynote Address, Citizens for Global Solutions Annual Meeting, October 25, 2016, St. Louis, Missouri

*Experts Meeting on Crimes Against Humanity*, convened by the Nuremberg Academy and the International Law Commission, November 21-22, 2015, Nuremberg, Germany

*New Beginnings, resets and pivots: The International Legal Practice of the Obama Administration*, Case Western Reserve School of Law, September 18, 2015, Cleveland, Ohio

*Srebrenica, twenty-years later*, 9th International Humanitarian Law Dialogs, August 20 – September 1, 2015

*Crimes Against Humanity in Peacetime*, International Criminal Court Lecture Series, The Hague, The Netherlands, July 9, 2015

*International Criminal Law's "Colour" Problem*, Global Conference on Colorism, Washington University, April 1-2, 2015

*Forging a Convention for Crimes Against Humanity*, American Foreign Lawyers Association, New York, NY, December 8, 2014

*International Criminal Law Colloquium*, Columbia Law School, December 5, 2014

*Guantanamo Bay, An International Perspective*, Indiana University, October 20, 2014

*Genocide in Syria? International Legal Limits, and the Problem of Political Will*, Cornell Law School, Ithaca NY, October 11, 2014

**Selected Papers Presented, Conferences and Symposia (since 2012) (cont.)**

*Global Crimes Against Humanity*, Misericordia College, Dallas, PA, September 15, 2014

*8th International Humanitarian Law Dialogs*, August 24-26, 2014, Chatauqua, NY

*Forging a Convention on Crimes Against Humanity*, presented at Washington & Lee Law School (Feb. 21, 2014); Vermont Law School (March 27, 2014); Minnesota Law School Faculty Colloquium (Sept. 4, 2014); Indiana Bloomington Law School (Oct. 21, 2014); and Wayne State Law School (Nov. 11, 2014)

*International Criminal Law Colloquium*, Columbia Law School, December 6, 2013

*Faculty Scholarship Roundtable Series*, John Marshall Law School, Chicago, Illinois, November 20, 2013

*Forging a Convention for Crimes Against Humanity, Internationalization of Law and Legal Practice*, International Law Weekend, New York, New York, October 24-26, 2013

*The human rights situation in North Korea*, ABA International Law Section Meeting, London, England, October 12-19, 2013

*The Legal Challenges of Globalization : A View from the Heartland*, hosted the International Law Weekend-Midwest Regional Conference, Washington University School of Law, St. Louis, Missouri September 19-21, 2013

*Article 25 of the Rome Statute: Emerging Divisions at the ICC*, International Criminal Court, The Hague, The Netherlands, June 19, 2013

*8th Annual International Law Colloquium Series*, Georgia Law School, March 28-29, 2013

*Assessing the Future of International Criminal Justice—Evolving Individual Accountability—From Nuremberg to the International Criminal Court*, AALS Annual Meeting, New Orleans, Louisiana, January 4-7, 2013

*Droit étatique, droit fédéral et droit international: comment les juridictions américaines tranchent-elles les conflits de compétences?* Institut de Droit Comparé de Paris, December 12, 2012

*Forging a Convention for Crimes Against Humanity*, Distinguished Fall Global Law Visitor, Lewis & Clark Law School, Portland, Oregon, September 19, 2012

*Presidential Power, Foreign Affairs and the 2012 Election*, Case Western University School of Law, Cleveland, Ohio, September 6-8, 2012

*Katherine B. Fite Lecture*, Sixth Annual Humanitarian Law Dialogs, Chautauqua, NY, August 25, 2012

*Ten Years of the ICC and the United States – Past, Present and Future*, ABA Annual Meeting, Chicago, Illinois, August 3, 2012

*Implementing Human Rights and International Humanitarian Law – The Individual Responsibility*, Raoul Wallenberg Institute, Lund University, Sweden, April 24, 2012

*Assessing the Contributions and Legacy of the Special Court for Sierra Leone to Africa and International Criminal Justice*, SCSL Conference, University of Pittsburgh School of Law, Pittsburgh, Pennsylvania, April 19, 2012

*The ICC and the Politics of Punishment*, The 38th Annual Friedmann Conference, Columbia School of Law, New York, New York, April 3, 2012

*Distinguished Discussant*, Grotius Lecture, Annual Meeting, American Society of International Law, Washington, DC, March 28, 2012

## **Professional Memberships and Associations**

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### **American Bar Association**

Member since 1985

Member, ABA Task Force on the International Criminal Court (2010 to 2013)

Member, Task Force on Crimes Against Humanity (since 2014)

### **American Law Institute**

Elected to membership, Fall 2003

Members Consultative Group, Restatement (Fourth) Foreign Relations Law

### **American Society of Comparative Law**

Book Review Editor, *The American Journal of Comparative Law*, 2011 to 2013

Director, 2013 to present

Secretary, 2004 to 2008

Executive Committee, 1999 to 2001

Editor, *The American Journal of Comparative Law*, 1993 to 2012

### **American Society of International Law**

**Counselor** (2016-present)

Host Committee & Research Forum Co-Chair, Midyear Meeting (2017)

Awards Committee (2005-2006)

Executive Committee (2002-2003)

Executive Council (2002-2005)

Outreach Committee (2002-2003)

Program Committee (1999, 2009-2010)

### **Council on Foreign Relations**

Elected to membership, Spring 2012

### **Criminal Law Forum**

Board of Editors, 2010 to present

### **International Academy of Comparative Law**

Elected to Membership, April 2003

### **International Association of Penal Law**

Vice-President (American Branch) 1995 to present

Executive Committee, elected Fall 2004

### **International Law Association (American Branch)**

**President-elect** (elected Fall 2016)

Vice-President, 2003-2016

Co-Director of Studies, 2002-2006

Member, ILA International Criminal Court Committee, 2003 to 2012

Member, ILA International Human Rights Committee, 2013 to 2014

Member, ILA Complementarity Committee, 2014 to present

Executive Committee, 1998 to present

Chair, ABILA International Criminal Court Committee, 1995 to 2002; member 2006 to present

Nominating Committee, 2002 to 2003

Delegate, United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, 15 June-17 July 1998, Rome, Italy

## **Professional Memberships and Associations (cont.)**

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### **International Law Students Association**

**Chairwoman**, 2008-2010

Board of Directors, 1997 to 2003; re-elected 2005 to 2008

Chair, Nominating Committee, 2006

**Co-Author, Phillip C. Jessup International Moot Court Competition Problems 2001, 2003, 2011**

Honorary Council, 2011 to present

### **Revue Québécoise de Droit International**

Board of Editors, 1998 to present

### **Société de Législation Comparée (France)**

Member, 1993 to present

## **Media Publications, Speaking Engagements and Broadcasts**

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Active speaker on international law issues, internationally, nationally and locally. Recent venues include The Center for American and International Law (Dallas), the International Criminal Court (The Hague); The Dag Hammarskjöld Foundation (Sweden); the Nuremberg Academy (Germany); Universidad Católica Portugal Global Law School; the Chautauqua Institution; the French Center for the United States, *Institut Français des relations internationales* (Paris, France); the annual Town and Gown Lecture (Washington University); World Federalist Society annual and regional meetings (NY & St. Louis); Amnesty International; The Ethical Society of St. Louis, the St. Louis Discussion Club, Annual Missouri Judicial Forum.

Op-ed contributor, *St. Louis Post-Dispatch*; Radio commentator with the Canadian National Broadcast Company (in French), national and local NPR stations, Voice of America and BBC World; Television appearances include St. Louis News Channel 5; French National Television TF3 Frédéric Teddei, *ce soir ou jamais*, Paris, France; *Sociedade das Nações*, Lisbon, Portugal; *The News Hour* with Jim Lehrer; C-SPAN; *The O'Reilly Factor* (FOX); *Paula Zahn Show* (CNN); CNN International, CSPAN, MSNBC and local affiliate, KSDK (St. Louis, MO); Quoted or interviewed by *Newsweek*, *Voice of America*, *Washington Times*, *The Washington Post*, *Christianity Today*, *Associated Baptist Press*, *Boston Globe*, *St. Louis Post-Dispatch*, *The Christian Science Monitor*, *The Newark Star-Ledger*, *Criminal Defense Weekly*, *Los Angeles Times*, and *USA Today*.

## **Other Expert, Teaching and Pro Bono Experience**

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### **Universidade Católica Portugal**

Invited Professor, April 2013, April 2014, April 2015, April 2016, April 2017

### **University of Paris II — Assas, Collège de droit,**

Professeur Invité, December 2012

### **Université de Cergy – Pontoise, Paris, France**

Alexis de Tocqueville Distinguished Fulbright Chair, Spring 2011

### **Irish Centre for Human Rights, National University of Ireland, Galway, Ireland**

Summer Course on the International Criminal Court, 2000, 2004, 2005, 2011

Summer Program on International and Comparative Human Rights Law, Summer 2003

## **Other Expert, Teaching and Pro Bono Experience (cont.)**

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### **Council on Foreign Relations**

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

**Advisor, Government of Timor-Leste**, 8<sup>th</sup> Meeting ICC ASP

**Director, Project on Norms and International Criminal Law**, Washington University in St. Louis, Center for the Humanities

**Consultant**, U.S. Department of State on “Future Prospects of International War Crimes Tribunals” (November 20-21, 2008)

**Alliance Française de St. Louis**, Board of Directors (2000-2006)

**Citizens for Global Solutions**, Board of Directors (2004-2006)

**Lecturer, International Bar Association Training Program in Human Rights for Iraqi Lawyers, Judges and Prosecutors**, Dubai, U.A.E. (Spring 2004)

**Special Court for East Timor**, Office of the Prosecutor Expert Memorandum on issues of *Ne bis in Idem* before the Special Court (Summer 2003)

**International Institute of Higher Studies in Criminal Sciences**, Siracusa, Italy  
*Colloque des Jeunes Pénalistes*, September 1998, 1999, 2003 and 2006

**Tulane Law School**, New Orleans, Louisiana  
Summer School Abroad: 2001 (Greece); 1990, 1997 (Paris)

**University of Paris I — Sorbonne**  
Maître de Conférence, 1987-88

## **Bar Admissions**

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Louisiana, 1986  
Paris, 1992

## **Languages**

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Bilingual in French and English; limited proficiency in Italian and Spanish; some facility in Arabic

## **Security Clearance**

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U.S. Security Clearance, “Secret,” received October 2002

(Last Updated March 20, 2018)