

October 2020

DAVID J. SCHEFFER

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ACADEMIC

Clinical Professor Emeritus, Director Emeritus of the Center for International Human Rights, Northwestern University Pritzker School of Law, Sept. 2020-present.
Global Law Professor (Spring 2021), **KU Leuven University**, Belgium. Int'l Criminal Tribunals.
*Mayer Brown/Robert A. Helman Professor of Law, 2006-2020, Visiting Professor of Law, 2005-2006, and Director of the Center for International Human Rights (2006-2019), Northwestern University Pritzker School of Law. Int'l Human Rights Law, Int'l Criminal Law, Corporate Social Responsibility, Human Rights in Transitional Democracies.
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 (St. Louis) and Case Western Reserve University School of Law). Course instruction: Atrocity Law and Policy.
Visiting Professor of Law, The George Washington University Law School, 2004-2005. Int'l Law I, Int'l Organizations Law, Int'l Criminal Law.
Visiting Professor of Law, Georgetown University Law Center, 2003-2004. Int'l Law I, Int'l Institutions Law, Atrocity Law Seminar. Int'l Law I in GULC's summer program at University College, Faculty of Laws, London (July-Aug. 2004).
Visiting Lecturer, National University of Ireland (Galway), July 2003. 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). 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. Legal Responses to War Crimes, Genocide, and Crimes Against Humanity.
Adjunct Professor of Law, Georgetown University Law Center, 1992-1996. Law of Int'l Institutions.
Adjunct Professor, Graduate School of International and Public Affairs, Columbia University, New 1986-1987. The United States in World Affairs.*

UNITED NATIONS AND GOVERNMENT EMPLOYMENT

U.N. Secretary-General's Special Expert on United Nations Assistance to the Khmer Rouge Trials, Jan. 2012–June 2017; Mar.–Oct. 2018.
U.S. Ambassador at Large for War Crimes Issues, U.S. Department of State, Aug. 1997-Jan. 20, 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, Feb. 1997-July 1997.
Senior Adviser and Counsel, Office of the U.S. Permanent Representative to the United Nations, U.S. Department of State, March 1993-Jan. 1997. Also served 1993-1996 on NSC Deputies Committee.
Senior Consultant, Committee on Foreign Affairs, U.S. House of Representatives, 1987-1988.

EMPLOYMENT WITH LAW FIRMS, NGOs & THINK TANKS

Visiting Senior Fellow, Council on Foreign Relations, Washington, D.C. (2019-present).
Tom A. Bernstein Genocide Prevention Fellow, U.S. Holocaust Memorial Museum (2019-present).
Bellagio Center Practitioner Residency, The Rockefeller Foundation Bellagio Center, Italy, 2021.
Bosch Berlin Prize in Public Policy, American Academy in Berlin, Germany (in residence Fall 2013).
Senior Vice President, United Nations Association of the U.S.A., Mar. 2002-June 2003.
Jennings Randolph Senior Fellow, U.S. Institute of Peace, Washington, D.C., April 2001-Feb. 2002.
Senior Associate, Carnegie Endowment for International Peace, Washington, D.C., 1989-1992.

International Affairs Fellow, Council on Foreign Relations, Washington, D.C., 1986-1987.
Research Associate, Center for International Affairs, Harvard University, 1983-1984.
Associate Attorney, Coudert Brothers, New York (2 years) and Singapore (4 years)), 1979-1986.
Legal Assistant, Dewey, Ballantine, Bushby, Palmer & Wood, New York, 1978-1979.

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).

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).

A.B. magna cum laude, Government and Economics, 1975, **Harvard College**, Cambridge, Massachusetts;

Senior Honors Thesis (*magna cum laude*): PROCESSES OF MODERNIZATION IN SCOTLAND: THE POLITICAL ECONOMY OF NORTH SEA OIL; Honors: 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*.

AWARDS

--2020 Dr. Jean Mayer Global Citizenship Award, Global Leadership Institute, Tufts University.

--Champion of Justice Award 2018, Center for Justice and Accountability, San Francisco, Ca.

--Bosch Berlin Prize in Public Policy, Fall 2013, American Academy in Berlin.

--2012 Book of the Year Award for Scholarly Contribution to the Field from the American National Section of L'Association Internationale de Droit Pénal (AIDP) and *Washington Post's* "Best of 2012: 50 Notable Works of Nonfiction" for *All the Missing Souls: A Personal History of the War Crimes Tribunals*.

--One of *Foreign Policy Magazine's* "Top Global Thinkers of 2011."

--15th Annual Webby Awards: 2011 Official Honoree: Law, *Cambodia Tribunal Monitor*.

--Dean's Teaching Award 2007-2008, Northwestern University School of Law.

--Max Kampelman Award 1999 (American Bar Association, CEELI).

--The Kevin J. Barry Award for Excellence in Military Legal Studies for the most outstanding article published in 2009: Honorable Mention to David Scheffer for his article "Closing the Impunity Gap in U.S. Law," 8 *Northwestern University Journal of International Human Rights* 30 (2009).

PROFESSIONAL MEMBERSHIPS

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

Vice President, Co-Chair of Development Committee, Member of Executive Council & Executive Committee, 2020-present.

Member, US-ICC Relationship Task Force Advisory Group, 2020-present.

Member, ASIL Ad Hoc Committee for Selecting the Gala Honorees, 2019.

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

Member, Executive Committee, 2004-2005.

Co-Chair, Committee on the Annual Meeting 1991.

Member/co-author, ASIL Joint U.S.-Soviet Study on Int'l Law and Int'l Politics (1989-90).

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

Speaker on numerous panels of the Annual Meetings and other ASIL events since 1979 and frequent contributor to the *American Journal of International Law*, *Proceedings of the Annual Meeting*, *International Legal Materials*, and *ASIL Insights*.

Member, Council on Foreign Relations, 1991 - present (Term Member, 1985-1990).

Member, American Bar Association, 1979-1993, 2009 - present. Member, Advisory Board, ICC Project. Chair, Working Group on Crimes Against Humanity (2015-present).

Member, Chicago Council on Global Affairs, 2011 - present. Nonresident Senior Fellow (2018-present).

Member, L'Association Internationale de Droit Pénal, 2011 - 2018.

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

Member, International Bar Association, 2017-2019.

Member, Task Force on Law and Diplomacy, International Bar Association and Academie Diplomatique Internationale, 2013 - 2018.

Co-Chair, Working Group on Business and Human Rights, PRME (Principles for Responsible Management Education), U.N. Global Compact, 2015 - 2020.

BAR MEMBERSHIPS

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 (2nd, D.C., and Federal Cir.), U.S. Supreme Court.

Personal: Born 18 September 1953 and raised in Norman, Oklahoma. Fair knowledge of French.

SCHOLARSHIP (Exclusive of Less Significant Works 1976-2000 and Most Op-Eds)

Books, Book Chapters, and Law Review/Journal articles are recorded in **Bold**

2020

“What Are the Laws Governing Military Force During the U.S. Elections?” on cfr.org (Oct. 23, 2020) at <https://www.cfr.org/article/what-are-laws-governing-military-force-during-us-elections>.

Three Realities about the Africa Situation at the ICC and Improving Communications with States in THE INTERNATIONAL CRIMINAL COURT: CONTEMPORARY CHALLENGES AND REFORM PROPOSALS (RICHARD H. STEINBERG, ED.) 128, 367 (2020).

“The Flawed U.S. Effort to Revive Iran Sanctions” on cfr.org (Sept. 22, 2020) at <https://www.cfr.org/article/flawed-us-effort-revive-iran-sanctions>.

INTRODUCTORY NOTE TO CASE 004/2 INVOLVING AO AN: CONSIDERATIONS ON APPEALS AGAINST CLOSING ORDERS (EXTRAORDINARY CHAMBERS CTS. CAMBODIA) [December 19, 2019], 59 INT’L LEGAL MATERIALS 563 (2020).

“Lebanon’s Frustrating Day of Judgment” on cfr.org (August 20, 2020), at <https://www.cfr.org/article/lebanons-frustrating-day-judgment>.

“Reducing the Funding Gaps for Atrocity Victims,” on *Opinio Juris* (August 12, 2020), at <http://opiniojuris.org/2020/08/12/reducing-the-funding-gaps-for-atrocity-victims/>.

“How America’s Credibility Gap hurts the Defense of Rights Abroad” on cfr.org (June 5, 2020), at <https://www.justsecurity.org/70742/the-self-defeating-executive-order-against-the-international-criminal-court/>.

“The Self-Defeating Executive Order Against the International Criminal Court” on *JUST SECURITY* (June 12, 2020), at <https://www.justsecurity.org/70742/the-self-defeating-executive-order-against-the-international-criminal-court/>.

Foreward in SARATA ASHRAF, NO PLACE FOR OPTIMISM: ANTICIPATING MYANMAR'S FIRST REPORT TO THE INTERNATIONAL COURT OF JUSTICE (May 2020), at <https://cgpolicy.org/wp-content/uploads/2020/05/CGP-Myanmar-Rohingya-May-2020.pdf>.

“Don’t Discriminate Against Those Who Remain Uninfected, on *THINK GLOBAL HEALTH* (Apr. 21, 2020) at <https://www.thinkglobalhealth.org/article/dont-discriminate-against-those-who-remain-uninfected>.

“Is it a Crime to Mishandle a Public Health Response?” on *cfr.org* (Apr. 22, 2020), at <https://www.cfr.org/article/it-crime-mishandle-public-health-response>.

“Former Officials Challenge Pompeo’s Threats to the International Criminal Court,” on *Just Security* (March 18, 2020) at <https://www.justsecurity.org/69255/former-officials-challenge-pompeos-threats-to-the-international-criminal-court/>.

“The ICC’s Probe Into Atrocities in Afghanistan: What to Know,” on *cfr.org* (March 6, 2020), at <https://www.cfr.org/article/iccs-probe-atrocities-afghanistan-what-know>.

“The International Court of Justice’s Recent Rulings on the Rohingya Genocide” for the Religion and Foreign Policy Series on *cfr.org* (February 27, 2020), at <https://www.cfr.org/conference-calls/international-court-justices-recent-ruling-rohingya-genocide>.

“Justice Joseph Story on ‘High Crimes and Misdemeanors’—The Antithesis to Dershowitz,” on *Just Security* (January 27, 2020) at <https://www.justsecurity.org/68293/justice-joseph-story-on-high-crimes-and-misdemeanors-the-antithesis-to-dershowitz/>.

“Why the ICJ is Trying to Protect Myanmar’s Rohingya,” on *cfr.org* (January 24, 2020), at <https://www.cfr.org/article/why-icj-trying-protect-myanmars-rohingya>.

2019

THE SIT ROOM: IN THE THEATER OF WAR AND PEACE (Oxford University Press, 2019). See <https://global.oup.com/academic/product/the-sit-room-9780190860639?cc=us&lang=en&>.

“Request for Leave to File Amicus Curiae Submission on Behalf of David J. Scheffer,” Situation in the Islamic Republic of Afghanistan, The Appeals Chamber, International Criminal Court, No. ICC-02/17, 15 October 2019, at <https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-02/17-79>.

“Bullhorns for Humanity: The Rise of CEOs as Social Activists,” on KNOWLEDGE@WHARTON (June 6, 2019) (with Caroline Kaeb), at <https://knowledge.wharton.upenn.edu/article/the-rising-social-activists-ceos-and-their-employees/>.

“New Financial Vehicles for Assisting Victims of Atrocity Crimes: A Bold Move for International Justice,” in JUST SECURITY (February 21, 2019), at <https://www.justsecurity.org/62655/financial-vehicles-assisting-victims-atrocity-crimes-social-bond-international-justice/>.

“Corporate Engagement with Public Policy: A Framework Based on Multi-Stakeholder Consultations,” Workshop: Full Report (January 2019) (with Caroline Kaeb), The Chicago Council on Global Affairs, at https://www.thechicagocouncil.org/sites/default/files/cepp_report_chicago_council_final_16_feb_2019_2.pdf.

“Leadership Initiative on Corporate Engagement with Public Policy: Summary and Recommendations,” Workshop Summary (January 2019) (with Caroline Kaeb), The Chicago Council on Global Affairs, at https://www.thechicagocouncil.org/sites/default/files/report_leadership-initiative-on-corporate-engagement-with-public-policy_20190311_0.pdf.

2018

“The Rising Challenge of Funding Victims’ Needs at the International Criminal Court,” in JUST SECURITY (December 3, 2018), at <https://www.justsecurity.org/61701/rising-challenge-funding-victims-international-criminal-court/>.

“Create a Select Committee of ICC State Party Representatives,” in *ICC FORUM* (June 28, 2018), at <https://iccforum.com/anniversary#Scheffer>.

“Is the Presumption of Corporate Impunity Dead?” 50 CASE WESTERN RES. J. INT’L L. 213 (Spring 2018).

21st Century Paradigms on Military Force for Humane Purposes, in SEEKING ACCOUNTABILITY FOR THE UNLAWFUL USE OF FORCE (LEILA SADAT, ED.) 493 (2018) (with Angela Walker).

Closing Perspectives, THE FOUNDERS (DAVID CRANE, LEILA SADAT, MICHAEL SCHARF, EDS.) 147 (2018).

2017

“Build It and They Will Come: The Formative Stage of Human Rights Education in Business Schools,” PRME Forum Blog, December 5, 2017, at <http://blog.journals.cambridge.org/2017/12/05/build-it-and-they-will-come-the-formative-stages-of-human-rights-education-in-business-schools/> (with Caroline Kaeb).

“Book Review,” 111 AM. J. INT’L L. 559 (2017) (reviewing Philippe Sands, *EAST WEST STREET: ON THE ORIGINS OF “GENOCIDE” AND “CRIMES AGAINST HUMANITY”* (2016)).

“The State Department’s retreat in the fight against genocide,” *The Hill*, July 19, 2017, at <http://thehill.com/blogs/congress-blog/foreign-policy/342705-the-state-departments-retreat-in-the-fight-against?rmd=1500478588> (with Clint Williamson and Stephen Rapp).

Brief of Ambassador David J. Scheffer, Northwestern University Pritzker School of Law, as Amicus Curiae in Support of the Petitioners, Joseph Jesner, et al., v. Arab Bank PLC, 822 F.3d 34 (2d Cir. 2016), On Writ of Certiorari to the United States Court of Appeals for the Second Circuit (No. 16-499) (Jun. 26, 2017).

The Missing Pieces in Article 8 bis (Aggression) of the Rome Statute, in 58 Harv. Int’l L.J. 83 (Online Journal) (2017), at <http://www.harvardilj.org/2017/04/the-missing-pieces-in-article-8-bis-aggression-of-the-rome-statute/>.

“Some Realities Behind the Application for Revision Concerning Bosnia and Herzegovina v. Serbia,” *Just Security*, Mar. 10, 2017, at <https://www.justsecurity.org/38733/realities-application-revision-bosnia-herzegovina-v-serbia>.

“Prevent and punish in South Sudan,” *The Hill*, Feb. 1, 2017, at <http://thehill.com/blogs/congress-blog/foreign-policy/317252-prevent-and-punish-in-south-sudan> (with Stephen Rapp and Clint Williamson).

Amending the Crime of Aggression under the Rome Statute, in THE CRIME OF AGGRESSION – A COMMENTARY (CLAUS KRESS AND STEPHAN BARRIGA, EDS.) 1480 (2017).

2016

Criminal Justice, in THE OXFORD HANDBOOK OF INTERNATIONAL ORGANIZATIONS (JACOB KATZ COGAN, IAN HURD, AND IAN JOHNSTONE, EDS.) 282 (2016).

Declaration of David J. Scheffer on Aiding and Abetting Liability Pertaining to Crimes Against Humanity under International Law, *John Doe I, et al., v. Nestle, S.A., et al.*, Case No. CV 05-5133-SVW-MRW (U.S. Dist. Ct., Central District of California, Nov. 7, 2016).

“More Options for Africa under the Rome Statute,” *Just Security*, Nov. 19, 2016, at <https://www.justsecurity.org/34669/options-africa-rome-statute-international-criminal-court-scheffer>.

“Three Realities About the African Situation at the International Court,” *ICCForum*, Nov. 2016, at <http://iccforum.com/withdrawal#Scheffer>.

“How to Move Beyond South Africa’s Notice of Withdrawal from the International Criminal Court,” *Just Security*, Oct. 24, 2016, at <https://www.justsecurity.org/33778/move-south-africas-notice-withdrawal-icc/>.

***The Creation of the Tribunals*, 110 AM. J. INT’L L. 173 (2016) (with Michael J. Matheson).**

***Corporate Liability under the Rome Statute*, 57 Harv. Int’l L.J. (Online Symposium) 35 (2016), at <http://www.harvardilj.org/online-symposium-an-international-jurisdiction-for-corporate-atrocity-crimes/>.**

The Corporate Joust with Morality, *Opinio Juris*, June 6, 2016 (with Caroline Kaeb), at <http://opiniojuris.org/2016/06/06/the-corporate-joust-with-morality/>.

***Maximizing Opportunities to Deter Further Atrocity Crimes*, CONTEMPORARY ISSUES FACING THE INTERNATIONAL CRIMINAL COURT (RICHARD H. STEINBERG, ED.) 220 (2016).**

Justice Delayed, Not Denied, in Bosnia, Project Syndicate, Mar. 25, 2016, at <https://www.project-syndicate.org/commentary/radovan-karadzic-convicted-by-david-scheffer-2016-03>.

Brief of Ambassador David J. Scheffer, Northwestern Pritzker School of Law, as Amicus Curiae in Support of the Petitioners, *Lungislie Ntsebeza v. Ford Motor Co.*, 796 F.3d 160 (2d Cir. 2015), *petition for cert. filed*, (No. 15-1020).

***Reflections on Contemporary Responses to Atrocity Crimes*, in 10 GENOCIDE STUDIES INTERNATIONAL 1, 105-114 (Spring 2016).**

***The Complex Crime of Aggression under the Rome Statute (Chapter 31), The United States and the International Criminal Court (Chapter 50), A Review of the Experiences of the Pre-Trial and Appeals Chambers of the International Criminal Court Regarding the Disclosure of Evidence (Chapter 58)*, in INTERNATIONAL CRIMINAL LAW (ANTONIO CASSESE, FLORIAN JEBBERGER, ROBERT CRYER, & URMILA DÉ, EDS.) (2016).**

***The United Nations Security Council and international criminal justice*, in CAMBRIDGE COMPANION TO INTERNATIONAL CRIMINAL LAW (WILLIAM SCHABAS, ED.) 178-195 (2016).**

***Is violence necessary to topple a dictator?* *Foreign Policy*, January/February 2016, 30-31 (with Erica Chenoweth).**

Amicus Curiae Brief of Former U.S. Ambassador-At-Large for War Crimes Issues David J. Scheffer in Support of Appellants and Reversal, *Doe et al. v. Cisco Systems, Inc. et al.*, No. 15-16909 (9th Cir., Jan. 11, 2016).

2015

Shield America from Crimes Against Humanity, The Hill, 23 December 2015, at <http://thehill.com/blogs/congress-blog/homeland-security/264007-shield-america-from-crimes-against-humanity>.

What is the breaking point for nonviolent resistance? Foreign Policy Global Thinkers Podcast, 17 November 2015 (with Erica Chenoweth), at http://foreignpolicy.com/2015/11/17/what-is-the-breaking-point-for-non-violent-resistance/?utm_source=Sailthru&utm_medium=email&utm_campaign=New%20Campaign&utm_term=Flashpoints.

The Impact of the War Crimes Tribunals on Corporate Liability for Atrocity Crimes under US Law, in CORPORATE SOCIAL RESPONSIBILITY: HUMAN RIGHTS IN THE NEW GLOBAL ECONOMY (CHARLOTTE WALKER-SAID AND JOHN D. KELLY, EDs.) 152 (2015).

Reflections [on Extraordinary Chambers in the Courts of Cambodia], in PROCEEDINGS OF THE EIGHTH INTERNATIONAL HUMANITARIAN LAW DIALOGS (MARK DAVID AGRAST AND DAVID M. CRANE, EDs.) 27 (2015).

The Fate of R2P in the Age of Retrenchment, in GLOBALIZATION AND ITS IMPACT ON THE FUTURE OF HUMAN RIGHTS AND INTERNATIONAL CRIMINAL JUSTICE (M. CHERIF BASSIOUNI, ED.) 617 (2015).

Preface, in MORSE TAN, THE INTERNATIONAL LAW AND THE DUAL CRISES: NARRATIVE AND CONSTRUCTIVE ENGAGEMENT ix (2015).

False Alarm about the Proprio Motu Prosecutor, in THE FIRST GLOBAL PROSECUTOR (MARTHA MINOW, CORA TRUE-FROST & ALEX WHITING EDs.) 29 (2015).

What Will Be The Tribunal's Legacy? Sense Tribunal, 17 June 2015, at http://www.sense-agency.com/icty/what-will-be-the-tribunals-legacy.29.html?cat_id=1&news_id=16630.

Ending Genocide Denial at Srebrenica, Project Syndicate, 6 July 2015, at <http://www.project-syndicate.org/commentary/muslim-dodik-mladic-security-council-by-david-scheffer-2015-07>.

Amicus Curiae Brief of David J. Scheffer in Support of Appellants, U.S. Court of Appeals for the Second Circuit, *Balintulo et al. v. Ford Motor Co., International Business Machines Corp., General Motors Corp.*, No. 14-4104(L) (Feb. 4, 2015).

2014

Atrocity Crimes, in GENOCIDE: A READER (JENS MEIERENRICH, ED.) 88 (2014).

Amicus Curiae Brief of David J. Scheffer in Support of Appellants' Opposition to Petition for Rehearing and Rehearing *En Banc*, U.S. Court of Appeals for the Ninth Circuit, *John Doe I, John Doe II; John Doe III; individually and on behalf of proposed class members; Global Exchange v. Nestle, U.S.A., Inc., Archer Daniels Midland Company; Cargill Incorporated Company; Cargill Cocoa*, No. 10-56739 (19 December 2014).

Scottish Independence Insta-Symposium: The Legal Terrain Following a Yes Vote for Scottish Independence, Opinio Juris blog, 15 September 2014, at <http://opiniojuris.org/2014/09/15/scottish-independence-insta-symposium-legal-terrain-following-yes-vote-scottish-independence/>.

Justice in Syria and Iraq, Los Angeles Times, 6 July 2014, p. A19, at <http://www.latimes.com/opinion/op-ed/la-oe-scheffer-prosecuting-atrocities-syria-iraq-20140706-story.html>.

Proposal for an International Criminal Court Arrest Procedures Protocol, NW. J. INT'L HUM. RTS 299 (2014), at <http://scholarlycommons.law.northwestern.edu/njihr/vol12/iss3/1/>.

Advancing U.S. Interests in its Evolving Relationship with the International Criminal Court, 3 June 2014, ABA-ICC Project, at <http://www.aba-icc.org/arguendo/article/advancing-u-s-interests-in-its-evolving-relationship/>.

The flaw in Osborne's pre-emptive strike against a currency union, New Statesman, 28 February 2014, at <http://www.newstatesman.com/politics/2014/02/flaw-osbornes-pre-emptive-strike-against-currency-union>.

2013

The Paradox of Kiobel in Europe, 107 AM. J. INT'L L. 852 (2013) (with Caroline Kaeb).

The Ethical Imperative of Curbing Corporate Tax Avoidance, 27 *Ethics & International Affairs* 361 (Winter 2013), at <http://www.ethicsandinternationalaffairs.org/2014/the-ethical-imperative-of-curbing-corporate-tax-avoidance/>.

The Five Levels of CSR Compliance: The Resilience of Corporate Liability under the Alien Tort Statute and the Case for a Counterattack Strategy in Compliance Theory (with Caroline Kaeb) 29 BERKELEY JOURNAL OF INTERNATIONAL LAW 334 (2011) reprinted in HUMAN RIGHTS AND NON-STATE ACTORS (ANDREW CLAPHAM, ED.) 655 (2013).

Excerpts from *ALL THE MISSING SOULS: A PERSONAL HISTORY OF THE WAR CRIMES TRIBUNALS*, "9 EYES ON THE ICC 1 (2012-2013).

The Enforcement of International Criminal Court Arrest Warrants, in THE RISE OF INTERNATIONAL JUSTICE (KELLY ASKIN, ED.) 175 (2013).

First Annual Clara Barton Lecture: Origins of the Special Court for Sierra Leone, PROCEEDINGS OF THE SIXTH INTERNATIONAL HUMANITARIAN LAW DIALOGS (ELIZABETH ANDERSON & DAVID CRANE, EDS.) 79 (2013).

Chasing Leadership Impunity: The Rapid Evolution of International Criminal Law, 16 CHAPMAN L. REV. 395 (2013).

Atrocity Crimes Litigation: Year-in-Review (2011) Conference Abridged Transcript, 11 NW. J. INT'L HUM. RTS 146 (2013), at <http://scholarlycommons.law.northwestern.edu/njihr/vol11/iss3/6>.

International Political and Legal Implications of Scottish Independence, Adam Smith Research Foundation Working Papers 23:01 (February 2013), at http://www.gla.ac.uk/media/media_270495_en.pdf.

Negotiating a Better Pathway to Scottish Independence, in Scotland Referendum: Road to 2014 Blog, March 3, 2013, at <http://www.scotreferendum.com/2013/03/03/negotiating-a-better-pathway-to-scottish-independence/>.

2012

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

Tribunal Influence in Recent U.S. Jurisprudence on Corporate Liability for Atrocity Crimes, in PROCEEDINGS OF THE FIFTH INTERNATIONAL HUMANITARIAN LAW DIALOGS (DAVID M. CRANE & ELIZABETH ANDERSON, EDS.) 47 (2012).

El Significado y la Activación del Crimen de Agresión Bajo el Estatuto de la Corte Penal Internacional, 7 *Política Criminal* 13 (Julio 2012) 209-229.

Brief of Ambassador David J. Scheffer as Amicus Curiae in Support of the Petitioners, *Kiobel v. Royal Dutch Petroleum Co.*, 133 S.Ct. 1659 (2013) (No. 10-1491) (June 13, 2012), at <http://harvardhumanrights.files.wordpress.com/2012/06/ambassador-scheffer.pdf>.

America's Embrace of the International Criminal Court, JURIST (July 2, 2012), at <http://jurist.org/forum/2012/07/dan-scheffer-us-icc.php>.

Where ethnic differences breed tolerance, not strife: book review of Pax Ethnica: Where and How Diversity Succeeds (Karl E. Meyer and Shareen Blair Brysac), Washington Post, May 18, 2012, p. B7.

Confidential Memorandum on International Criminal Tribunals: Arrest/Surrender Cooperation Strategies, on file with the author and with the Prosecutor, International Criminal Court (2012).

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.*, 133 U.S. 1659 (2013) (No. 10-1491) (December 20, 2011), at <http://sblog.s3.amazonaws.com/wp-content/uploads/2012/01/Scheffer-Kiobel-Amicus-Brief-Final.pdf>.

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.*, 133 U.S. 1659 (2013) (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), <http://www.asil.org/insights/volume/14/issue/16/states-parties-approve-new-crimes-international-criminal-court>.

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).

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.

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 http://www.cambodiatribunal.org/assets/pdf/court-filings/C5_13_EN.pdf.

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 http://www.dccam.org/Tribunal/Analysis/David_Scheffer_Essay_September_2007%20in%20Eng.pdf.

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).

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-hamdan-is-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 of Amicus Curiae of Louise Doswald-Beck, Guy S. Goodwin-Gill, Fits Kalshoven, Vaughan Lowe, Marco Sassoli and the Center for International Human Rights of Northwestern University School of Law in

Support of Petitioner, *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).

2004

Report of the Conference on Gender Justice in Post-Conflict Situations, co-organized and published by the United Nations Development Fund for Women and the International Legal Assistance Consortium (15-17 September 2004) [official rapporteur], U.N. Doc. S/2004/862 (available at <http://undocs.org/S/2004/862>).

Amicus Brief of Professor David John Scheffer, The Vietnam Association for Victims of Agent Orange/Dioxin Et Al., v. The Dow Chemical Company Et Al., United States District Court, Eastern District Court of New York (No. 04 CV 0400 (JBW)) (2004).

Nuremberg Trials, in ENCYCLOPEDIA OF GENOCIDE AND CRIMES AGAINST HUMANITY (Macmillan Reference USA, 2004).

The Responsibility to Prevent, in STOCKHOLM INTERNATIONAL FORUM 2004 (26-28 JANUARY PROCEEDINGS): PREVENTING GENOCIDE THREATS AND RESPONSIBILITIES 131 (Eva Fried ed. 2004).

It Takes a Rwandan Village, 143 FOREIGN POLICY 78 (July/August 2004).

Lessons from the Rwandan Genocide, V Georgetown Journal of International Affairs No. 2, 149 (2004).¹

Three Memories from the Year of Origin: 1993, 2 J. INT'L CRIM. JUSTICE No. 2, 353 (2004) [regarding International Criminal Tribunal for the former Yugoslavia].

Brief of Law of War Experts as Amici Curiae in Support of Respondents, *Donald Rumsfeld, Petitioner v. Jose Padilla and Donna R. Newman, as Next Friend of Jose Padilla, Respondents*, Supreme Court of the United States (No. 03-1027) (2004) (with Jeffrey K. Walker).

Judicial Institutions and Security, United Nations and Global Security Initiative, United Nations Foundation, February 2004 [available at www.un-globalsecurity.org/pdf/scheffer.pdf].

How to Turn the Tide Using the Rome Statute's Temporal Jurisdiction, 2 J. INT'L CRIM. JUSTICE No. 1, 26 (2004).

2003

Beyond Occupation Law, 97 AM. J. INT'L L. 842 (2003).

Arresting War Criminals: Mission Creep or Mission Impossible?, 35 CASE W. RES. J. INT'L L. 319 (2003).

Restoring U.S. Engagement with the International Criminal Court, 21 WIS. INT'L L.J. 599 (2003).

Advancing U.S. Interests with the International Criminal Court, 36 VANDERBILT J. TRANS. L. 1567 (2003).

No: The U.S. Will Have Far More to Gain Than Lose by Collaborating With the U.N. in Iraq's Renewal, INSIGHT MAGAZINE, May 27-June 9, 2003, at 46.

PROSECUTING IRAQI WAR CRIMES: A CONSIDERATION OF THE DIFFERENT FORUM OPTIONS, *Testimony: Forum Options for Prosecution of Iraqi Atrocity Crimes: Hearing Before the Sen. Comm. on Governmental Affairs*, 108th Cong., 1st Sess., S. DOC. NO. 108-174 (2003), at 19, 33, & 64, *see also* 2003 WL 1861954 (F.D.C.H.)(2003).

2002

REALITY CHECK ON MILITARY COMMISSIONS, *Statement and Report: Department of Justice: Preserving Our Freedoms While Defending Against Terrorism: Hearings Before the Senate Committee on the Judiciary*, 107th Cong., 1st Sess., S. DOC. NO. 107-704 (2002), at 563.

Review Essay: *Delusions about Leadership, Terrorism, and War*, 97 AM. J. INT'L L. 209 (2003) (review of ROBERT D. KAGAN, *WARRIOR POLITICS: WHY LEADERSHIP DEMANDS A PAGAN ETHOS* (2002) and CALEB CARR, *LESSONS OF TERROR: A HISTORY OF WARFARE AGAINST CIVILIANS* (2002)).

Should the United States Join the International Criminal Court? 9 U.C. DAVIS J. INT'L L. & POL'Y 45 (2002).

International Law After September 11, 96 AM. SOC'Y INT'L L. PROC. 404 (2002).

War Crimes and the Clinton Administration, 69 SOC. RES. 1109 (2002).

The Future of Atrocity Law, 25 SUFFOLK TRANSNAT'L L. REV. 389 (2002).

Staying the Course with the International Criminal Court, 35 CORNELL INT'L L.J. 47 (2001-2002).

2001

Review Essay: *The Tool Box, Past and Present, of Justice and Reconciliation for Atrocities*, 96 AM. J. INT'L L. 70 (2001) (review of GARY JONATHAN BASS, *STAY THE HAND OF VENGEANCE: THE POLITICS OF WAR CRIMES TRIBUNALS* (2000); RUTI G. TEITEL, *TRANSITIONAL JUSTICE* (2000); BURYING THE PAST: MAKING PEACE & DOING JUSTICE AFTER CIVIL CONFLICT (Nigel Biggar, ed., 2001)).

Correspondence, 95 AM. U. INT'L L. 264 (2001) [regarding International Criminal Court negotiations].

Fourteenth Waldemar A. Solf Lecture in International Law: A Negotiator's Perspective on the International Criminal Court, 167 MIL. L. REV. 1 (2001).

Options for Prosecuting International Terrorists, SPECIAL REPORT NO. 78, U.S. Institute of Peace (Nov. 14, 2001), at <http://www.usip.org/pubs/specialreports/sr78.html>.

***Opening Address [on universal jurisdiction]*, 35 NEW ENG. L. REV. 233 (2001).**

2000

***The U.S. Perspective on the ICC, in THE UNITED STATES & THE INTERNATIONAL CRIMINAL COURT 115* (SARAH B. SEWALL & CARL KAYSEN EDS. 2000).**

***The International Criminal Court: The Challenge of Jurisdiction*, 93 AM. SOC'Y INT'L L. PROC. 68 (2002).**

1999

U.S. Policy and the International Criminal Court, 32 CORNELL INT'L L.J. 529 (1999).

***Blaine Sloan Lecture: War Crimes and Crimes Against Humanity*, 11 PACE INT'L L. REV. 319 (1999).**

The United States and the International Criminal Court, 93 AM. J. INT'L L. 12 (1999).

1998

U.N. Engagement in Ethnic Conflicts, in INTERNATIONAL LAW & ETHNIC CONFLICT 147 (DAVID WIPPMAN ED. 1998).

U.S. Policy on International Criminal Tribunals, 13 AM. U. INT'L L. REV. 1389 (1998).

1996

International Judicial Intervention, 102 FOREIGN POL'Y 34 (1996).

1995

Legal Regulation of the Use of Force, in BEYOND CONFRONTATION: INTERNATIONAL LAW FOR THE POST-COLD WAR ERA 93 (DAMROSCH, DANILENKO, AND MULLERSON EDS., 1995) (WITH REIN MULLERSON).

United Nations Peace Operations and Prospects for a Standby Force, 28 CORNELL INT'L L.J. 649 (1995).

1994

United States: Administration Policy on Reforming Multilateral Peace Operations, 33 INT'L LEGAL MATERIALS 795 (1994).

1993

International Legal Implications of a PRC Use of Military Force Against Taiwan, in IF CHINA CROSSES THE TAIWAN STRAIT: THE INTERNATIONAL RESPONSE 55 (P. CHANG & M. LASATER EDS., 1993).

1992

Toward a Modern Doctrine of Humanitarian Intervention, 23 U. TOL. L. REV. 253 (1992).

SELF-DETERMINATION IN THE NEW WORLD ORDER (1992) (WITH MORTON H. HALPERIN & PATRICIA L. SMALL) [also published in Spanish].

CHANGING OUR WAYS, CARNEGIE ENDOWMENT NATIONAL COMMISSION ON AMERICA AND THE WORLD (CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE, 1992) (staff author; Richard Holbrooke and Winston Lord as chairs).

Challenges Confronting Collective Security: Humanitarian Intervention, in THREE VIEWS ON THE ISSUE OF HUMANITARIAN INTERVENTION 1 (United States Institute of Peace, 1992).

1991

LAW AND FORCE IN THE NEW INTERNATIONAL ORDER (1991) (WITH LORI F. DAMROSCH AS CO-EDITOR); *Preface*, in *id.*, at ix (with Lori F. Damrosch), and *Commentary on Collective Security*, in *id.*, at 101.

Statement: War Powers and the U.N. Charter: Constraints on the President's Power to Commit U.S. Armed Forces to Combat under the Authority of the U.N. Security Council: A Study of the Legislative History in the U.S. Senate of the U.N. Charter and the U.N. Participation Act of 1945, in *The Constitutional Roles of Congress and the President in Declaring and Waging War: Hearing Before the Senate Committee on the Judiciary*, 102nd Cong., 1st Sess., S. DOC. No. 102-183 (1991), pp. 5-27.

Collective Security and the New Europe, 29 COL. J. TRANS. L. 534 (1991).

Structuring a New Security Regime in Europe, 77 AM. SOC'Y INT'L. PROC. 288 (1991).

The Great Debate of the 1980s, at 1, and *Use of Force After the Cold War: Panama, Iraq, and the New World Order*, at 109, in *RIGHT V. MIGHT: INTERNATIONAL LAW AND THE USE OF FORCE* (2nd ed., 1991).

1990

Limited Collective Security, 80 FOREIGN POL'Y 77 (Fall 1990) (with Gregory Flynn).

Non-Judicial State Remedies and the Jurisdiction of the International Court of Justice, 27 STAN. J. INT'L L. 83 (1990).

Perpich v. Department of Defense, 84 AM. J. INT'L L. 914 (1990).

1989

Nouveau Law and Foreign Policy, 76 FOREIGN POL'Y 44 (Fall 1989).

Die Verhinderung der Weiterverbreitung von chemisch-biologischen Waffen sowie von Tragerraketen [about U.S. sanctions legislation to halt proliferation of chemical and biological weapons and ballistic missiles], 44 EUROPA-ARCHIV 577 (Oct. 10, 1989).

1987

Legal analysis of the interpretation and termination of treaties with particular reference to the ABM Treaty, in *REVIEW OF ABM TREATY INTERPRETATION DISPUTE AND SDI, Hearing before the House Subcommittee on Arms Control, International Security and Science, Committee on Foreign Affairs*, 100th Cong., 1st Sess. (Feb. 26, 1987), at 84.

The Reykjavik Talks: Promise or Peril, REPORT OF THE SUBCOMMITTEE ON ARMS CONTROL, INTERNATIONAL SECURITY AND SCIENCE TO THE COMMITTEE ON FOREIGN AFFAIRS, U.S. House of Representatives, 100th Cong., 1st Sess. (Jan. 1987) (staff author).

U.S. Law and the Iran-Contra Affair, 81 AM. J. INT'L L. 696 (1987).

1978

The Law of Treaty Termination as Applied to the United States DeRecognition of the Republic of China, 19 HARV. INT'L L.J. 931 (1978).

1977

Britain's 'Bill of Rights': Judicial Review is There to Stay, 224 THE NATION 364 (March 26, 1977).

1976

Under the Hammer of the Pound: Britain's Polarizing Nightmare, 223 THE NATION 454 (Nov. 6, 1976).

Scotland, Wales and Oil: Will Britain Break Up? 222 THE NATION 73 (Jan. 24, 1976).

1975

PROCESSES OF MODERNIZATION IN SCOTLAND: THE POLITICAL ECONOMY OF NORTH SEA OIL (Thesis (A.B., Honors) – Harvard University, 1975), Harvard University Archives Harvard Depository HU 92.75.772, HOLLIS Number 003926303.

OP-EDS, FEATURES, AND BLOGS

Scores of articles (op-eds, features, blogs) published from 1981 to the present in Financial Times, The New York Times, The Washington Post, The Wall Street Journal, Asian Wall Street Journal, Wall Street Journal Europe, Los Angeles Times, International Herald Tribune, National Post (Canada), Christian Science Monitor, St. Louis Post-Dispatch, Miami Herald, San Francisco Examiner, Chicago Tribune, Der Tagesspiegel, Army Times, Philadelphia Inquirer, Atlanta Journal/Atlanta Constitution, USA Today, Foreign Policy, Foreign Affairs, The Interdependent, and PROJECT SYNDICATE, CNN'S IN THE ARENA, JURIST, ICCForum, JUST SECURITY, OPINIO JURIS, CAMBODIA TRIBUNAL MONITOR, GROTIAN MOMENT, CHICAGO COUNCIL ON GLOBAL AFFAIRS, and THE ICC REVIEW CONFERENCE: KAMPALA 2010 web sites. **See Northwestern Law Faculty Publications (David Scheffer) web page for a list of such publications since 2005 (begin search at [https://www.law.northwestern.edu/research-faculty/publications/.](https://www.law.northwestern.edu/research-faculty/publications/))**