



American Society of International Law

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To: Mélida Hodgson, President of the American Society of International Law
From: Gregory Shaffer, Chair, 2024-25 Nominating Committee
Date: September 30, 2024
Re: ASIL 2024-25 Nominating Committee Report

1. Nominees for Election at the 2024 Annual Meeting

Pursuant to Section III (11) of ASIL's Regulations, the Nominating Committee proposes for election by the members of the Society the following slate of Officers, Executive Council Members, and Counsellors:

President	Mélida N. Hodgson ¹
President-elect	Oona A. Hathaway
Honorary President	Hon. Joan Donoghue ²
Vice President	Michael Cooper, Executive Vice President ² Simon Batifort ³ Karima Bennoune Harlan Cohen ² Patrick W. Pearsall
Honorary Vice Presidents ⁴	Gregory Shaffer Catherine Amirfar Sean D. Murphy
Executive Council Members	Laurie R. Blank Clara Brillembourg William S. Dodge Kabir Duggal Sean Elliott Alexandra Huneus Rachel Lopez Timothy Meyer
Counsellors	Karen Bravo ⁵ Eruchi (Elchi) Nowrojee ⁵ Victoria Sahani David Sloss ⁵ Edward Swaine ⁵ Chiara Giorgetti Fionnuala Ni Aolain Dire Tladi

¹ Automatically re-elected for an additional 1-year term.

² Re-nominated for an additional 1-year term.

³ Will serve a 1-year term so that we are back on schedule of nominating two new Vice Presidents each year. This schedule had been altered when Mélida Hodgson became President-Elect after serving only one year as Vice

⁴ Automatically the three previous presidents. ASIL Constitution Art. IV.

⁵ Re-nominated for an additional 3-year term

All of the nominees have agreed to serve. Brief biographies of the nominees are included in the appendix to this memorandum.

2. The Nomination and Selection Process

The Nominating Committee's work began with a broad-based solicitation of nominations and expressions of interest from members of the Society. A call for nominations was posted on the Society's website and included in the Society's newsletter. Committee members also engaged in active outreach. They spread the word about the call for nominations, proposed candidates, and contacted members who had expressed interest in leadership positions in the past. The Committee also contacted individuals who were eligible for re-nomination to their current positions, all of whom confirmed their interest in continuing to serve. Throughout this process, the Committee was attentive to the importance of generating a diverse pool of potential nominees.

Candidates for positions other than Honorary President were required to submit materials including a brief resume, a statement of interest regarding the position for which they were nominated, and (primarily to streamline the administrative process) a short biographical statement in paragraph form. Candidates were also invited, though not required, to submit up to two letters in support of their nomination.

The quality of the nominations received was outstanding across the board. With respect to quantity, the Committee received many more nominations than there were openings for positions in leadership. Most submissions are made at the last moment, which makes it difficult for the Committee to track submissions in terms of the Society's needs. The Committee suggested that the Society consider extending the submission period by one week shortly before it expires so that committee members can have a last opportunity to reach out to potential candidates to ensure a strong, diverse pool. That was less of a problem this year, but has been one in the past.

In selecting nominees from among the pool of candidates, the Committee followed the Nominating Committee Guidelines as adopted by the Executive Council. We considered candidates' past contributions to the Society (including participation in activities and programs as well as service in previous volunteer roles), as well as indications regarding meaningful future contributions in leadership roles. We also sought to assemble a slate of nominees that, together with current and continuing leadership, would reflect the breadth and diversity of the Society's membership. We enthusiastically propose these individuals for election at next year's Annual Meeting and echo the sentiments of previous Nominating Committees that the Society is fortunate to have so many highly engaged and expert members willing to serve in leadership roles.

Consistent with past practice, we will provide next year's Committee with the names of individuals who were not selected this year but may merit particular consideration by that Committee.

Respectfully submitted,

Gregory Shaffer, Chair
Harlan Cohen
Neha Jain
Aloysius Llamzon
Natalie Reid
Anne Joyce (alternate)

Appendix: Biographical Information on Nominees

Nominee for President-Elect

Oona A. Hathaway is also Gerard C. and Bernice Latrobe Smith Professor of International Law at Yale Law School, Professor of the Yale University Department of Political Science, and Director of the Yale Law School Center for Global Legal Challenges. She also serves as a non-resident scholar at the Carnegie Endowment for Peace. Her current research focuses on the future of the global legal order, accountability for the Russia-Ukraine war, the possibilities for reform at the United Nations, reviving international humanitarian law, and sovereignty in cyber operations. Her research also focuses on foreign relations topics, including U.S. war powers and the law governing how the United States makes its international agreements. Oona is a longtime member of the American Society of International Law. She chaired the Annual Meeting Planning Committee in 2013-2014. She was a member of the Executive Committee from 2012 to 2015 and served as Vice President from 2018 to 2020, during which she chaired the Strategic Initiatives Committee. She currently serves as a member of the Strategic Initiatives Committee, the Strategic Planning Committee, and the Judicial Outreach Committee. An expert in international law, national security law, and foreign relations law, Oona is the author of more than forty law review articles, and *The Internationalists: How a Radical Plan to Outlaw War Remade the World* (with Scott Shapiro, 2017). She is also Executive Editor of and regular author at *Just Security*, and she writes often for publications such as *The Washington Post*, *New York Times*, and *Foreign Affairs*. In 2014-15, Oona took leave to serve as Special Counsel to the General Counsel at the U.S. Department of Defense, where she was awarded the Office of the Secretary of Defense Award for Excellence. She has been a member of the Advisory Committee on International Law for the Legal Adviser at the United States Department of State since 2005. She is the Director of the annual Yale Cyber Leadership Forum and a member of the Council on Foreign Relations, and she is a Reporter for the Restatement (Fourth) of Foreign Relations Law.

Nominee for Vice President

Simon Batifort is a partner in the international arbitration and public international law groups of Curtis, Mallet-Prevost, Colt & Mosle LLP. A dual French-U.S. national, he works across the firm's New York, Paris, and Brussels offices. He is recognized as a leading practitioner in the representation of States in commercial and investment treaty arbitrations as well as inter-State disputes. He also sits as an arbitrator. *Who's Who Legal – Arbitration* has recognized him as a Global Leader and as a Global Elite Thought Leader under 45, referring to him as a “household name” and a “formidable practitioner when it comes to investment treaty arbitration.” Clients and peers highlight his “first-rate strategy and legal expertise” as well as his “‘exceptional diplomatic skills and cultural understanding’ in high-stakes international investor-state disputes.” He is recognized as a Rising Star in International Arbitration by *Law360*, as a Rising Star in Commercial Arbitration by *Euromoney Legal Media Group's Expert Guides*, and as a Next Generation Partner by *Legal 500 USA*. He is also ranked by *Legal 500 Latin America*, which praises his “encyclopedic knowledge of international arbitration cases and great advocacy skills.” A thought leader in the field, he publishes and speaks regularly on issues of international arbitration and public international law. He was awarded the 2019 Smit-Lowenfeld Prize for Best Article in International Arbitration for “The New Debate on the Interpretation of MFN Clauses in Investment Treaties: Putting the Brakes on Multilateralization,” which was published in the *American Journal of International Law (AJIL)* and was the subject of an *AJIL Unbound* symposium.

Karima Bennoune is the Lewis M. Simes Professor of Law at the University of Michigan. She specializes in public international law and international human rights law, including women's human rights. Bennoune served as the UN Special Rapporteur in the field of cultural rights from 2015 to 2021. She also was appointed as an expert for the International Criminal Court in 2017 during the reparations phase of *The Prosecutor v. Ahmad Al Faqi Al Mahdi*, which concerned intentional destruction of cultural heritage sites in Mali. In September 2023, she addressed the UN Security Council about gender apartheid in Afghanistan. In December 2023, she traveled to South Africa with Nobel laureate Malala Yousafzai to participate in a panel after Malala's Nelson Mandela lecture alongside her and Mandela's

widow, the prominent human rights advocate Graça Machel. The Women in International Law Interest Group (WILIG) of the American Society of International Law presented her with its 2024 Prominent Woman in International Law Award. Since 2018, she has been a member of the Board of Editors of AJIL. A former legal adviser for Amnesty International, she has carried out human rights missions in most regions of the world.

Patrick W. Pearsall is a partner and head of arbitration for the Americas at Allen Overy Shearman Sterling LLP. Prior to this, Patrick was the Chief of Investment Arbitration at the U.S. State Department, where he served from 2009-2017. He is an active member of the Society, having served in several important roles over the past two decades. Among his steadfast service to the Society, highlights include: Executive Committee, Executive Council, Co-Chair of the Annual Meeting, Nominations Committee, Special Executive Committee for the Section of an Executive Director, Program Committee, Co-Chair of Standing up for Justice Initiative, and participation in several ASIL interest groups. He sits on several boards, including the Jessup Competition - International Law Students Association - board, where he has helped ensure interest in the Society by new members. Patrick teaches at Columbia Law School and Georgetown Law Center and serves as the Director of the International Claims and Reparations Project, where he holds a mandate from President Zelenskyy to create an International Claims Commission.

Nominees for Executive Council

Laurie R. Blank is a Clinical Professor of Law and Director of the International Humanitarian Law Clinic at Emory University School of Law, where she teaches the law of armed conflict and works directly with students to provide assistance to international tribunals, non-governmental organizations and militaries around the world on cutting edge issues in humanitarian law and human rights. During the 2022-2024 academic years, she served as Special Counsel to the General Counsel at the U.S. Department of Defense. Professor Blank's latest book is *International Conflict and Security Law* and she is co-author of *International Law and Armed Conflict: Fundamental Principles and Contemporary Challenges in the Law of War*, a casebook on the law of war. She is also the co-director of the End of War Project, a multi-year project exploring a range of legal, policy, moral and strategic challenges in ending complex counterterrorism and counterinsurgency conflicts. Professor Blank is a Senior Fellow at the Lieber Institute for Law and Land Warfare and at the Stockton Center for International Law and served as a core expert on the Woomera Manual on International Law of Military Space Operations and the Oslo Manual on Selected Problems in the Law of Armed Conflict.

Clara Brillembourg specializes in counseling sovereign States in international disputes against other States, foreign investors, and U.S. plaintiffs, as well as representing companies in international commercial arbitration. She was awarded 2021 "MVP of the Year" for International Arbitration by Law 360. Clara has also been ranked among the top 35 women attorneys in international arbitration by Latinex. In 2020, she and her colleagues in the International Litigation & Arbitration Department were honored as "Firm of the Year" by both Law 360 and Jus Mundi. In 2021, Clara was awarded "Pro Bono Team of the Year" by Kids in Need of Defense (KIND) for her work on behalf of child immigrants. She has been recognized as a leader in international arbitration by Who's Who Arbitration, Chambers, Global Arbitration Review, and Legal 500. In her investment and commercial arbitration practice, she offers extensive experience representing sovereigns in international arbitrations before the International Centre for the Settlement of Investment Disputes (ICSID) and other prominent arbitral fora. Among her victories, she successfully defended Uruguay in an ICSID arbitration brought by Philip Morris challenging the State's tobacco control regulations. As a result, she continues to counsel States in regulation and litigation relating to tobacco control. Her cases cover various industries including, energy, mining, telecommunications, aviation, construction, and health care under ICSID, UNCITRAL, SCC and ICC Rules, valued in amounts ranging from \$60 million to over \$7 billion. She is listed by the EU as a Chairperson for Trade & Sustainable Development expert panel proceedings in EU trade agreement disputes.

William S. Dodge is Lobingier Professor of Comparative Law and Jurisprudence at George Washington University Law School. He previously taught at UC Davis School of Law (2015-2014) and at UC Law San Francisco (1995-2015). Professor Dodge is currently a Reporter for the second phase of the American Law Institute's Restatement (Fourth) of Foreign Relations Law. He also serves as a member of the State Department's Advisory Committee on International Law and as an Adviser to the ALI's Restatement (Third) of the Conflict of Laws. At the American Society of International Law, he currently serves as Co-Chair of the International Law in Domestic Courts Interest Group and as a member of the Judicial Education Committee. He is a Founding Editor of the Transnational Litigation Blog (www.tlblog.org), for which he writes regularly. Professor Dodge previously served as Counselor on International Law to the Legal Adviser at the U.S. Department of State from 2011 to 2012 and as a Co-Reporter for the first phase of the Restatement (Fourth) of Foreign Relations Law from 2012 to 2018. Professor Dodge is co-author (with Detlev Vagts, Hannah Buxbaum, and Harold Koh) of the casebook *Transnational Business Problems* (7th ed. Foundation Press 2024), co-author (with George Bermann and Donald Childress) of *Transnational Litigation in a Nutshell* (2d ed. West 2021), and co-editor (with David Sloss and Michael Ramsey) of *International Law in the U.S. Supreme Court: Continuity and Change* (Cambridge University Press 2011), which won the American Society of International Law's 2012 certificate of merit.

Kabir Duggal focuses his practice on international investment arbitration, international commercial arbitration and public international law matters, serving as arbitrator, mediator, and counsel. He also frequently serves as an expert on international arbitration and public international law matters. He is also a passionate advocate for diversity, equity, and inclusion issues and frequently writes and speaks on these issues. Dr. Duggal's experience includes complex disputes under numerous bilateral/multilateral investment treaties and contracts with parties from all around the world. His experience flows from his triple training in international law, common law, and civil law traditions. He has served as an arbitrator in over 50 disputes involving parties from all over the world and across several different industries. He is recognized as a "Chartered Arbitrator" (the highest ranking for arbitrators) by both the Chartered Institute of Arbitrators and the Asian Institute of Alternative Dispute Resolution and is also a member of the National Academy of Distinguished Neutrals (NADN). He has facilitated the mediation and negotiation of complex disputes. He also acts as a Consultant for the United Nations Office of the High Representative for Least Developed Countries, Landlocked Developing Countries and Small Island Developing States (UN-OHRLLS) on the creation of a novel "Investment Support Program" (which was shortlisted by Global Arbitration Review for the category of "Best Developments" for 2018). He also serves on the Steering Committee of the Investment Support Program. Dr. Duggal received honorary citizenship of Bosnia and Herzegovina recognition of his work for investment policy in the Western Balkans region.

Sean Elliott has been an active member of the Society for over eighteen years. From 2021 to 2024, he served as Co-Chair of the Government Attorneys Interest Group, and was GAIG Vice-Chair of Programs from 2019 to 2021, as well as Events Coordinator from 2018 to 2019. As of March 2023, he has also served as Co-Chair of the Society's Membership Committee, having served on the committee as a Member since May 2022. Since 2009, Mr. Elliott has worked as an attorney advisor with the Foreign Claims Settlement Commission of the United States ("FCSC"), a quasi-judicial, independent agency within the U.S. Department of Justice. At the Commission, he focuses on the adjudication of claims brought by U.S. nationals against foreign governments in claims programs authorized by congressional statute or by referral from the U.S. Department of State. Most recently, he has worked on claims brought under international claims settlement agreements involving U.S. nationals injured in terrorist attacks attributable to state sponsors of terror. Prior to working at the Commission, Mr. Elliott worked as law clerk for the Chief Administrative Law Judge of the Drug Enforcement Administration. He received his J.D. from the Catholic University of American Columbus School of Law in 2008. He earned his undergraduate degree in music from the University of Southern California. Mr. Elliott was born and raised near Los Angeles and currently lives in Baltimore with his wife and two young children.

Alexandra Huneeus is Evjue Bascom Professor of Law and Director of the Center for Law, Society and Justice at the University of Wisconsin, Madison. Her scholarship focuses on international law, human rights, and comparative constitutional law, with emphasis on Latin America. Her work has appeared in the *American Journal of International Law*, *Harvard International Law Journal*, *Law and Social Inquiry*, *Yale Journal of International Law*, *Leiden International Law Journal*, and by Cambridge University Press. She received her PhD, JD and BA from University of California, Berkeley, and was a postdoc at Stanford University's Center on Development, Democracy and the Rule of Law. In 2017, Professor Huneeus was named to serve a ten-year term as Foreign Expert Jurist in the Colombian Jurisdicción para la Paz (JEP), a court created as part of the Colombian peace process. At UW, Professor Huneeus currently serves as Director of the Center for Law, Society and Justice. She has served as Co-Chair of the University of Wisconsin Human Rights Program, which she co-founded, and Director of the Global Legal Studies Program, among other positions. She is a member of the American Society of International Law, the Law and Society Association, and the Latin American Studies Association. She has served on the Board of Editors of the *American Journal of International Law*, and of *Law and Social Inquiry*, among other journals. Previously, she has served on the Board of Trustees of the Law and Society Association and the American Society for Comparative Law, and as section chair for the Midwest Political Science Association (Law and Courts) and for the ASIL Midwest Interest Group on International law.

Rachel López is the James E. Beasley Professor of Law at Temple Law, where she writes and teaches in the areas of criminal law, public international law, international human rights law, international criminal law, and transitional justice. Professor López has held visiting fellowships at research institutions worldwide, including Princeton University, the Harvard Kennedy School, Yale Law School, the University of Cambridge, and the Max Planck Institute for Comparative Public Law and International Law. In addition, she was selected as a Fulbright U.S. Global Scholar to research transitional justice in Guatemala and Spain. Her scholarship, which has appeared or is forthcoming in law journals, such as the *Columbia Law Review*, *Northwestern University Law Review*, *Boston University Law University*, *Minnesota Law Review*, *Columbia Law Review Forum*, and *Virginia Law Review Online*, primarily centers on state responsibility for mass atrocity, critical approaches to public international law, and the carceral state, with a particular focus on Eighth Amendment jurisprudence. She is also pioneering a new genre of legal scholarship called Participatory Law Scholarship (PLS), which is written in collaboration with authors who have no formal legal training, but rather expertise in law's injustice through lived experience.

Timothy Meyer is the Richard Allen/Cravath Distinguished Professor in International Business Law and co-director of the Center for International and Comparative Law at Duke University School of Law. He is an expert in international trade and investment law, international environmental law, and U.S. foreign relations law. Meyer serves on the Board of Editors of the *American Journal of International Law*, the *Journal of International Economic Law*, and is an elected member of the American Law Institute. He regularly serves both as counsel and as an expert in international arbitrations and in cases raising international and foreign relations law issues in U.S. courts. The European Union has named Meyer to its list of possible chairpersons for arbitrations and trade and sustainable development disputes arising under its trade agreements. Before entering the academy, he served as an attorney-adviser in the U.S. State Department's Office of the Legal Adviser and clerked for the Honorable Neil M. Gorsuch.

Nominees for Counsellor

Chiara Giorgetti is Professor of Law at Richmond Law School and Senior Fellow at the International Claims and Reparations Project at Columbia Law School. She has over thirty years of professional experience in international law. Her work as a scholar focuses on international dispute resolution. She has published ten books and over 80 articles and chapters, including the *Research Handbook on Claims Commissions* (co-ed. 2023), *Selecting And Removing Arbitrators In International Investment*

Arbitration (2019), *Litigating International Investment Disputes – A Practitioner’s Guide* (ed., 2014) and *The Rules, Practice, And Jurisprudence Of International Courts And TRIBUNALS* (ed., 2013). Her more significant contributions include studies on international courts and tribunals, and particularly on international claims commissions, and her work on international investment arbitration, especially her work on the code of conduct for arbitrators and on arbitrators’ selection and removal. She has acted as counsel and expert in numerous international arbitrations, including investment arbitration and inter-state proceedings. Since Nov. 2023, she is Vice-Chair of the Board of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine, one of seven elected members of the Board established by the Council of Europe to register claims for damage, injury and loss brought by individuals, companies and the State arising out of Russia’s aggression of Ukraine. She was a member of the Ad Hoc Conciliation Commission in *Qatar v. United Arab Emirates*, established under UN CERD Committee.

Fionnuala Ní Aoláin is concurrently Regents Professor and Robina Professor of Law, Public Policy and Society at the University of Minnesota Law School and Professor of Law at the Queens University, Belfast, Northern Ireland. Professor Ní Aoláin is the recipient of numerous academic awards and honors including the Leverhulme Fellowship, British Academy Awards, Fulbright scholarship, the Alon Prize, the Robert Schumann Scholarship, a European Commission award, and the Lawlor fellowship. She is an elected fellow of the Royal Irish Academy. She has published extensively in the fields of emergency powers, counterterrorism and human rights, conflict regulation, transitional justice and sex-based violence in times of war. Her book *Law in Times of Crisis* (CUP 2006) was awarded the American Society of International Law’s preeminent prize in 2007 - the Certificate of Merit for creative scholarship. Her published work has been extensively recognized for its path-breaking contributions and its rigor. Professor Ní Aoláin was United Nations Special Rapporteur on the Protection and Promotion of Human Rights while Countering Terrorism (2017- 2023). She was elected to the International Commission of Jurists in 2023. She was appointed K.C (Hons) in 2004 by King Charles III.

Dire Tladi has been sworn in as the first-ever South African judge of the International Court of Justice (ICJ). Dire Tladi is a professor of international law in the Department of Public Law and a Fellow at the Institute of Comparative and International Law in Africa of the University of Pretoria. He is a member of the UN International Law Commission and its Special Rapporteur on Peremptory Norm of General International Law (*Jus Cogens*). He is also a member of the *Institut de Droit International*. He was formerly a Principal State Law Adviser for International Law in the Department of International Relations and Cooperation and the legal advisor of the South African Mission to the United Nations in New York, including during South Africa’s second spell on the UN Security Council. He also served as Special Adviser to the South African Foreign Minister and has appeared as counsel before the International Criminal Court’s Pre-Trial and Appeals Chambers. Professor Tladi has held visiting professorships and fellowships at Kobe University and Humboldt University in Berlin. He is a two-time recipient of the Fulbright scholarship. In addition to teaching at the University of Pretoria, Professor Tladi also presents lectures at the UN regional courses on international law for Africa, Latin America and the Caribbean and Asia.