

Thomas Buergenthal Memorial Statement

It is with great sorrow that we at the American Society of International Law mourn the passing of Judge Thomas Buergenthal, who died on Monday, May 29, 2023, at the age of 89.

Judge Buergenthal held many significant appointments in international organizations, NGOs, bar associations, and academic institutions. From 2000-2010, he was appointed to the International Court of Justice in the Hague. Earlier, from 1979-1991, he served as a judge on the Inter-American Court of Human Rights, with five of those years as its President. As a judge on the Court, he issued key decisions that held Central American governments accountable for their crimes.

Judge Buergenthal was a great friend of the American Society of International Law where he was a member for nearly 65 years. From 2002-2009, he served as the Society's Honorary President, the longest tenure of any who have served in that post. In 1997, Buergenthal became the first recipient of the Society's Goler T. Butcher Medal, presented for his outstanding contributions to the development and effective realization of international human rights. In 2002, he received the Manley O. Hudson Medal, the Society's highest honor given for his outstanding contributions to scholarship and achievement in international law. Judge Buergenthal is the only person to have received both medals.

Tom Buergenthal's personal story was extraordinary. He and his family were transported to Auschwitz in August 1944, when "Tommy" was little more than ten years old. Buergenthal is thought to be one of the youngest survivors of that notorious Nazi death camp. His father and grandparents were killed in the Holocaust, and Buergenthal often said that his experience as a survivor of such horrendous human rights abuses informed not only who he was as a judge and a legal scholar, but also as a person.

Buergenthal emigrated to the United States, where he received his J.D. from New York University Law School and his LL.M. and S.J.D. degrees from Harvard Law School. As a leading academic, he served as Dean of American University Washington College of Law from 1980 to 1985, and he also held endowed professorships at George Washington University Law School, the University of Texas, SUNY/Buffalo Law School, and Emory University. The author of dozens of books and articles on international law, including foundational works on international human rights law, he was a profound and prolific scholar. He served on the editorial boards of top international law journals, including the *American Journal of International Law* and the *Human Rights Law Journal*.

If anyone has embodied the cry and the command "never again," it was Judge Thomas Buergenthal. His passing reminds us that those who lived through the Second World War and the Holocaust, and then helped to build the post-war international order, have largely left us. Judge Buergenthal was among those influential leaders who worked assiduously to build a world based on collective security, shared prosperity, respect for the rule of law, and protection of human rights. We pledge to ensure that their experiences, vision, and commitments are never forgotten.