

The ICD Initiative on the “Convention on the Prevention and Punishment of the Crime of Genocide” (CPPCG)

“Enforcing the Genocide Convention”

Berlin, May 12th, 2011



A Keynote Speech by the Hon. Judge Theodor Meron

President of the International Court for the Former Yugoslavia and Presiding Judge of the Appeals Chambers of the International Criminal Tribunal for Rwanda and the ICTY

“Enforcing the Genocide Convention”

A Keynote Speech by the Hon. Judge Theodor Meron

Thank you very much for introducing me, the topic, and thank you very much for inviting me to this very important meeting of the Institute for Cultural Diplomacy.

My topic today is the Genocide Convention, particularly enforcing the Genocide Convention. So let me start, although the word genocide, as you know, is of relatively recent vintage, the practice it describes is sadly quite old. But it took the horrific atrocities committed against Jews and others during the Second World War, and the tireless efforts of Rafael Lemkin for the nations of the world to come together in the wake of that war, with the promulgation of the 1948 Genocide Convention, which explicitly denounces genocide making it a crime under international law.

The Genocide Convention is a remarkable achievement. Not only did the convention define genocide and condemn it in no uncertain terms, it also demonstrated that the international community would no longer tolerate the idea that how a state treats individuals within its own borders, is purely a matter of unquestionable digression of sovereign whim. An idea that is at the very core of our human rights today. In the convention we see the first glimpses of a notion that the United Nations might properly be called upon to engage in legitimate interventions and for the prevention and suppression of acts of genocide and other related acts. I would suggest this is a precursor to principle of, and I quote “of a Responsibility to Protect”, about which I will have something to say later on.

60 years have passed since the nations of the world emerged from the Second World War and united behind the Genocide Convention to condemn this crime. Yet

from Cambodia to Rwanda the terrible phenomenon of genocide has continued seeming unabated. Speaking to you today in Berlin provides an excellent opportunity to reflect on where our efforts to prevent genocide over the course of the past 60 years have been successful, where they have fallen short and what more can be done to ensure the goal of the Genocide Convention; a world free from this crime of crimes is achieved.

In my remarks to you today I would first like to discuss the Genocide Convention and what it did and perhaps what it did not do. I will then move on to discuss some of the ways in which international criminal courts, including the international criminal tribunal for former Yugoslavia, on which I sit, have advanced the convention's goals by clarifying the law and by applying it carefully and publicly to specific facts and individuals with important and profound effects. As I hope you will see we should not be too fast to dismiss the important role which courts of law play in the fight to end genocide. But we must also recognize that international courts are not the sole, or even the best means to prevent genocide. I will conclude my time with you today by sharing some thoughts on what avenues exist outside the courtroom to prevent genocide before it begins and the important role played by international cooperation and collaboration. I note for the record that my comments made today are only in my own personal capacity, and not in my capacity as a judge of the peace chamber of the international criminal tribunals for the former Yugoslavia and for Rwanda, so let me start with the Genocide Convention.

I mentioned a moment ago that the Genocide Convention was a remarkable achievement, and it was, but like most treaties it is not perfect. I would

like to spend the next few minutes discussing some ways in which the convention was a success, as well as several of its shortcomings. When we use the word genocide today, it is a definition that is both poignant and extraordinarily powerful, this is not simply because calling a specific situation, or set of acts genocide recognizes the gravity and horror of these acts, it is also because the definition of genocide brings to bear an array of legal obligations. This was of course not always the case. As you may all be aware the term genocide, was only coined four years before the Genocide Convention was adopted. Drawing upon the ancient Greek word *Genos*, meaning race, nation or tribe, and the Latin suffix *cide*, meaning killing. Lemkin first used the word genocide in 1944 to refer to a coordinated plan of different action, aiming at the destruction of essential foundations of the life on nation groups, with the aim of annihilating the groups themselves.

According to Lemkin, genocide is directed at the nation group as an entity and the action involved are directed against individuals, not in their individual capacity but members of the nation group. What Winston Churchill once called the crime without a name suddenly had one. Lemkin's terminology was rapidly adopted not only in the indictments of the international military tribunal at Nuremberg but by a resolution UN general assembly, and in 1948 by the Genocide Convention itself. The speed with which the international community adopted the terminology of genocide and the urge to forcefully and clearly condemn it was remarkable. But this does not mean the process of drafting itself was straightforward, it was not, to the contrary intense negotiations continued for two years, and these negotiations acted as precursors to how the crime was to be defined, finally producing article 2.

According to this article, any of a list of enumer-



ated acts would qualify as genocide if committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group as such, among the acts listed in the convention are not only killing members of the group or causing serious bodily or mental harm to members of the group, but also such acts as deliberately inflicting on the group conditions of life calculating to bring about its physical destruction in whole or in part and imposing measures intending to prevent birth within the group. Notably while viewed by many incorrectly as a treaty developed in response to the Holocaust, the Convention's definition for genocide is larger than the context from which it arose. Indeed even before arriving at the definition the convention recognized that at all periods of history genocide has inflicted great losses on humanity. The convention also defines in article one that genocide is a crime whether committed in time of war or in peace and when focused primarily on questions on individual responsibility, criminal responsibility for the crime of genocide. The convention specifically acknowledg-

es that sovereign states themselves may be held responsible under its provisions.

The importance of setting forward a treaty based definition of genocide cannot be underestimated, not simply because treaties create binding obligations for those states that subscribe to them, but also as a touchstone for further development. Indeed it was the Convention itself that provided the International Court of Justice with the opportunity to issue an Advisory Opinion as early as 1951, just a few short months after the Convention went into force, proclaiming the principles underlined the Convention are recognized as binding states even without any conventional obligation, in other words as a matter of customary international law. It is quite telling that almost 50 years after the convention entered into force, its definition was struck in the statutes of the ICTR and the ICTY, the hybrid Cambodia Tribunal and the international Criminal Court, the ICC. Nonetheless the Convention's definition of genocide left a great many questions—how, for example, is an ethnical group to be understood? Who has the authority to define it as such? More generally were the groups listed in the convention the only groups to which it could or should be applied?

Even at the time of its negotiation and adoption the convention was a source of considerable controversy, as to whether “cultural groups” or “political groups” should be included. Since it entered into force, various national jurisdictions have expanded the definition of genocide in their domestic legislation, allowing for instance, genocide charges to be leveled in Spain against Chilean Augusto Pinochet, notwithstanding the fact that his alleged victims were political dissidents, rather than members of a national or ethnic group. Today we are still debating whether other groups, including groups persecuted based on gender, sexual ori-

entation or some other basic characteristic should come within the ambit of the convention, which at least on its face, offers them no protection.

Finally what does it mean that genocide must be aimed at the destruction of a group in whole or in part? Does this imply that genocide only occurs when a certain threshold of destruction and killing has been met? For instance hundreds, or as the drafters of the convention briefly considered, thousands of victims are involved, would a single death count as genocide? Or are the important question ones not of quantitative result but of intent? Some of these question have been answered through the jurisprudence of international courts, in particular the jurisprudence of the ICJ and ICJY, as we shall see in a moment other lacuna have been at least partially addressed through the broadening of the definition as a crime against humanity, including the stature of the international criminal court, which describes I note, persecution against unidentifiable group or collectivity and please not on political racial, ethnic and cultural religious repeating gender or other grounds that are universally recognized as impermissible under international law. Although these moves have not fully silenced all critics who continue to see other aspects of the conventions definition as incomplete and problematic, they have gone a long way to clarifying the law and bringing it into the 21st century.

I turn to punishment; the creation of a widely accepted and binding definition of genocide is not the conventions sole achievement. To be sure the convention decries the crime of genocide in no uncertain terms, but unlike the universal declaration of human rights adopted by the UN general assembly just one day later, the Genocide Convention was not simply a vehicle for norm setting, it also makes plain that the contracting parties to the convention, undertake to punish individual offenders. The convention spells

specific means to which out to they are to do so, and article 3 of the convention towards different modes of criminal liability that are to be punished, and article four secures that no one, whether a private individual, a public official, or a constitutently responsible leader is immune from such punishment. Today perhaps we may find nothing unusual in the notion that the leader of a state can be held accountable for international crimes, but in 1948 it was still a relatively new idea and we have this provision of the Genocide Convention to stature of the ATM Nuremberg and the 1949 Geneva Convention. We have all of these to thank for the changing legal landscape.

This was a truly great step forward in the fight against impunity, by adopting the convention to the convention parties also commit to enacting national legislation to implement the convention and in particular to provide effective penalties for persons guilty of genocide or any other acts enumerated in the convention. State parties also commit to extradite alleged offenders, and perhaps most importantly those states which adopt the convention agree that persons charged with genocide, or the

other acts identified in the convention, shall be tried by a competent tribunal of the state in the territory of which the act was committed, or by such international penal tribunal that may have jurisdiction with respect to those contracting parties that have accepted its jurisdiction.

The last phrase is particular interesting as it foresees already in 1948 the creation of an international criminal court, an idea of one acceptance nearly half a century later, after the adoption of the Genocide Convention. The Convention's treatment of the duty to punish is not without its share of problems. However, the criticism voiced was probably valid in the first few decade of the conventions existence. How can you speak of international cooperation in an international criminal tribunal, when not a single inter nation tribunal had been established. But in the last 20 years those national and in particular international persecutions have gone a long way towards showing, that in contradiction to those early years, the convention can actually be enforced after all, at least when it comes to it penal provision. So I turn to prevention.

The third aspect of the convention that I would like to discuss is perhaps the most challenging. The fact that

the convention requires state parties not only to punish genocide after the act, but to prevent it as well, is of course a tremendously important feature. As I indicated earlier, we find in Article 8 of the Convention, the statement that any party of the convention may call upon the component organs of the United Nation to take such actions under the UN Charter as they consider appropriate



under the acts of genocide, or any other acts enumerated in Article 3 of the Convention. Thus we find there the first seeds of the concepts so modern and so current now of Responsibility to Protect.

The Genocide Convention, as I have demonstrated, is a very important document, it has made a profound contribution to the crystallization of the law and public opinion on the crime of genocide. It has helped pave the way for both modern human rights movement and for the institution for modern international criminal courts, yet it is also an imperfect document and voices continue to be heard calling for its revision, or outright replacement. Particularly in light of argument concerning which groups should be protected. For my part I would hesitate and want time to carefully reflect before advocating any such arrangement. I would like to make it very clear that I am speaking about the possibility of a new convention on the substance of the norms, I am not speaking about the possibility to find more effective ways to enforce the obligation to prevent genocide, this is quite a different method that I am not addressing at the moment. To be sure a protocol to the Genocide Convention, or a new convention might in theory resolve some of the questions and concerns that I have discussed. Including by focusing more on specific mechanisms on genocide prevention or devising the definition of protected groups, yet there is always a danger that in the reopening, the discussion on some of those issues arising under the basic convention, the new standards that result from these talks would simply satisfy the lowest common denominator among those negotiating, and the common denominator today would not be higher and might even be lower than those reached in 1948. So I now turn to the contribution of international criminal courts.

Unlike many of the more recent human rights conventions, such as the recent Covenant on Civil and Political Rights, the Genocide Convention did not establish a treaty body tasked with interpreting its provisions and tracking the compliance by state parties. Apart from the 1951 advisory opinion of the ICJ and the trial of Adolph Eichmann in Israel a decade later there was little occasion for the convention and its provisions to be construed or enforced by courts of law for more than 40

years after the Convention entered into force. All of this changed with the tragic events in the former Yugoslavia and Rwanda in the early 1990's.

With the establishment of the ICTY and ICTR, suddenly not one but two international criminal tribunals was in existence and each was authorized under its stature to apply the definition of genocide set forth in Genocide Convention. They helped to observe the express goal of the Convention to end impunity for the crime of genocide, both by punishing those considered most responsible for the crime and by doing so publicly, methodically and in a manner fully consistent with the international due process. Let me start with the international criminal tribunal of Rwanda in 1998, the trial judgment in the case of Jean-Paul Akayesu, the first international criminal judgment, which marked the first criminal conviction by an international criminal tribunal involving the crime of genocide.

In convicting the accused the tribunal specifically invoked the Genocide Convention's definition of the crime of genocide inflicting the stature of the followed verbatim of the ICTR. The Tribunal also noted that contrary to popular belief the crime of genocide does not imply the actual extermination of a group in its entirety, but terms on whether the acts specified in the Convention under the stature were committed with the specific intent to destroy, in whole or in part, a national ethnic, or racial or religious group. The tri-chamber then proceeded to discuss and clarify the meaning of each of these terms, referring as appropriate to the Eichmann precedent, to the law of Rwanda, and to other sources.

Perhaps most significantly, the tri-chamber held that rape and sexual violence constitute genocide in the same way as another act as long as they were committed with the specific intent to destroy, in whole or in part, a particular group targeted as such. Likewise, in construing the act of imposing measures intended to prevent birth within the group, the chamber made clear that measures intended so to prevent birth may be physical, but they can also be mental. Nothing in the Genocide Convention explicitly indicates that rape or sexual assault could rise to the level of genocide elect.



Yet, this statement of the law by the ICTR has been widely, and I would add rightly, recognized as [an] appropriate, if unprecedented, interpretation of the convention. Subsequently, rulings by the ICTR have further elucidated the convention's definition of the crime of genocide, emphasizing, for instance, that rape and other forms of sexual violence may qualify as forms of serious bodily or mental harm, even when that harm does not lead to death, and that there need not be a large number of victims for a Genocide Convention to be entered.

ICTY...The ICTR has not been alone, of course, in construing and in clarifying the Genocide Convention, as incorporated verbatim into its statute. The ICTY has also played an important role, including the seminal Srebrenica case of General Krsti , over which I had the honor to preside. And that case played an undeniably important role, simply by naming the massacre in Srebrenica for what it was—genocide.

Let me read you a passage from the judgment we entered as the Appeals Chamber: "By seeking to eliminate a part of the Bosnian Muslims, the Bosnian Serb forces committed genocide. They targeted for extinction the 40,000 Bosnian Muslims living in Srebrenica, a group which was emblematic of the Bosnian Muslims in general. They stripped all the male Muslim prisoners, military and civilian, elderly and young, of their personal belongings and identification, and deliberately and me-

thodically killed them solely on the basis of their identity. The appeals chamber states unequivocally that the law condemns, in appropriate terms, the deep and lasting injury inflicted and calls the massacre at Srebrenica by its proper name—genocide."

The 2004 Appeal judgment in the in the Krsti case not only established that genocide can be committed even in a geographically limited area, it also made it clear that where a conviction for genocide relies on the intent to destroy a protected group in part, the part must be a substantial part of that group. This substantiality requirement both captures genocide's defining character as a crime of massive proportions, and reflects the Convention's concern with the impact the destruction of the targeted part will have on the overall survival of the group. As the Appeals Chamber in Krsti made it clear, the gravity of genocide, and I'm quoting, is reflected in the stringent requirements which must be satisfied before this conviction is imposed.

These requirements, the demanding proof of specific intent, and the showing that the group was targeted for the destruction in its entirety or in substantial part, guard against a danger that convictions for this crime will be imposed lightly. These requirements, incidentally, may also lead prosecutors to charge defendants not with genocide, but with crimes against humanity, which are subject to somewhat more forgiving evidentiary requirements. The 19---the 2006 appeal judgment in the case of Stakić, Milomir Stakić,w addressed a different set of questions regarding the crime of genocide, most notably by rejecting the argument that a group protected by the Genocide Convention could be defined negatively—that is, for example, as all non-Serbs, in a specific geographical arena---area.

Now let me say a few words about other international courts. While the ICTY and the ICTR were the first international tribunals to interpret the Genocide Convention, they are by no means the only ones. The 1998 Rome Statute provides the International Criminal Court with jurisdiction over the crime of genocide, and as you know in 2010, the International Criminal Court issued a second arrest warrant for Sudanese President Omar al-Bashir, adding genocide to the list of charges for crimes

that he is alleged to have committed in the Darfur region. The hybrid national-international court known as Extraordinary Chambers in the courts of Cambodia also has jurisdiction over genocide, as defined in the convention, and has indicted several former leaders of Khmer Rouge for genocide, among other alleged crimes. But international criminal tribunals are not the only international courts to enforce the Genocide Convention in recent years.

The International Court of Justice has been called upon to address disputes involving the Genocide Convention, including the 1951 Advisory Opinion I discussed earlier, in the case concerning armed activities in the territory of the Congo, where it reaffirmed the principle—and that the principles—norms underlying the convention, are principles and norms binding on all states, including those which have not ratified the Genocide Convention. And most notably, the contribution is the contribution made by the International Court of Justice in the case of Bosnia and Herzegovina against Serbia and Montenegro.

In this last case, the ICJ joined the ICTY in recognizing that the atrocities in Srebrenica were genocide, growing upon the ICTY's factual findings and legal analysis from the Krsti case, and others in doing so, and thus demonstrating an effective synergy between the two courts. And importantly, the ICJ specifically considered the import of the Genocide Convention on the duty to prevent. The ICJ observed that the convention does not impose a duty to succeed in preventing genocide. It does not establish what we call in the law—international law—state responsibility and obligation of result, but it establishes an obligation of means, and to quote the court, “an obligation to employ all means reasonably available to them so as to prevent genocide as far as possible.” A state will breach this duty if genocide actually occurs, but the ICJ was swift to caution that a state should not wait for such an occurrence before acting. That would be nonsense, as the court said, and the courts continued, “The Yugoslav federal authorities should, in the view of the court, have made the best efforts within their power to try and prevent the tragic events then taking shape, whose scale, thought

it could not have foreseen with certainty, might at least have been surmised.” The ICJ concluded that Serbia and Montenegro had violated its obligation to prevent the Srebrenica genocide in such a manner as to engage its international responsibility.

Now I would like to turn and say something about a subject closer to the institute—the subject of enforcing [the] Genocide Convention through other means. Now, the jurisprudence of international courts that we have just discussed, has of course helped to advance the goals of the Genocide Convention in a number of important ways, including by clarifying key aspects of the convention, providing public and clear condemnation for the acts involved, and of course assigning responsibility for genocide, and—where appropriate—exacting punishment from individuals. The renewed focus on prosecuting genocide at the international level has in turn led to national and international prosecutions in recent years, including in Rwanda, Germany and elsewhere.

But has this growing body of jurisprudence done much to prevent genocide from occurring? It is difficult to say. On the one hand, the genocide at Srebrenica occurred in 1995, several years after the establishment of the ICTY, which plainly did not deter it. On the other hand, it would be wrong to conclude that the international courts and international criminal tribunals in particular, do not have any deterrent effect or perform an important function simply because atrocities have continued to be committed. After all, domestic criminal law can hardly be said to have no deterrent effect simply because some citizens continue to commit murder and assaults.

While it is impossible to measure how many such crimes would occur were no system of punishment in place, I am nonetheless convinced that the more pervasive and certain the threat of future prosecution, whether nationally or internationally, the more likely it will be that systems of punishment will help to deter future crimes including genocide. As the risk of being caught in the web of criminal tribunal grows, so will the prospects for deterrence and for prevention. Yet criminal courts cannot and should not be the sole instrument of prevention, so what more should be done?

First, in the 1990s the United Nations learned some very hard lessons about the importance of early warning, risk assessment, and accurate and timely analysis with regards to emerging humanitarian emergencies. As recognized in the reports by the United Nations, there was neither sufficient focus nor adequate institutional resources for early warning and risk analysis at United Nations headquarters with regard to the tragic events in Rwanda in 1994. And the lack of sufficient information sharing concerning Srebrenica was an endemic weakness, and I'm quoting from a UN report, throughout the conflict.

Fortunately, over the course of the past decade, both the United Nations and the regional bodies have made considerable advances in improving early warning and assessment systems, and rapidly evolving technology has made it easier to share information in real time, both within institutions like the United Nations, and through the traditional and social media. We should do our utmost to ensure that these advances continue in the years ahead, and that they are focused not simply on improving analytical capacities at United Nations headquarters, but also in developing local knowledge and local networks in those regions most at risk.

Second, early warning systems and improved informa-

tion sharing are---must be improved. But I wish to emphasize that if we follow a focus which is too narrowly based on only those factors related to the imminence of genocide, we have not done our job. We must look much more forward to prevent genocide effectively, and this has been quite clearly stated by the Office of the United Nations Special Advisor on the Prevention of Genocide, to which I would refer you. One key to prevention is to identify in all countries discriminatory laws and practices that give rise to acute disparities within a diverse population, and we must take steps to alter or to abolish those laws and practices, and to do all of this well before threat of genocide becomes imminent. Individual states are often best positioned to take such steps with respect to the laws and practices within their own jurisdiction, and to take other measures to prevent genocide within their own borders, including by implementing the Genocide Convention through national penal legislation.

Let me just interrupt here on a short note, I was very surprised some years ago when we in the Tribunal were considering whether to refer to---a case to a very advanced European country [inaudible] and then we have discovered, to our amazement, that that country which has perhaps the most progressive human rights legisla-



tion in the world or is close to it, does not have on its books anything regarding the crime of genocide, and since the cases concerned, sort of were very close to it, we have decided that we cannot refer that case to be adjudicated, to be litigated, within that country. So I believe that all of us have the responsibility to make sure that our own parliaments adopt adequate legislation to criminalize genocide. In the United States it took us more than twenty years to do so but we did it finally; many countries have not done it yet.

So as we are all too aware, individual states will sometimes fail to act, or to act swiftly and effectively, and individual states will sometimes be the actual architects of an emerging humanitarian crisis. For these reasons, as the Genocide Convention so aptly acknowledged sixty years ago, international cooperation and international action are also required to ensure respect for the law and protection for those at the greatest risk. From this idea sprung the...concept of Responsibility to Protect, the conviction that while each individual state has the Responsibility to protect its population from genocide, war crimes, ethnic cleansing, and crimes against humanity, the international community, through the United Nations, also has the responsibility to help protect populations from these crimes.

The 2005 World Summit of more than 150 heads of state and government unanimously affirmed that responsibility, noting that the responsibility of the international community includes the obligation to use appropriate diplomatic, humanitarian, and other peaceful means in accordance with the United Nations Charter. These same heads of state and government also affirmed that on a case-by-case basis, they were prepared to take collective action in accordance with Chapter 7 of

the UN Charter—that is, through force—should peaceful means be inadequate and national authorities fail to protect their populations from genocide, war crimes, ethnic cleansing, and crimes against humanity.

Such steps, as the world's leaders agreed, must be taken in a timely and decisive fashion. This Responsibility to Protect, rooted as it is in the Genocide Convention and other international instruments, appears to be an invigorated commitment to the notion that no state may stand by while genocide occurs or genocidal acts appear imminent. As such, this is a new tool by which to enforce the treaty obligations found in the Genocide Convention, including the duty to prevent. Will this renewed commitment lead to tangible results? Only time will tell.

So I would like to conclude by quoting the past secretary general of the United Nations, Kofi Annan, who explained in 2001 that genocide begins with the killing of one man, not for what he has done, but because of who he is. What begins with a failure to uphold the dignity of one's life all too often ends with a calamity for entire nations. Much remains to be done to ensure that such a calamity does not occur, that we may say once and forever more, never again. Outreach and raising the consciousness of the public, and the media are critical here, but with the jurisprudence of international courts, new initiatives aimed at peace building and establishing early warning systems such as you people here at the institute are undertaking, the adoption of a formal commitment to the Responsibility to Protect, recent actions by the UN Security Council, the United States, and NATO with regard to Libya, and the considerable interest in this topic shown by all of you gathered here today, I am confident that we are moving in the right direction, and thank you.

The Hon. Judge Theodor Meron



Biographical Note the Hon. Judge Theodor Meron

Judge Theodor Meron is the ICTY Tribunal's current President, elected to this position by his fellow judges on 19 October 2011. He also served as President between March 2003 and November 2005.

Since his election to the Tribunal by the U.N. General Assembly in March 2001, Judge Meron, a citizen of the United States, has served on the Appeals Chamber, which hears appeals from both the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR). A leading scholar of international humanitarian law, human rights, and international criminal law, Judge Meron wrote some of the books and articles that helped build the legal foundations for international criminal tribunals. A Shakespeare enthusiast, he has also written articles and books on the laws of war and chivalry in Shakespeare's historical plays.

Judge Meron received his legal education at the Universities of Jerusalem, Harvard (where he received his doctorate), and Cambridge. He immigrated to the United States in 1978. Since 1977, he has been a Professor of International Law and, since 1994, the holder of the Charles L. Denison Chair at New York University School of Law. Between 1991 and 1995 he was also Professor of International Law at the Graduate Institute of International and Development Studies in Geneva, and he has been a Visiting Professor of Law at Harvard University and at the University of California (Berkeley). He was counsel for the United States before the International Court of Justice in the LaGrand case. In 2000-2001, he served as Counselor on International Law in the U.S. Department of State. In 2006, he was named Charles L. Denison Professor Emeritus and Judicial Fellow at New York University School of Law.

Judge Meron was Co-Editor-in-Chief of the American Journal of International Law (1993-98) and is now an honorary editor. He is a member of the Institute of International Law, the Board of Editors of the Yearbook of International Humanitarian Law, the Council on Foreign Relations, the French Society of International Law, the American Branch of the International Law Association, and the Bar of the State of New York, and he is a patron of the American Society of International Law. He is Honorary President of the American Society of International Law. He has served on the advisory committees or boards of several human rights organizations, including Americas Watch and the International League for Human Rights.

In 1990, Judge Meron served as a Public Member of the United States Delegation to the CSCE Conference on Human Dimensions in Copenhagen. In 1998, he served as a member of the United States Delegation to the Rome Conference on the Establishment of an International Criminal Court (ICC) and was involved in the drafting of the provisions on crimes, including war crimes and crimes against humanity. He has also served on the preparatory commission for the establishment of the ICC, with particular responsibilities for the definition of the crime of aggression.

Judge Meron has served on several committees of experts of the International Committee of the Red Cross (ICRC), including those on Internal Strife, on the Environment and Armed Conflicts, and on Direct Participation in Hostilities Under International Humanitarian Law. He was also a member of the steering committee of ICRC experts on Customary Rules of International Humanitarian Law. He was a member of the "Panel of Eminent Persons within the Swiss Initiative to com-

memorate the 60th anniversary of the Universal Declaration of Human Rights," which concerned a future agenda for human rights, and is now a member of the successor panel on human dignity.

He has been a Carnegie Lecturer at The Hague Academy of International Law, Fellow of the Rockefeller Foundation, Max Planck Institute Fellow (Heidelberg), Sir Hersch Lauterpacht Memorial Lecturer at the University of Cambridge, and Visiting Fellow at All Souls College, Oxford. He was also the Marek Nowicki Lecturer for 2008 lectures in Budapest and Warsaw under the auspices of the Open Society Institute. He has lectured at many universities and at the International Institute of Human Rights (Strasbourg). Judge Meron helped establish the ICRC/Graduate Institute of International and Development Studies seminars for University Professors on International Humanitarian Law. He leads the annual ICRC seminars for U.N. diplomats on International Humanitarian Law at New York University, and in the past led such seminars in Geneva.

Judge Meron was awarded the 2005 Rule of Law Award by the International Bar Association and the 2006 Manley O. Hudson Medal of the American Society of International Law. He was made Officer of the Legion of Honor by the government of France in 2007. He received the Charles Homer Haskins Prize of the American Council of Learned Societies for 2008. In 2009 he was elected Fellow of the American Academy of Arts and Sciences. In 2011 he received a doctorate honoris causa from the University of Warsaw.

A frequent contributor to the American Journal of International Law and other legal journals, Judge Meron delivered the 2003 General Course of Public International Law at The Hague Academy of International Law. He is the author of more than 100 articles in legal publications. His books are: *Investment Insurance in International Law* (Oceana-Sijthoff 1976); *The United Nations Secretariat* (Lexington Books 1977); *Human Rights in International Law* (Oxford University Press 1984); *Human Rights Law-Making in the United Nations* (Oxford University Press 1986) (awarded the certificate of merit of the American Society of International Law); *Human Rights in Internal Strife: Their International Protection* (Sir Hersch Lauterpacht Memorial Lectures, Grotius Publications 1987); *Human Rights and Humanitarian Norms as Customary Law* (Oxford University Press 1989); *Henry's Wars and Shakespeare's Laws* (Oxford University Press 1993); *Bloody Constraint: War and Chivalry in Shakespeare* (Oxford University Press 1998); *War Crimes Law Comes of Age: Essays* (Oxford University Press 1998); *International Law In the Age of Human Rights* (Martinus Nijhoff 2004); and *The Humanization of International Law* (Martinus Nijhoff 2006). His latest book was published by Oxford University Press in 2011 under the title: "The Making of International Criminal Justice: The View from the Bench: Selected Speeches."



STOP GENOCIDE
THE UN
GENOCIDE
CONVENTION
INITIATIVE

www.un-genocide-convention.org

icd

institute for cultural diplomacy

Ku'damm Karree, Kurfürstendamm 207-208, D-10719 Berlin

Tel.: +49 (0) 30 2360 768 0

E-mail: info@culturaldiplomacy.org

Website: www.culturaldiplomacy.org