

Annex A

Biographies of Amicus Curiae Applicants

1. David M. Crane

David M. Crane is the Glidden Distinguished Visiting Professor at Ohio University for the 2018/19 academic year and is a Distinguished Scholar in Residence at Syracuse University. He was appointed a professor of practice at Syracuse University College of Law in the summer of 2006 until his retirement in the summer of 2018. Prior to that time, he was a distinguished visiting professor for the 2005 academic year.

He is the founder of Impunity Watch, the IamSyria Campaign, and the Syrian and Yemeni Accountability Projects. In 2017, he assisted the United Nations in setting up the International, Independent, and Impartial Mechanism for the Republic for Syria. In late 2018 he created a new NGO called the Global Accountability Initiative; an international effort to standardize atrocity investigations. In 2017/18, he was a commissioner on the North Carolina Commission to Investigate Torture.

From 2002-2005 he was the founding Chief Prosecutor of the Special Court for Sierra Leone, an international war crimes tribunal, appointed to that position by the Secretary General of the United Nations, Kofi Annan. With the rank of Undersecretary General, Professor Crane's mandate was to prosecute those who bear the greatest responsibility for war crimes, crimes against humanity, and other serious violations of international human rights committed during the civil war in Sierra Leone in the 1990's. Among those he indicted for those horrific crimes was the President of Liberia, Charles Taylor, the first sitting African head of state in history to be held accountable. Professor Crane was the first American since Justice Robert Jackson and Telford Taylor at Nuremberg, in 1945, to be the Chief Prosecutor of an international war crimes tribunal. The Office of the Prosecutor was located with the Special Court in Freetown, Sierra Leone. The Special Court for Sierra Leone was nominated for the Nobel Peace Prize in 2010.

Professor Crane served over 30 years in the federal government of the United States. Appointed to the Senior Executive Service of the United States in 1997, Professor Crane has held numerous key managerial positions during his three decades of public service. This service included positions as a Senior Inspector General, Department of Defense, Assistant General Counsel of the Defense Intelligence Agency, and Waldemar A. Solf Professor of International Law at the United States Army Judge Advocate General's School.

Professor Crane taught international criminal law, international law, international humanitarian law, and national security law at the Syracuse College of Law. Additionally, he was a member of the faculty of the Institute for National Security and Counterterrorism, a joint venture with the Maxwell School of Public Citizenship at Syracuse University. Professor Crane was on the leadership council of the American Bar Association's International Law Section and served as the Chairman of the Section's Blue Ribbon Panel on the International Criminal Court's 2010 Review Session. He is also a Fellow of the American Bar Association. Additionally he sits on numerous boards of various humanitarian organizations. Professor Crane travels the world speaking about various human rights issues. He is widely published in the area of international humanitarian law, among other topics. Professor Crane's most recent book, *The Founders* was released in the spring of 2018.

Professor Crane holds a Juris Doctor degree from Syracuse University, a Masters of Arts Degree in African Studies and a Bachelor of General Studies in History, summa cum laude, from Ohio University. For his service to humanity, Case Western Reserve University in Ohio awarded him an honorary Doctor of Laws degree in May 2008. In April of 2017, Ohio University awarded Professor Crane an honorary Doctor of Laws degree for his extraordinary humanitarian work in West Africa and in Syria.

Various other awards include the Intelligence Community Gold Seal Medallion, the Department of Defense/DoDIG Distinguished Civilian Service Medal, and the Legion of Merit. In September of 2006, Professor Crane was given a key to the City of Highland Park, Illinois (where he attended high school) in honor of his work in the field of human rights. While an infantry officer, special operations operative, and judge advocate he was on jump status for 12 years and awarded a Master Parachutist Badge.

Professor Crane was a 2006 George Arents Pioneer Medal recipient from Syracuse University. In 2005, he was awarded the Medal of Merit from Ohio University and the Distinguished Service Award from Syracuse University College of Law for his work in West Africa. Prior to his departure from West Africa, Professor Crane was made an honorary Paramount Chief by the Civil Society Organizations of Sierra Leone. In 2014, Professor Crane was given the Eclipse Award by the Committee for Victims of Torture.

2. Benjamin B. Ferencz

From: <http://www.benferencz.org/>

Benjamin B. Ferencz was born in the Carpathian Mountains of Transylvania in 1920. When he was ten months old his family moved to America. His earliest memories are of his small basement apartment in a Manhattan district - appropriately referred to as "Hell's Kitchen." Even at an early age, he felt a deep yearning for universal friendship and worldpeace.

After he graduated from Harvard Law School in 1943, he joined an anti-aircraft artillery battalion preparing for the invasion of France. As an enlisted man under General Patton, he fought in every campaign in Europe. As Nazi atrocities were uncovered, he was transferred to a newly created War Crimes Branch of the Army to gather evidence of Nazi brutality and apprehend the criminals.

On the day after Christmas 1945, Ferencz was honorably discharged from the U.S. Army with the rank of Sergeant of Infantry. He returned to New York and prepared to practice law. Shortly thereafter, he was recruited for the Nuremberg war crimes trials. The International Military Tribunal prosecution against German Field Marshal, Herman Goering and other leading Nazis was already in progress under the leadership of the American Prosecutor, Robert M. Jackson on leave from the U.S. Supreme Court.

The U.S. had decided to prosecute a broad cross section of Nazi criminals once the trial against Goering and his henchmen was over. General Telford Taylor was assigned as Chief of Counsel for 12 subsequent trials. Ferencz was sent with about fifty researchers to Berlin to scour Nazi offices and archives. In their hands lay overwhelming evidence of Nazi genocide by German doctors, lawyers, judges, generals, industrialists, and others who played leading roles in organizing or perpetrating Nazi brutalities. Without pity or remorse, the SS murder squads killed every Jewish man, woman, and

child they could lay their hands on. Gypsies, communist functionaries, and Soviet intellectuals suffered the same fate. It was tabulated that over a million persons were deliberately murdered by these special “action groups.”

Ferencz became Chief Prosecutor for the United States in The Einsatzgruppen Case, which the Associated Press called “the biggest murder trial in history.” Twenty-two defendants were charged with murdering over a million people. He was only twenty-seven years old. It was his first case.

All of the defendants were convicted. Thirteen were sentenced to death. The verdict was hailed as a great success for the prosecution. Ferencz’s primary objective had been to establish a legal precedent that would encourage a more humane and secure world in the future.

“Nuremberg taught me that creating a world of tolerance and compassion would be a long and arduous task. And I also learned that if we did not devote ourselves to developing effective world law, the same cruel mentality that made the Holocaust possible might one day destroy the entire human race.”

In 1970, with the U.S. sinking ever deeper into the quagmire of Vietnam, it was only natural that his mind should turn to the need for a peaceful world. After careful deliberation, Ferencz decided that he would gradually withdraw from the private practice of law and would dedicate himself to studying and writing about world peace.

His book *Defining International Aggression – The Search for World Peace* was published in 1975. It seemed to him that there was little sense in denouncing aggression, terrorism, and other crimes against humanity unless these offenses became part of an accepted international criminal code enforced by an international court. He wrote another two-volume documentary history, *An International Criminal Court – A Step Toward World*

Peace, which was published in 1980. It was intended to be a tool that nations could use to build a structure for peace.

While still at Harvard, he had studied jurisprudence with Professor Roscoe Pound, one of the most learned jurists in the world. The results of his research were recorded in another two-volume book, *Enforcing International Law – A Way to World Peace*, which was published in 1983. In order to spread the word to a larger audience, he condensed the gist of his thinking into a small, inexpensive paperback, *A Common Sense Guide to World Peace*. The title was influenced by that great patriot, Tom Paine, whose pamphlet *Common Sense* had inspired the American Revolution.

In 1988 Ferencz wrote *PlanetHood* with Ken Keyes, Jr., to offer practical steps for the average citizen to take to help establish international law and urge U.N. reform. Receiving critical acclaim from its readers, with over 450,000 copies printed and served as an inexpensive and easy-to-read “Key To Survival and Prosperity.”

With the coming of the 1990s and the end of the Cold War, the international community finally proved ready to discuss seriously the possibility of establishing an international criminal court, and Ferencz remained a voice of optimism. When the Rome Statute was affirmed by vote in 1998, Ferencz addressed the Conference asserting that “an international criminal court - the missing link in the world legal order - is within our grasp.” Since Rome, Ferencz has been active at Preparatory Commission sessions for the ICC, monitoring and making available his expertise on current efforts to define aggression. Ferencz has continued to mobilize support for the ICC, take on media punditries and inform an oft-misinformed media about the ICC. With the progress that has been made since Rome, Ferencz’s goal of replacing the “rule of force with the rule of law” seems imminent.

3. Richard J. Goldstone

Richard J. Goldstone was born on the 26th October 1938. After graduating from the University of the Witwatersrand with a BA LLB cum laude in 1962, he practised as an Advocate at the Johannesburg Bar. In 1976 he was appointed Senior Counsel and in 1980 was made Judge of the Transvaal Supreme Court. In 1989 he was appointed Judge of the Appellate Division of the Supreme Court. From July 1994 to October 2003 he was a Justice of the Constitutional Court of South Africa. Since the spring of 2004, Justice Goldstone taught, as a visiting professor of law, at Harvard Law School, NYU Law School, Fordham Law School, Stanford Law School Georgetown University Law Center, the University of Virginia School of Law, the University of Pennsylvania School of Law, and the Central European University in Budapest.

Justice Goldstone is the chair of the Advisory Board of the Coalition for the International Criminal Court. He is a member of the Africa Group for Justice and Accountability. He is a member of the boards of the South African Student Solidarity Foundation for Education and Physicians for Human Rights, and Fordham University's International Institute for Humanitarian Affairs. In April 2004, he was appointed by the Secretary-General of the United Nations to the Independent International Committee, chaired by Paul Volcker, to investigate the Iraq Oil for Food program. He is the Honorary President of the Human Rights Institute of the International Bar Association. In 2008, he chaired a UN Committee to advise the United Nations on appropriate steps to preserve the archives and legacy of the International Criminal Tribunals for the former Yugoslavia and Rwanda. He led a United Nations Fact Finding Mission on possible war crimes and international human rights violations committed by any party in the context of the military action in Gaza in December 2008 and January 2009. In 2012 he was appointed as a member of the Independent Commission of Inquiry into the Death of Secretary-General Dag Hammarskjöld.

From 1991 to 1994, he served as Chairperson of the South African Commission of Inquiry regarding Public Violence and Intimidation that came to be known as the Goldstone Commission. He was the Chairperson of the Standing Advisory Committee of Company Law from 1984 to 2004. From 15 August 1994 to September 1996 he served as the Chief Prosecutor of the United Nations International Criminal Tribunals for the former Yugoslavia and Rwanda. During 1998 he was the chairperson of a high level group of international experts that met in Valencia, Spain, and drafted a Declaration of Human Duties and Responsibilities for the Director General of UNESCO (the Valencia Declaration). From August 1999 until December 2001 he was the chairperson of the International Independent Inquiry on Kosovo. In December 2001 he was appointed as the co-chairperson of the International Task Force on Terrorism which was established by the International Bar Association. From 1999 to 2003 he served as a member of the International Group of Advisers of the International Committee of the Red Cross. From 1985 to 2000, Justice Goldstone was National President of the National Institute of Crime Prevention and the Rehabilitation of Offenders (NICRO). From 1995 to 2007 he was the Chancellor of the University of the Witwatersrand, Johannesburg.

The many awards he has received locally and internationally include the International Human Rights Award of the American Bar Association (1994) and Honorary Doctorates of Law from universities in South Africa, Europe, North America and Israel. He is an Honorary Bencher of the Inner Temple, London, an Honorary Fellow of St Johns College, Cambridge, an Honorary Member of the Association of the Bar of New York, and a Fellow of the Weatherhead Centre for International Affairs at Harvard University. He is an International Honorary Member of the American Academy of Arts and Sciences and a member of its International Committee. In October 2006 he shared with Louise Arbour, the UN High Commissioner for Human Rights, the Thomas J. Dodd Prize in International Justice and Human Rights. In May, 2007 he received the Richard E. Neustadt Award from the Kennedy School of Government at Harvard University. In January 2007 he received the World Peace

Through Law Award from the Whitney Harris Institute for Global Legal Studies at International Law at Washington University in St. Louis. In May 2009, he received the International Justice Award of the John D. and Catherine T. MacArthur Foundation and in December 2009, the Stockholm Award for International Justice.

He is the author of *For Humanity: Reflections of a War Crimes Investigator*, (2001) Yale University Press, and the co-author of *International Judicial Institutions: the Architecture of International Justice at Home and Abroad* (2009) Routledge.

4. Carla Del Ponte

Carla Del Ponte is a Swiss and international Prosecutor and diplomat. As an investigating magistrate and public prosecutor in Switzerland, Ms. Del Ponte investigated and prosecuted cases of money laundering, terrorism, arms smuggling and espionage, and other facets of organized transnational crime.

After serving as the Attorney-General of Switzerland, Ms. Del Ponte was appointed Prosecutor for the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) in August 1999. She remained Prosecutor at the ICTR and ICTY until 2003 and 2008, respectively.

Ms. Del Ponte served as Swiss ambassador to Argentina from 2008 to February 2011.

Between 2012 and 2017, Ms. Del Ponte served as a Commissioner of the Independent International Commission of Inquiry for Syria.

In 2018, Carla Del Ponte published her second book *In the Name of Victims – The Failure of the UN and International Politics in Syria*.

5. Stephen J. Rapp

Stephen J. Rapp is a Visiting Fellow of Practice at the Blavatnik School of Government of Oxford University where he is engaged on a research and stakeholder consultation project to develop policy proposals to strengthen global capacity to gather and preserve evidence of criminal responsibility of the most serious violations of human rights. During 2017-2018, he was the Drinan Visiting Professor of Human Rights at Georgetown University. Since 2015, he has also been a Distinguished Fellow at the United States Holocaust Memorial Museum's Center for Prevention of Genocide. He serves as Chair of the Commission for International Justice & Accountability (CIJA) that has collected and analyzed more than 750,000 pages of documentation from Syria and Iraq to prepare cases for future prosecution.

From 2009 to 2015, he was U.S. Ambassador-at-Large for Global Criminal Justice in the U.S. State Department. In that position he coordinated U.S. Government support to international criminal tribunals, as well as to hybrid and national courts responsible for prosecuting persons charged with genocide, war crimes, and crimes against humanity. During his tenure, he traveled more than 1.5 million miles to 87 countries to engage with victims, civil society organizations, investigators and prosecutors, and the leaders of governments and international bodies to further efforts to bring the perpetrators of mass atrocities to justice.

He served as Prosecutor of the Special Court for Sierra Leone from 2007 to 2009 where he led the prosecution of former Liberian President Charles Taylor. His office achieved the first convictions in history for sexual slavery and forced marriage as crimes against humanity, and for attacks on peacekeepers and recruitment and use of child soldiers as violations of international humanitarian law. From 2001 to 2007, he served as Senior Trial Attorney and Chief of Prosecutions at the International Criminal Tribunal for Rwanda, where he headed the trial team that achieved the first convictions in history

of leaders of the mass media for the crime of direct and public incitement to commit genocide.

Rapp was the United States Attorney for the Northern District of Iowa from 1993 to 2001, where his office won historic convictions under the firearms provision of the Violence Against Women Act and the serious violent offender provision of the 1994 Crime Act. Prior to his tenure as U.S. Attorney, he served as Staff Director of the U.S. Senate Judiciary Subcommittee on Juvenile Delinquency and as an elected member of the Iowa Legislature.