

Opportunities with International Tribunals and Foreign Courts

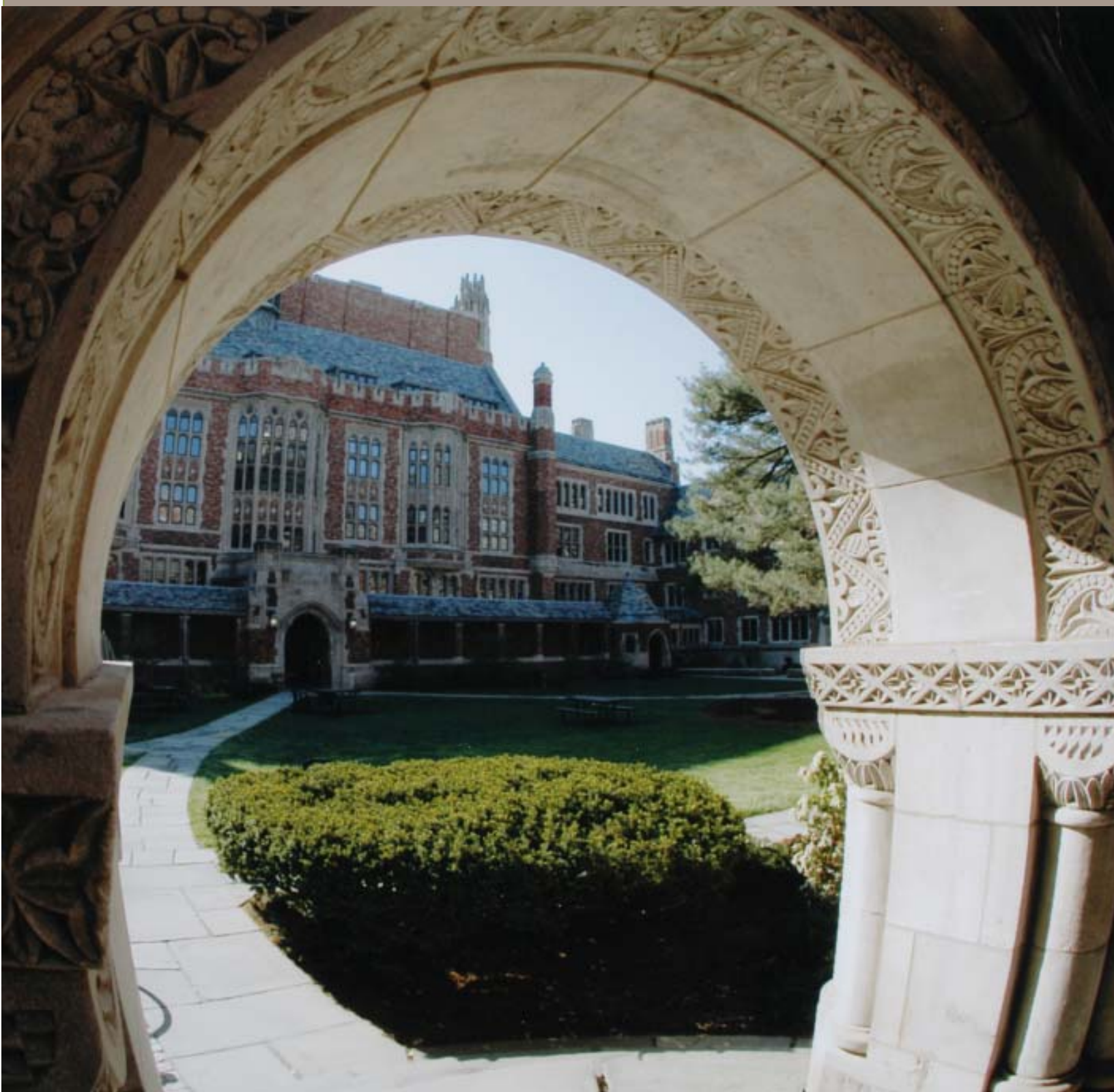


Table of Contents

Chapter 1	Introduction	3
	1. Why Work at an International Tribunal or Foreign Court?	3
	2. What is in this Guide?	3
	3. How To Pursue a Position with a Court Outside the U.S.	3
Chapter 2	International Tribunals	5
	A. Tribunals Offering Opportunities	5
	1. Court of Justice & Court of First Instance of the European Communities	5
	2. European Court of Auditors	6
	3. European Court of Human Rights	7
	4. European Free Trade Agreement Court	8
	5. Inter-American Court of Human Rights	8
	6. International Chamber of Commerce International Court of Arbitration	9
	7. International Court of Justice	10
	8. International Criminal Court	11
	9. International Criminal Tribunal for Rwanda	12
	10. International Criminal Tribunal for the Former Yugoslavia	13
	11. International Tribunal for the Law of the Sea	14
	12. Iran-United States Claims Tribunal	15
	13. Permanent Court of Arbitration	15
	14. Special Court for Sierra Leone	16
	15. World Bank International Centre for Settlement of Investment Disputes	17
	16. World Intellectual Property Organization Arbitration & Mediation Center	18
	17. World Trade Organization Appellate Body	19
	B. Additional Tribunals	20
	1. Caribbean Court of Justice	20
	2. Central American Court of Justice	21
	3. Commission for Environmental Cooperation	21
	4. Common Market for Eastern & Southern Africa Court of Justice	22
	C. Organizations Engaged in Tribunal Work	22
	1. War Crimes Research Office	22
	D. Narratives	23
Chapter 3	National Courts	33
	A. Opportunities	33
	1. High Court of Australia	34
	2. Federal Court of Australia	34
	3. Courts of Denmark, Faroe Islands, and Greenland	35
	4. Supreme Court of Israel	36
	5. Courts of New Zealand	36
	6. Constitutional Court of South Africa	37
	B. Narratives	38
Appendices		
A.	YLS Clerks Outside the U.S.	43
B.	YLS Passwords for Online Resources	47

CHAPTER 1

INTRODUCTION

1. Why Work at an International Tribunal or Foreign Court?

Law students and graduates seek short-term positions with a court outside of the U.S. for a variety of reasons. For some, it is an opportunity to work in an international setting and have a clerkship experience. Others have an interest in the particular issues that the court hears, such as the arbitration of commercial intellectual property disputes by the World Intellectual Property Organization Arbitration & Mediation Center or violations of humanitarian law by the International Criminal Tribunals for Rwanda or the Former Yugoslavia. Gaining experience with these issues may also fit in with their long-term career plans.

2. What is in this Guide?

This guide provides information regarding some of the courts outside of the U.S.—international tribunals and intergovernmental courts, as well as national courts—where current law students and graduates may find temporary positions, paid and unpaid. Some of these courts, such as the International Criminal Tribunal for the Former Yugoslavia, offer structured programs that are open to law students and recent graduates throughout the world. In these cases, the courts provide instructions on how to apply (e.g., International Court of Justice) or detailed application forms (e.g., International Criminal Tribunal for the Former Yugoslavia).

Other courts have no structured system. Judges do not typically have law clerks, and non-citizens are rarely employed in the court system. They may be open to the possibility of allowing law school students and recent graduates from the U.S. to work on a temporary basis, provided they are fluent in that country's language and willing to work without pay.

The information in this guide was taken directly from the indicated websites, or obtained in telephone conversations and correspondence with court staff. If you have information about opportunities with other courts, please email cdo.law@yale.edu.

3. How To Pursue a Position with a Court Outside the U.S.

Never say “never.”

Despite the “official” work limitations that the national courts and international tribunals around the world impose, you may be able to find, or create, an opportunity if you are flexible and persistent; willing to research, track down people, or follow up on personal connections; and willing to work without pay.

The experience of one Yale Law School graduate provides a useful example. He was under the impression that U.S. citizens had previously clerked for the Supreme Court of India. After sending a letter and resume to the Chief Justice, he learned that the Supreme Court of India had never employed a clerk in its history. Nevertheless, the Chief Justice and the YLS graduate continued corresponding and began to construct a proposal under which he could be the “guinea pig” clerk for the Supreme Court of India. The experiment would allow the justices to decide whether such a clerkship system would be of value to them, and then to build the experiment into a national pilot project for one-year clerkships. Ultimately, the graduate was awarded a grant for a project in a different country (never put all your eggs in one basket, either) and had to defer the clerkship project—but at least he started them thinking about it!

Research.

Contact professors, alumni, or fellow students who may have experience with international tribunals or the legal system in another country, and could have information about individual judges. Remember the overseas-trained graduate students at the law school. Many of them have practiced or taught law before starting the graduate program, and some have worked for courts. To find alumni with international court experience, see Appendix A, and search YLS Career Connections, available online through the YLS Career Management System (CMS).

If you are interested in clerking in a country that is not covered in this guide and you have no contact, there may be information on the web. Two websites that provide court links are the World Legal Information Institute website (click on the “Courts and Cases” link under the Catalog section) at www.worldlii.org and the Council of Europe, Venice Commission website at www.venice.coe.int/site/dynamics/N_court_links_ef.asp?L+2. The WorldLII site also links to international tribunals.

You can also contact the embassy or consulate for that country in the United States. The State Department maintains contact information for embassies and consular offices in the U.S. at www.state.gov/s/cpr/rls/. Another resource is the Foreign Representatives Yellow Book, published by Leadership Directories, Inc., which is available in print and online. YLS maintains a subscription to the online service. The Foreign Representatives Yellow Book lists contact and staff information for embassies and consulates in the U.S., as well as websites. To conduct an online Yellow Book search, go to www.leadershipdirectories.com. If at a Yale computer or using a Yale VPN, click “Log in to Leadership Online” (yellow box just to the right at the top of the web page). If not, log in using the information in Appendix B; Once logged in, click on the drop menu under “Explore Organizations.” Select “Foreign Governments,” and click “Go.” Next you will have the option of “Foreign Nations.” Click this, and then the country of your choosing.

Think ahead.

Funding. It is rare to find a foreign court or international tribunal that can pay interns or clerks. Many students finance their internships with travel and research grants awarded through their schools or through programs such as the Fulbright grants. Those funding applications, however, must typically be submitted six to twelve months in advance. If you are able to create a term-time externship, you may be able to retain your eligibility for student loans or other financial aid, but you will also have to arrange that well in advance.

Some of the online resources for researching sources of funding are:

- Yale University Graduate School of Arts and Sciences (GSAS) at www.yale.edu/graduateschool/funding/index.html which provides links to 1) the GSAS Fellowship Database which you can search for grants and fellowships at Yale and beyond; 2) the IRIS database, available through Yale computers or VPN, or by individual subscription; and 3) the Yale Grants and Fellowships database, which contains announcements and application instructions for all funding administered by Yale (direct link is <http://studentgrants.yale.edu/>).
- The Foundation Center at www.fdncenter.org, including Foundation Grants to Individuals Online, to which YLS subscribes and which can be found under “Get Started/Individual Grantseekers.” See Appendix B for login information.
- PSJD, at www.psjd.org: You must first create an account (free) and you may upload your resume. Select “Search for Job Postings” on the Advanced Search tab, choose “Fellowship-Legal” for Job Type, and refine your search with the Practice Area list or other options.

Documents. You will probably have to get a visa, and perhaps a work permit. Obviously, the paperwork will vary depending on the length of your stay and the type of position you take. Regardless, plan on a time-consuming process. Find out the details from the appropriate consulate when you are doing your initial research and get as much of a head start as possible.

Be flexible.

The more flexibility you can show in the amount of time that you can work, the time that you can start, and the type of work that you can do, the easier it will be for you to find a position. Consider working for three months or six months, not a year. If you can take a semester away from law school for an intensive learning experience, this type of work could be a good fit. Think about seeking a position after you have worked for a year or more since this legal experience could make you a more appealing candidate. In addition, if you can save part of your salary, you may not need to find grant funding. Bear in mind that courts do not follow a uniform hiring schedule. Some courts may hire two years in advance, others may hire six months ahead.

Provide application materials.

Naturally, if you find specific application requirements for an internship, follow them. If there is no formal application process, send or email a resume with a cover letter that details your interest in working for the court and highlights your qualifications.

Follow up.

You must do more than simply make initial contact and wait to see what happens, particularly if you are not applying through a formal program. Plan to follow up with telephone calls or emails to make sure that you have the correct information, confirm that your materials arrived at the right place, provide updated information when necessary, and monitor the status of your application.

CHAPTER 2

INTERNATIONAL TRIBUNALS

A. Tribunals Offering Opportunities

Following is a description of international tribunals and intergovernmental courts that offer opportunities for temporary employment that may be suitable for law school students and recent graduates.

1. Court of Justice & Court of First Instance of the European Union

The Court of Justice has presided since 1952 over cases involving European Community (EC) law, which is independent, uniform in all member countries of the EC, and separate from, yet superior to, national law. Its 27 judges are charged with ensuring that EC law is interpreted and applied uniformly in each member country. The Treaty of Lisbon in 2009 established the legal personality of the European Union as successor to the European Community, and the what was formerly known as the "Court of Justice of the European Communities" became known as the "Court of Justice of the European Union."

The Court of First Instance was created in 1989 to strengthen the judicial safeguards available to individuals by introducing a second tier of judicial authority and enabling the Court of Justice to concentrate on its essential task, the uniform interpretation of Community Law.

Court of Justice of the European Union
L-2925 Luxembourg
Tel: (+352) 4303.1
Fax: (+352) 4303. 2600
Web: www.curia.europa.eu

Paid Traineeships: Every year, the Court of Justice of the European Union offers a limited number of paid traineeships for a maximum duration of five months. There are two traineeship periods: March 1–July 31 (applications to be postmarked before September 30) and October 1–February 28 (applications to be postmarked before April 30).

Applicants must hold a degree in law or in political sciences (majority content of law) or, for traineeships in the Interpreting Division, a diploma in conference interpreting. Applicants must print and complete the application form available on the website (in French only) and mail it to the Human Resources Unit of the Court of Justice of the European Union, Bureau des stages, GEOS 3032, L-2925 Luxembourg, together with a detailed curriculum vitae and copies of diplomas and/or certificates. In view of the nature of the working environment, a good knowledge of French is desirable.

Dean Acheson Legal Stage Program: The Dean Acheson Legal Stage Program allows for a limited number of students from approximately two dozen U.S. law schools, including YLS, to work as assistants at the Court of Justice and the Court of First Instance.

There are three different types of stage assignments. Stagiaires may work with a judge of the Court of Justice, with an Advocate General of the Court of Justice, or with a judge of the Court of First Instance. These stage opportunities are offered for a minimum of three months during the spring and fall terms of the Court. The positions are unpaid, and stagiaires are responsible for the full cost of their transportation, room and board while participating in the program.

Candidates must apply through YLS, which can submit a maximum of three applications. Applications for both terms typically must be received by the U.S. Embassy in Luxembourg in early May. Priority will be granted to applicants who have completed three years of law school and who have strong knowledge of European Community Law. Some knowledge of French is essential. Knowledge of a European Union (EU) language other than French and English is an advantage, and is generally necessary for a stage with an Advocate General. The Stage Program is open to U.S. citizens and legal permanent residents only. Contact CDO for current application details. Applications and inquiries can be submitted to LuxembourgPublicAffairs@state.gov.

2. European Court of Auditors

The treaty establishing the European Union (EU) confers upon the European Court of Auditors (ECA) the main task of auditing the accounts and the implementation of the budget of the EU. The treaty also confers the dual aim of improving financial management and reporting to the citizens of Europe on the use made of public funds by the authorities responsible for their management.

The European Court of Auditors consists of 27 Members originating from the 27 Member States who are appointed for a term of six years. They are independent and have specific experience in the audit of public finances. The Court of Auditors examines whether EU budgetary revenue has been received and the corresponding expenditure incurred in a legal and regular manner. It places a particular emphasis on examining whether the financial management has been sound, i.e. it checks whether management objectives have been met while assessing to what extent and at what cost this has been done.

European Court of Auditors
Communications and Reports Unit
12, rue Alcide De Gasperi
1615 Luxembourg
Tel: 352 4398-1
Fax: 352 4398 46410
Email: recrutement@eca.europa.eu
Web: www.eca.europa.eu

Opportunities: The ECA provides traineeships to a limited number of university graduates for periods of three to five months. The ECA occasionally accepts trainees from countries outside of the European Union, when a derogation has been granted by the appointing authority.

3. European Court of Human Rights

The Convention for the Protection of Human Rights and Fundamental Freedoms was drawn up within the Council of Europe in 1950 and entered into force in 1953 in an effort to enforce the United Nations Universal Declaration of Human Rights of 1948 within Europe. In addition to laying down a catalogue of civil and political rights and freedoms, the Convention laid the groundwork for the European Court of Human Rights to protect these rights and freedoms. Increased caseload led to the creation of a new European Court of Human Rights in 1998, which put into action an entirely new procedural protocol so as to hear grievances and try cases more efficiently. The European Court of Human Rights is composed of the number of judges equal to that of the contracting nations which is currently 47.

European Court of Human Rights
Council of Europe
Traineeship Office, Directorate of Human Resources
67075 Strasbourg Cedex
France
Tel: 33 03 88 41 20 18
Fax: 33 03 88 41 27 30
Email: traineeship.drh@coe.int
Web: www.echr.coe.int

Traineeships: The European Court of Human Rights offers three-month, unpaid traineeships to students who are nationals of one of the Council of Europe's member states. Traineeships are available in the following divisions: Legal, Case-Law Information and Publications, Just Satisfaction Division, Research Division and Press Unit. Trainees must have a very good knowledge of one of the Council of Europe's official languages (English and French). A good knowledge of the other is desirable. Trainees are usually recent law school graduates and they may serve a member of the Court during one of two periods throughout the year. The electronic application form must be submitted by November 30 for traineeships running from March 5 to July 31, and between February 1 and April 30 for traineeships running from September 3 to January 31. These dates may change for the 2013-2014 year.

The Assistant Lawyers' Scheme: Attorneys at the start of their career can work at the Registry for one year and may extend their employment up to four years. Their principal task is to deal with individual applications originating from their own legal system, written in their own language. To be eligible, you must be a national of, and hold a law degree obtained in, one of the Council of Europe's member states.

4. European Free Trade Agreement Court

The European Free Trade Agreement (EFTA) Court fulfills the judicial function within the EFTA system, interpreting the Agreement on the European Economic Area (EEA) with regard to the EFTA States party to the Agreement. At present those EFTA States are Iceland, Liechtenstein and Norway. The aim of the EEA Agreement is to guarantee the free movement of persons, goods, services and capital; to provide equal conditions of competition; and to abolish discrimination on grounds of nationality in all 30 EEA States—the 27 EU States and the three EFTA States.

The EFTA Court deals with infringement actions brought by the EFTA Surveillance Authority against an EFTA country regarding EEA rules. It settles disputes between EFTA countries. Thus, the jurisdiction of the Court over EFTA nations corresponds with the jurisdiction of the Court of Justice of the European Communities over EC states.

EFTA Court

1, rue du Fort Thüngen

L-1499 Luxembourg

Tel: 352 42 10 81

Fax: 352 43 43 89

Email: eftacourt@eftacourt.int

Web: www.eftacourt.int

Opportunities: The EFTA Court offers up to eight paid traineeships annually for terms of two to four months; preference is given to citizens of the EEA/EFTA nations (Iceland, Liechtenstein and Norway). The working language of the Court is English; command of French, German, Norwegian, or Icelandic is an asset. Generally, traineeships are offered from January 15–April 15 (applications must be received by November 15) and September 15–December 15 (applications must be received by July 1). Trainees are appointed to one of the three Judges' Cabinets or to the Registry of the Court. Application forms and further details are available on the Court's website.

5. Inter-American Court of Human Rights

The Inter-American Court of Human Rights (IACHR) was created by the Organization of American States (OAS) in 1979 as an autonomous judicial institution charged to apply and interpret the American Convention on Human Rights, a treaty adopted by the OAS in 1969.

Inter-American Court of Human Rights

P.O. Box 6906-1000

San José, Costa Rica

Tel: 506 2527 1600

Fax: 506 2234 0584

Email: corteidh@corteidh.or.cr

Web: www.corteidh.or.cr

Internship and Visiting Professionals Program: These positions are unpaid and interns and visiting professionals are responsible for all expenses, including living costs and arrangements, during their assignment to the Court. The work can include researching human rights issues, writing reports, analyzing international human rights jurisprudence, assisting with the process of contentious cases, advisory opinions, provisional measures and supervision of the compliance of the Court's judgments, providing logistical assistance during public hearings, and developing legal arguments for specific cases. Interns and

visiting professionals may also be required to conduct more intensive research about specific issues of law. The interns and professional interns must also participate in the daily activities of the Court, such as the review and translation of documents, and other administrative tasks.

Student applicants must be committed to the subject of human rights. With respect to attorney applicants, academic knowledge and professional experience related to the Inter-American System for the Protection of Human Rights, public and private international law, international humanitarian law, international human rights law, and international comparative law are highly valued. Good oral and written skills in Spanish and English are essential; Spanish is the principal language used at work. In addition, knowledge of other official languages of the Court, such as Portuguese and French, is greatly valued.

A minimum of three months of availability is required and applications for internships longer than three months are highly valued. The application deadlines are as follows: apply before November 1 for a position during the months of January–April; before March 1, for May–August positions; and before July 1, for September–December positions. For more details, visit the Court’s website, at www.corteidh.or.cr/pasantias.cfm.

6. International Chamber of Commerce International Court of Arbitration

The International Court of Arbitration (ICA) was created in 1923 as the arbitration body of the International Chamber of Commerce (ICC), a private organization established in 1919 that currently represents business enterprises and associations from 120 countries. Working closely with its Secretariat, the Court’s primary role is to administer ICC Arbitrations. The ICA is not a court in the judicial sense of the term, but performs the functions entrusted to it under the ICC Rules of Arbitration, assisting parties and arbitrators to overcome any procedural obstacles that arise. The ICA is mindful of its duty to make every effort to ensure that awards are enforceable at law. However, it does not itself resolve disputes or decide who wins or who loses an arbitration. It also does not award damages or costs. These functions are reserved for independent arbitral tribunals appointed in accordance with the Rules.

Specific functions of the ICA include: fixing the place of arbitration, assessing whether there is a prima facie ICC Arbitration agreement, taking certain necessary decisions in complex multi-party or multi-contract arbitrations, confirming and replacing arbitrators, deciding on challenges filed against arbitrators, monitoring the arbitral process, scrutinizing and approving arbitral awards, settling and managing (or, in some cases, adjusting) costs of arbitration, and overseeing emergency arbitrator proceedings. Usually, the parties involved in a case will be of different nationalities, with different linguistic, legal, and cultural backgrounds. The ICC provides international businesses with alternatives to government court litigation. Even in a domestic context, disputing businesses sometimes prefer alternatives to government courts that are less costly and time-consuming.

Secretariat of the ICC International Court of Arbitration

38 cours Albert 1er

75008 Paris, France

Tel: 33 1 49 53 29 05

Fax: 33 1 49 53 29 33

Email: courtinternship@iccwbo.org

Web: www.iccwbo.org/court/arbitration

Opportunities: ICC Dispute Resolution Services offers students who wish to complement their studies through contact with the professional world the opportunity to acquire practical experience in an international organization. Internship placements exist with the Secretariat of the ICC International Court of Arbitration in Paris and in Hong Kong, with the ICC International Centre for ADR and with the

marketing team of ICC also based in Paris. The working languages of the Court are English and French so applicants will be expected to have a good command of English, with French being an asset. The program is full time, offers no pay, and is designed to be for a maximum of a two-month period (beginning each year from January to February, and continuing every two months (March to April, May to June, and so on). The incoming intern will be under the supervision of one of the seven case management teams of the Secretariat of the ICC International Court of Arbitration. Tasks include reading, commenting on and drafting documents related to current arbitration cases, researching specific laws, helping with the preparation of international conferences, and translating legal documents. Interns also have the opportunity to attend Court sessions and staff meetings.

Accepted candidates must acquire adequate health insurance while they are in France. They are also required to handle their own visa, travel, and accommodation arrangements for the duration of their stay. Candidates are requested to submit with their request a one-page resume highlighting relevant experience as well as an application letter (a summary of their motivations and their experience in relation with international arbitration). Please note that there is a legal requirement under French law that interns at the ICC must be simultaneously registered students at a University or School. Documentation from the intern's University or School will be requested upon acceptance of the internship. Applicants should apply at least six month in advance of their preferred start date, sending materials by e-mail to courtinternship@iccwbo.org.

The organization of the 8th ICC International Commercial Mediation Competition in Paris offers two internships of a six-month period. The interns will assist with the organization and management of the 8th ICC International Commercial Mediation Competition taking place from February 8-13 in Paris. The application is due by the end of June of the year prior to the competition, and should include a CV, cover letter, as well as names of at least two referees. The application should be sent to Hannah Tümpel at hte@iccwbo.org and Angela Herberholz at ahz@iccwbo.org. Additional information on tasks and qualifications can be found on the website: www.iccwbo.org/Products-and-Services/Arbitration-and-ADR/Internship/.

7. International Court of Justice

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It began work in 1946, when it replaced the Permanent Court of International Justice, which had functioned since 1922. The first case entered in the General List of the Court was submitted on May 22, 1947. Since then, 152 cases have been entered in the General List.

The ICJ acts as a world court and has a dual role: it decides, in accordance with international law, disputes of a legal nature that are submitted to it by States (jurisdiction in contentious cases); and it gives advisory opinions on legal questions at the request of the organs of the United Nations or specialized agencies authorized to make such a request (advisory jurisdiction). Only states (which include all members of the United Nations) may be parties to contentious cases.

The ICJ is competent to rule upon a dispute only if the nations concerned have accepted its jurisdiction. The ICJ rules in accordance with international treaties and conventions in force, international custom, the general principles of law, judicial decisions, and the teachings of the most highly qualified authors and commentators.

International Court of Justice
Peace Palace
Carnegieplein 2
2517 KJ The Hague

The Netherlands
Tel: 31 070 302 23 23
Fax: 31 070 364 99 28
Email: recrutement-recruitment@icj-cij.org
Web: www.icj-cij.org

Traineeship Program: The ICJ has a formal traineeship program, with individual judges, which is available to students and recent graduates of YLS and other designated schools. The ICJ has made available to YLS a nine-month traineeship position that is funded by the Law School. The funding currently is approximately \$37,000 and includes a contribution toward health care. Trainees assist members of the court in tasks such as drafting opinions, orders, and other court documents; preparing case files; and researching a variety of legal issues. Once the trainees are chosen, the individual judges also use the application materials to designate which trainee they wish to have assigned to them. It is possible that the YLS trainee will work with more than one judge. The position is open to JDs, LLMS, and JSDs from YLS and has been most frequently filled by an LLM. Candidates must be proficient in at least one of the ICJ's official languages, English or French, and a good working knowledge of the other is desirable. Applicants should submit a cover letter, resume, law school transcript, writing sample, and two letters of recommendation to CDO. The Law School submits a list of recommended candidates, along with their materials, to the ICJ. The ICJ sets the application timetable; last year, application materials were due by the beginning of February. Specific deadline information is posted on the Fellowships page of the Yale Law School website as soon as it is available in late Fall.

Internships: The Court offers unpaid internships of one to three months, under the supervision of the Registry staff, to students and young professionals who are in the early stages of their careers. Given the size of the organization, only a limited number of internships can be offered throughout the year. Placements are, however, possible in all departments and divisions of the Registry. The working languages of the Court are English and French. Details regarding the internships may be found on the Court's website, at www.icj-cij.org/registry/index.php?p1=2&p2=6. Applications are accepted on a rolling basis via an online application form accessed from the Internships web page cited above.

8. International Criminal Court

The International Criminal Court (ICC) is the first ever permanent, treaty-based, international criminal court established to promote the rule of law and ensure that the gravest international crimes do not go unpunished (namely genocide, crimes against humanity and war crimes). The Court is complementary to national criminal jurisdictions. The jurisdiction and functioning of the Court is governed by the provisions of the Rome Statute. The Rome Statute of the International Criminal Court was established on July 17, 1998, when 120 States participating in the "United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court" adopted the Statute. The Statute entered into force on July 1, 2002. Anyone who commits any of the crimes under the Statute after that date is liable for prosecution by the Court.

There are 18 judges on the Court, which is organized into Appeals, Pre-Trial, and Trial Divisions and respective Chambers of the Court. The Appeals Division is composed of the President and four other judges, the Trial Division and the Pre-Trial Divisions of not less than six judges each. All the judges are nationals of state parties to the Rome Statute; the U.S. is not a party. The working languages of the Court are English and French.

International Criminal Court

Street Address:

Maanweg, 174

2516 AB, The Hague

The Netherlands

Postal Address:

P.O. Box 19519

2500 CM, The Hague

The Netherlands

Tel: 31 (0)70 515 8515

Fax: 31 (0)70 515 8555

Email: applications@icc-cpi.int

Web: www.icc-cpi.int

Internships and Visiting Professionals: The Court has available internships for periods of three to six months. Visiting professionals may work for one to six months. Positions are to be filled preferably by a national of a state party to the ICC Statute, or of a state which has signed and is engaged in the ratification process or which is engaged in the accession process. Nationals from non-state parties may also be considered. Interns must be under 35 years old; there is no age limit for visiting professionals. See the recruitment section of the Court's website for extensive details on the application process.

9. International Criminal Tribunal for Rwanda

The United Nations Security Council created the International Criminal Tribunal for Rwanda (ICTR) in late 1994 to help contribute to the process of national reconciliation in Rwanda and to help maintain peace in the region. The ICTR prosecutes persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda during the 1994 calendar year. It also has jurisdiction to prosecute Rwandan citizens responsible for genocide and other such violations of international law committed in the territory of neighboring states during the same time period.

The ICTR consists of three departments: the Chambers, the Office of the Prosecutor, and the Registry. The Chambers is comprised of three trial chambers and an appeals chamber. The Office of the Prosecutor has two divisions: the Appeals and Legal Advisory Division which handles all appeals and provides legal advice to trial teams and the Prosecution Division which is comprised of an investigative section and trial teams. The Registry provides overall administration and management of the Tribunal, performs certain legal functions, and is the Tribunal's channel of communication.

Internship Coordinator

UNICTR

P.O. Box 6016

Arusha, Tanzania

Attention: Ms. Felicia Madigane

Tel: 212 963 2850 (*via New York*)

Fax: 212 963 2848/49

Email: madigane@un.org

Web: www.icttr.org

Opportunities: The International Criminal Tribunal for Rwanda offers an unpaid internship for graduate and post-graduate students. The internship program seeks to provide practical experience to the

participants in their field of study, while providing necessary assistance to the offices to which the intern is assigned. However, the program has no standard format. Each individual's internship is formed around the specific needs of the ICTR at the time. Candidates must be endorsed by their educational institution and are expected to be at an early stage of their career, holders of public office, or expecting to hold public office. Candidates must state clearly and precisely their particular field of interest and/or submit a topic for a thesis or paper on international humanitarian law/human rights/international criminal law/comparative law/international law. Proficiency in English or French is required, and knowledge of Swahili or Kinyarwanda is helpful, though not necessary. Interested applicants should submit an application (available from the ICTR website), two references, their most recent university transcript, a cover letter explaining the applicant's interest in the internship, a sample of research/coursework relevant to the preferred assignment area (prepared in English or French), and an official endorsement by the university. The deadline for receipt of applications is three months before the intended period of internship and applications should be submitted to the above contact.

Accepted interns will be responsible for transportation and the necessary visas. They will also be responsible for housing, living expenses, daily transport to the ICTR office, and obtaining both regular and major medical health insurance. Interns seeking permanent employment must wait six months following the end of the internship to apply for permanent positions with the ICTR.

10. International Criminal Tribunal for the Former Yugoslavia

The International Criminal Tribunal for the former Yugoslavia (ICTY) is a United Nations court of law dealing with war crimes that took place during the conflicts in the Balkans in the 1990s. Since its establishment in 1993, it has irreversibly changed the landscape of international humanitarian law and provided victims an opportunity to voice the horrors they witnessed and experienced. In its precedent-setting decisions on genocide, war crimes and crimes against humanity, the Tribunal has shown that an individual's senior position can no longer protect them from prosecution. The ICTY also ensures that individual criminals cannot hide behind the notion of "collective responsibility." The ICTY is divided into three general departments: the Chambers, the Office of the Prosecutor, and the Registry.

The Chambers are organized into three Trial Chambers and an Appeals Chamber. The Trial Chambers must ensure that each trial is fair, expeditious, and conducted in compliance with the Tribunal's Rules of Procedure and Evidence. The Appeals Chamber consists of seven permanent judges.

The Office of the Prosecutor investigates and prosecutes persons, especially those in positions of authority or leadership, who were responsible for the planning, implementation, and execution of the most serious violations of international humanitarian law.

The Registry is responsible for the administration of the courtrooms and fulfills the tasks of the administrative body of a UN organ. The offices of the Registry are responsible for bringing witnesses to testify in court, protecting them when necessary and providing them with expert psychological support. The Registry oversees the UN Detention Unit (UNDU) in the Hague. It is also responsible for contacts between the Tribunal and the international community.

Ms. Ruth-Anne Young
Head of Recruitment, Training and Examination Unit
Human Resources Section
International Criminal Tribunal for the Former Yugoslavia
P.O. Box 13888
2501 EW The Hague
The Netherlands

Tel: 31 70 512 8656
Fax: 31 70 512 8843
Email: recruitment@icty.org
Web: www.un.org/icty

Opportunities: The Internship Programme of the ICTY offers professionals, graduate students, and undergraduate students who are in their final stages of education, the possibility to enhance their professional training in the environment of an international court. The program is open to those candidates who have an educational background in a number of areas, including law, journalism, translation and interpretation, and information technology. In addition to participating in the day-to-day activities, interns are invited to attend lectures and other activities. For the Regular Internship Programme, applicants can only apply by mail and must rank their top three preferences of the sections of the Tribunal in which they wish to work. The Restricted Internship Programme is with the Office of the Prosecutor only. Applicants can only apply for one of the two internship programs. For further information, please contact Human Resources at internshipoffice@icty.org.

11. International Tribunal for the Law of the Sea

The International Tribunal for the Law of the Sea (ITLOS) is an independent international organization, which has been established under the United Nations Convention on the Law of the Sea (the Convention). An international treaty adopted in 1982, the Convention is one of the most comprehensive international treaties ever completed. The Convention pronounces the deep seabed as the common heritage of mankind. It defines the outer limits to which coastal States can claim jurisdiction over their adjacent waters, provides regulations for maritime issues of potential international dispute, and sets up the International Seabed Authority, which is devoted to organizing and controlling activities in the deep seabed. An entire chapter of the Convention is devoted to the prevention of pollution of the marine environment. It also regulates prominent issues such as fisheries and navigation.

The Tribunal is the central forum for the settlement of disputes arising from the Convention. Five Special Chambers exist: The Chamber of Summary Procedure, the Chamber for Fisheries Disputes, the Chamber for Marine Environment Disputes, the Chamber for Maritime Delimitation Disputes and Ad-hoc Chambers. The Tribunal is open to States Parties to the Convention and, in certain cases, to entities other than States Parties (such as international organizations and natural or legal persons). The jurisdiction of the Tribunal comprises all disputes submitted to it in accordance with the Convention. The Seabed Disputes Chamber, which is composed of 11 judges, is competent to give advisory opinions on legal questions arising within the scope of the activities of the International Seabed Authority. The Tribunal may also give advisory opinions in certain cases under international agreements related to the purposes of the Convention.

The Registrar
International Tribunal for the Law of the Sea
Am Internationalen Seegerichtshof 1
22609 Hamburg
Germany
Tel: 49 40 356 07-0
Fax: 49 40 356 07-275
Email: itlos@itlos.org
Web: www.itlos.org

Opportunities: The International Tribunal for the Law of the Sea employs students interested in the law of the sea, public international law, international organizations, international relations, public relations, and political science, library science, and translation in an unpaid, three-month program intended to give participants an understanding of the work and functions of the Tribunal and to enable the Tribunal to benefit from the assistance of persons with relevant knowledge and skills. Applicants should be enrolled in a degree-granting program and should speak English and/or French. To apply, complete the application form available on the Tribunal's website and submit it along with a resume, transcript, and, if available, a brief sample of relevant research work in English or French. Applications should be sent to the Tribunal no earlier than eight months and no later than three months before the start of the internship.

12. Iran-United States Claims Tribunal

The Iran-United States Claims Tribunal came into existence as one of the measures taken to resolve the crisis in relations between Iran and the U.S. arising out of the detention of 52 U.S. nationals at the United States Embassy in Tehran which commenced in November 1979, and the subsequent freeze of Iranian assets by the U.S. The government of Algeria served as intermediary in the search for a mutually acceptable solution. Having consulted extensively with the two Governments as to the commitments which each was willing to undertake in order to resolve the crisis, the government of Algeria recorded those commitments in two Declarations made on January 19, 1981: the "General Declaration" and the "Claims Settlement Declaration," also known as the "Algiers Declarations."

The Tribunal consists of nine members, three appointed by each government and three third-country members appointed by the six government-appointed members. The Tribunal has jurisdiction to decide claims of U.S. nationals against Iran and of Iranian nationals against the U.S., which arise out of debts, contracts, expropriations or other measures affecting property rights; certain "official claims" between the two governments relating to the purchase and sale of goods and services; disputes between the two governments concerning the interpretation or performance of the Algiers Declarations; and certain claims between U.S. and Iranian banking institutions.

Iran-United States Claims Tribunal
Parkweg 13
2585 JH The Hague
The Netherlands
Tel: 31 70 352 0064
Fax: 31 70 350 2456
Email: registry@iusct.org
Web: www.iusct.org

Opportunities: In the past, the three U.S. Judges have hired law clerks. Clerkships are normally for two-year terms with the possibility of extending service if mutually agreeable to the Judge and clerk. Prior clerkship or work experience is valued. Because there are only three U.S. Judges, vacancies occur unpredictably. Applications will be kept on file even if no opportunity is available at the time it is submitted.

13. Permanent Court of Arbitration

The Permanent Court of Arbitration (PCA) offers services for the resolution of disputes involving various combinations of states, state entities, intergovernmental organizations, and private parties. These services include arbitration, conciliation, and fact-finding. In addition, the International Bureau of the PCA offers hearing facilities and ancillary administrative services to tribunals operating ad hoc or under the rules of

other institutions, and is available to facilitate arbitrations conducted under the UNCITRAL Arbitral Rules.

Permanent Court of Arbitration
Peace Palace
Carnegieplein 2
2517 KJ The Hague
The Netherlands
Tel: 31 70 302 4165
Fax: 31 70 302 4167
Email: bureau@pca-cpa.org
Web: www.pca-cpa.org

Internships: The PCA offers an internship program for law school students and recent graduates. The program is unpaid and lasts three months. Interns participate fully in the regular functioning of the organization, often conducting research for arbitration tribunals, drafting memos, and assisting at hearings.

Applications can be mailed to the address above or sent electronically to: internships-stages@pca-cpa.org. Applications should include a cover letter stating the desired term, explaining the applicant's interest in the program, and how they expect to contribute to the organization, including particular legal interests and knowledge; complete curriculum vitae (CV); copies of academic transcripts; and a letter of recommendation, and proof of proficiency in a PCA working language. Fluency in English or French is necessary. Additional language skills are a strong advantage, particularly Chinese, Arabic, Spanish, and/or Russian. Specialization in International Dispute Resolution, Public International Law or International Environmental law would also be an asset. Complete application packages can be submitted at any time up to four months prior to the beginning of the desired term. Application deadlines are: September 1, for Term 1; December 1, for Term 2; March 1, for Term 3; and June 1, for Term 4. Complete application procedures and guidelines as well as up-to-date program requirements are available at the PCA [website](http://www.pca-cpa.org).

14. Special Court for Sierra Leone

The Special Court for Sierra Leone was set up jointly by the Government of Sierra Leone and the United Nations. It is responsible for trying those accused of crimes against humanity, violations of Article 3 common to the Geneva Conventions and of Additional Protocol II, other serious violations of international humanitarian law and crimes under Sierra Leonean Law.

The Internship Coordinator
Personnel Section
Special Court for Sierra Leone
Jomo Kenyatta Road
Freetown, Sierra Leone
Tel: 232 22 297000
Fax: 232 22 297001
Email: scsl-interns@un.org
Web: www.sc-sl.org

Special Court of Sierra Leone Internship Programme: Internships are available in various offices including Chambers, the Registry, Office of the Prosecutor, Office of the Principal Defender, Court

Management, and Outreach and Public Affairs. Interns are given the opportunity to work on current cases, prepare decisions, draft opinions, and work on overall issues surrounding the Court, or participate in taking information about the Court to the people of Sierra Leone as part of the Outreach and Public Affairs teams.

Interns in Chambers, the Registry, Office of the Prosecutor, and the Office of the Principal Defender should have a first level degree qualification preferably in law and must pass the Bar. Study in the area of international humanitarian law will be considered as an advantage. Interns in the Outreach and Public Affairs Office, Court Management, General Services and other offices require formal qualifications and must be recommended by their institution. All interns must be proficient in English, both written and spoken. Knowledge of local languages will be an advantage in applying for the Programme.

All internships are for a period of 3-6 months. No extension will be granted. Internships for less than six months will be allowed only in circumstances agreed between the Programme Coordinator and the Head of Section requesting the intern(s). An acceptance of an internship is not an offer of a permanent job in the Special Court, and interns should not expect to be offered a job on the basis of having previously secured an internship.

The Special Court no longer offers funded internships for international applicants. Funding is available only for applicants who are nationals of Sierra Leone. Application forms and a description of the duties to be performed by interns in the various offices are available at the Court's website by clicking on "Internship Programme," under "Job Postings." You will be required to rank in order of preference the three offices in which you would like to work as an intern. Send the application, at least two months before the proposed date of the internship, to the Special Court Personnel section, clearly marked "Internship Programme" to the address above. Applications will be considered on a competitive basis.

15. World Bank International Centre for Settlement of Investment Disputes

The International Centre for Settlement of Investment Disputes (ICSID), established in 1966, is an autonomous international organization and part of the World Bank Group, and is considered to be the leading international arbitration institution devoted to investor-State dispute settlement. The primary purpose of ICSID is to provide facilities for conciliation and arbitration of international investment disputes. The ICSID Convention is a multilateral treaty that was opened for signature on March 18, 1965, and entered into force on October 14, 1966. The Convention sought to remove major impediments to the free international flows of private investment posed by non-commercial risks and the absence of specialized international methods for investment dispute settlement. ICSID was created by the Convention as an impartial international forum providing facilities for the resolution of legal disputes between eligible parties, through conciliation or arbitration procedures. Recourse to ICSID conciliation and arbitration is voluntary. Once the parties have consented to arbitration under the ICSID Convention, neither can unilaterally withdraw consent.

ICSID
1818 H Street, NW
MSN U3-301
Washington, DC 20433
Tel: 202 458 1534
Fax: 202 522 2615
Email: ICSIDsecretariat@worldbank.org
Web: www.worldbank.org/icsid

Opportunities: The main purpose of the Internship Program is to provide an opportunity for highly promising students and young professionals to gain a better understanding of ICSID's work and to contribute to its mission.

The ICSID offers two 12-month internships each year, starting in January and taking place at the seat of the Centre in Washington DC. Interns work under the supervision of experienced ICSID Secretariat Counsel, and assist in the day-to-day management of cases and on institutional projects.

The application process is competitive, and requires the following of potential interns: law degree focused on international law and international arbitration, and fluency in English and preferably in at least one of the other two official languages of ICSID (i.e., French and Spanish). The following qualifications are assets for this internship opportunity: admission to the bar or equivalent, research and legal drafting skills, previous experience in an arbitral institution or law firm, excellent diplomatic skills, and ability to handle confidential information with discretion.

Interns receive an hourly salary and may receive an allowance to help defray initial travel expenses, but are responsible for their own living accommodations.

Apply by sending CVs and one-page cover letter by email to ICSIDsecretariat@worldbank.org between June 1 and August 30.

16. World Intellectual Property Organization Arbitration & Mediation Center

The World Intellectual Property Organization (WIPO) Arbitration and Mediation Center was established in 1994 to offer alternative dispute resolution options for the resolution of international commercial disputes between private parties. Developed by experts in cross-border dispute settlement, the procedures offered by the Center are appropriate for technology, entertainment, and other disputes involving intellectual property.

To date, the WIPO Arbitration and Mediation Center has administered over 280 mediation and arbitration cases. Most of the mediations and arbitrations have been based on contract clauses. The particular subject matter of the mediation and arbitration cases so far administered by the WIPO Center includes artistic production finance agreements, art marketing agreements, consultancy and engineering disputes, copyright issues, and patent infringement issues. Thus, parties include collecting societies, individuals such as artists and inventors, large and medium-sized companies, producers, and universities.

Proceedings have taken place in France, Germany, Ireland, Italy, the Netherlands, Switzerland, the UK, and the U.S., and have been conducted in several languages. These languages include English, French, German, Italian, and Spanish.

World Intellectual Property Organization
34, chemin des Colombettes
1211 Geneva 20
Switzerland
Tel: 41 22 338 9111
Web: www.wipo.int/amc

Opportunities: The WIPO Internship Program is open to students and young professionals from any region in the world that have a background in intellectual property or other related fields of interest to WIPO. Graduate students may work as interns for an initial period of three months, which may be

extended to a maximum of six months, if justified by the specific needs of the employing Division/Department. Applicants must be under the age of 32, have good knowledge of English or French, computer skills, and a demonstrable track record of academic achievement. Applicants are requested to submit their applications, CV and cover letter to erecruit@wipo.int (until an online application system becomes available).

WIPO also runs a “Summer School” program, whose objective is to provide an opportunity for senior students and young professionals to acquire a working knowledge of intellectual property and to be exposed to the work of the Organization. Registration information can be found on the WIPO website: www.wipo.int/academy/en/courses/summer_school/index_all.html.

17. World Trade Organization Appellate Body

The World Trade Organization (WTO) resolves trade disputes under the Dispute Settlement Understanding to ensure that international trade flows smoothly. At the same time, the WTO, under certain circumstances, supports the maintenance of trade barriers in order to protect consumers or prevent the spread of disease.

A dispute arises when a member government believes another member government is violating an agreement or a commitment that it has made in the WTO. If disputing WTO Members cannot reach a mutually agreed solution, a panel is established at the complainant’s request. Either side can appeal a panel’s ruling. Sometimes both sides do so. Appeals have to be based on points of law such as legal interpretation — they cannot reexamine existing evidence or examine new issues. Each appeal is heard by three members of a permanent seven-member Appellate Body set up by the Dispute Settlement Body and broadly representing the range of WTO membership. Members of the Appellate Body have four-year terms. They have to be individuals with recognized standing in the field of law and international trade, not affiliated with any government.

Director, Human Resources Division
World Trade Organization
Centre William Rappard
154 rue de Lausanne
CH-1211 Geneva 21, Switzerland
Tel: 41 22 739 51 11
Fax: 41 22 739 5772
Email: humanresources@wto.org
Web: www.wto.org

Opportunities: The WTO Secretariat maintains a limited internship program for post-graduate university students, including law students, wishing to gain practical experience and a deeper knowledge of the multilateral trading system. Assignments given to interns are intended to enhance their knowledge and understanding of the WTO and of trade policy more generally. However, the needs of the Division recruiting an intern will be paramount in determining the precise nature of assignments. Intake to the program is on a continuing basis, with no specific recruitment period.

Interns are recruited from among nationals of WTO Members and countries and territories engaged in accession negotiations. Interns must have completed their undergraduate studies in a relevant discipline (e.g., economics, law, political science, international relations), and have completed at least one year of their postgraduate studies.

The minimum age for an intern is 21 years and the maximum age is 30 years. A roster of suitable candidates is maintained from which interns are selected. In addition to the regular internship program, the need may also arise to recruit interns at short notice for particular tasks. These recruits are also drawn from the roster. Names will not be maintained on the roster for longer than one year.

Interns receive a daily allowance of CHF 60 (including weekends and official holidays falling within the selected period). No other remuneration of any kind shall be paid. Internships take place in Geneva, Switzerland only. Travel expenses to and from Geneva cannot be paid by the WTO, and such travel is not covered by the Organization's insurance. Interns are also responsible for their own insurance to cover illnesses and accidents while they are working at the WTO. The WTO may also employ unpaid interns funded from external sources.

Internships are generally of a length of up to 24 weeks, the length of the internship depending on the project the intern is requested to work on, and on the needs of each Division. The granting of an internship does not entail in any way the right to an extension thereof nor to a vacancy in another part of the Secretariat. Interns may nevertheless apply for external vacancies. Internships can start at any time during the year. An internship can be terminated by the WTO Secretariat or by the intern with one week's notice. Prospective interns meeting the criteria should apply online through the WTO [website](#) above. Online applications are strongly encouraged to enable WTO to store applicant profiles in a permanent database.

B. Additional Tribunals

The following tribunals have no information regarding temporary employment opportunities or do not offer temporary employment programs. If you are interested in working with any of these tribunals, contact them about the possibility of designing a volunteer internship.

1. Caribbean Court of Justice

The Caribbean Court of Justice (CCJ) is the regional judicial tribunal established in 2001 by the "Agreement Establishing the Caribbean Court of Justice." The agreement was signed by the Caribbean Community and Common Market (CARICOM) states of: Antigua & Barbuda; Barbados; Belize; Grenada; Guyana; Jamaica; St. Kitts & Nevis; St. Lucia; Suriname; and Trinidad & Tobago. Two further states, Dominica and St. Vincent & The Grenadines, signed the agreement on February 15, 2003, bringing the total number of signatories to 12. The Agreement came into force in 2003, and the CCJ was inaugurated in 2005 in Port of Spain, Trinidad & Tobago, the Seat of the Court.

The Caribbean Court of Justice has been designed to be more than a court of last resort for CARICOM member states. It is also vested with an original jurisdiction with respect to the interpretation and application of the Treaty Establishing the Caribbean Community. In effect, the CCJ exercises both an appellate and an original jurisdiction.

In the exercise of its appellate jurisdiction, the CCJ considers and determines appeals in both civil and criminal matters from common law courts within the jurisdictions of member states which are parties to the Agreement Establishing the CCJ. In the discharge of its appellate jurisdiction, the CCJ is the highest municipal court in the region. In the exercise of its original jurisdiction, the CCJ discharges the functions of an international tribunal applying rules of international law with respect to the interpretation and application of the Treaty.

The Caribbean Court of Justice
134 Henry Street
P.O. Box 1768
Port-of-Spain
Republic of Trinidad and Tobago
Tel: 1 868 623 2225
Email: info@caribbeancourtjustice.org
Web: www.caribbeancourtjustice.org

2. Central American Court of Justice

The Central American Integration System (SICA) is the institutional framework of Regional Integration in Central America, created by the States of Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama. SICA was established on December 13, 1991, by the signing of the Protocol to the Charter of the Organization of Central American States (ODECA) or Tegucigalpa Protocol, which amended the Charter of ODECA, signed in Panama on December 12, 1962, and formally came into operation on February 1, 1993.

The Statute of the Central American Court of Justice was signed in 1992 by the presidents of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama, pursuant to Article 12 of the Protocol of Tegucigalpa. The Protocol establishes that the Court is part of the bodies of the Central American Integration System with the purpose of guaranteeing “respect for the law in the interpretation and execution of the present Protocol and its supplementary instruments or acts pursuant to it.”

The Court is composed of two Regular Magistrates for each of the States that signed the Statute; each will have a Deputy Magistrate. The Court has a President and a Vice President who serve for one year.

Magistrado Corte Centroamericana de Justicia
Rotonda el Güegüense 1c al este
1½c al norte
Edificio #1804
Reparto Bolonia
Managua, Nicaragua
Centroamérica
Tel: 505 2266 6273
Fax: 505 2266 4604
Web: www.ccej.org.ni

3. Commission for Environmental Cooperation

The Commission for Environmental Cooperation (CEC) is an international organization created by Canada, Mexico, and the United States under the North American Agreement on Environmental Cooperation. The CEC was established to address regional environmental concerns, help prevent potential trade and environmental conflicts, and promote the effective enforcement of environmental law. The Agreement complements the environmental provisions of the North American Free Trade Agreement.

CEC Secretariat
393 St-Jacques Street West
Suite 200
Montreal, Quebec

H2Y 1N9 Canada
Tel: 514 350 4300
Fax: 514 350 4314
Email: info@cec.org
Web: www.cec.org

4. Common Market for Eastern and Southern Africa Court of Justice

The Common Market for Eastern and Southern Africa (COMESA) Court of Justice is a regional grouping of 19 countries of Eastern and Southern Africa, spreading all the way from Egypt in the north, down to Swaziland in the south and including the adjacent Indian Ocean nations of Comoros and Seychelles. It was established in 1994 to replace the Preferential Trade Area for Eastern and Southern Africa (PTA) which had existed since 1981. The PTA treaty had envisaged the area's transformation into a common market, and it was in conformity with this vision that the treaty establishing COMESA was signed in 1993 in Uganda and ratified a year later in Malawi.

The COMESA Court of Justice is modeled after the European Court of Justice. In short, the Common Market, as established by its member nations, exists within a system of rules originally embodied in the PTA Treaty, updated in the COMESA treaty, and the Court exists to enforce those rules. It replaced the three judicial bodies that existed under the PTA, and thereby provides one integrated, strong judicial body with one Registry instead of three relatively weak ones. The Court addresses the issue of enforcement of decisions taken collectively and allows legal or natural citizens affected by regulations, directives or provisions of the PTA Treaty to request the Court to determine their legality under the Treaty.

COMESA Secretariat
COMESA Court of Justice
The COMESA Centre
Ben Bella Road
P.O. Box 30051
Lusaka, Zambia
Tel: 260 211 229 725
Fax: 260 211 225 107
Email: comesa@comesa.int
Web: www.comesa.int

C. Organizations Engaged in Tribunal Work

1. War Crimes Research Office

The War Crimes Research Office (WCRO) was established at the American University Washington College of Law (WCL) in 1995 in response to a request from the Prosecutor of the International Criminal Tribunals for the former Yugoslavia and Rwanda for legal research assistance in the areas of international criminal and humanitarian law. Since that time, several new war crimes tribunals have been established under the auspices or with the support of the United Nations, each raising novel legal issues. This, in turn, has generated growing demands for the expert assistance of the WCRO. As a result, the Office has in recent years provided research support to the Special Panels for Serious Crimes in East Timor, the Special Court for Sierra Leone, the Extraordinary Chambers in the Courts of Cambodia, and the International Criminal Court. With the participation of WCL students and faculty, as well as a variety of other international experts and consultants, the WCRO completed more than 80 major research projects in its first ten years.

The core mandate of the WCRO is to promote the development and enforcement of international criminal and humanitarian law, primarily through the provision of specialized legal research assistance to its client institutions. The WCRO also plays a prominent role in initiatives relating to the establishment of new internationalized criminal justice mechanisms. In addition, the Office periodically conducts trainings on issues of international criminal and humanitarian law.

War Crimes Research Office
4801 Massachusetts Avenue, NW
Washington, DC 20016-8181
Attention: Staff Assistant
Tel: 202 274 4067
Fax: 202 274 4458
Email: warcimes@wcl.american.edu
Web: www.wcl.american.edu/warcimes
Physical Location: 4301 50th Street, NW, Lower Level, Suite 101

Opportunities: The WCRO occasionally has consulting or pro bono legal research opportunities available. Please email the WCRO Staff Assistant at the above email address with a resume or CV if interested.

The WCRO also sponsors a summer abroad program in The Hague, and a major topic of the program is international criminal justice. Additional information can be found at: www.wcl.american.edu/hague/.

D. Narratives

INTERNATIONAL COURT OF JUSTICE

Jay Butler, J.D. '11

I worked at the International Court of Justice as a trainee law clerk sponsored by Yale Law School from early September 2011 until the end of May 2012. The cases considered by the Court in that period raised a variety of issues in international law (from sovereign immunity to the obligation to extradite or prosecute persons suspected of torture and war crimes to maritime delimitation) and so my time at the Court was both rigorous and fascinating. Working at the ICJ was a highly rewarding experience and I would recommend it to anyone with a strong interest in public international law.

The Court accepts eight trainees per year (each sponsored by a different law school). Ordinarily, each trainee works for two judges and each judge also has a professional grade (P-2) law clerk and a secretary working for him or her. My experience was somewhat different for two reasons. First, from September until February, I worked exclusively for the President of the Court (Judge Hisashi Owada). This meant that, while I often received assignments quite similar to those given to other trainees (research on discrete questions of law and/or fact raised by cases before the Court and memo-writing), a more significant portion of my time was allotted to drafting and editing speeches to be delivered by the President. Second, from the expiration of Judge Owada's term as President of the Court until the end of my time there in May, I was concurrently assigned to the then newly elected Judge Giorgio Gaja. As Judge Gaja had not yet hired a P-2 clerk, I was his sole research assistant and so I was able to take on a wider range of assignments than some of my colleagues.

Each judge on the Court works differently and I was fortunate to have been assigned to two who were excellent mentors and teachers. Assignments usually focused on elucidating particular aspects of cases that each judge thought pertinent. The facilities for research at the Court are excellent (as a trainee you have access to both the Court library and the Peace Palace Library) and trainees are able to pursue their own scholarly projects if not otherwise occupied.

The Court is fully bilingual (English and French). While each judge usually works in one language or the other and most staff are bilingual, it is advisable that those interested in working at the Court have at least an intermediate knowledge of French (as this will be expected).

Dutch law requires that trainees possess health insurance. Neither Yale nor the Court provides insurance, but the fellowship stipend is intended to cover the cost of an individual health insurance plan. I found Aetna Global Health to be particularly good.

Finally, the Court adjudicates disputes between states and issues advisory opinions requested of it by designated organs within the United Nations system. The Court does not try or hear cases against individuals (though states may press claims on behalf of their own nationals in cases of diplomatic protection). When your friends and family learn you will be or have been in The Hague, they will ask you about criminal cases before other international courts and tribunals (Charles Taylor, Karadzic, etc). Be prepared to explain the difference.

2012

INTERNATIONAL COURT OF JUSTICE

Diane A. Desierto, J.S.D. '11, LLM '09

I clerked for H.E. Judge Bruno Simma and H.E. Judge Bernardo Sepulveda-Amor at the International Court of Justice from September 2010 to June 2011. Before joining the Court, I had practiced commercial litigation and international arbitration with one of the largest law firms in Manila; taught public international law and administrative law for some years as a professor in two of the top Philippine law schools; trained Philippine diplomats on public international law and dispute settlement at the Foreign Service Institute and trained Philippine government counsels at the Office of the Solicitor General on international investment and trade law. I had also published international and comparative public law articles and book chapters, and presented the same in international conferences in the U.S., Asia, and Europe; and worked on my research agendas at institutions such as the Max Planck Institute for Comparative Public Law and International Law in Heidelberg, the National University of Singapore Centre for International Law, and the Xiamen Academy of International Law in China.

I joined the ICJ in 2010, the year that 8 University clerks were appointed by the Court under its own rules for the annual traineeship/clerkship program, and about 8 to 10 P-2 law clerks were appointed by the Court under the United Nations recruitment system. Prior to this year, the Court relied almost exclusively on the few annual University clerkships awarded on a competitive basis. Under the current system which commenced in 2010, a P-2 law clerk now works exclusively for one Judge, while the university clerks worked for one or two Judges. The “chambers” of an ICJ Judge thus had one P-2 law clerk (for a term of four years), a university clerk (for a term of one year), and the permanent secretary who valuably possessed institutional knowledge, considerable experience with Court rules, procedures, and protocols, as well as personal familiarity with the judge’s work requirements. The registrar (through the Department of Legal Matters) administers the clerkship program in consultation with the judges of the Court. On paper, there are some confidential differences between the work expected of the P-2 law clerk and that assigned to the university clerk. In practice, the Judges themselves determine whether such differences are indeed maintained for their respective chambers, and the extent of such differences.

The quality of the work dynamic of a full-time P-2 law clerk (exclusive to one judge) and a University clerk (working for two judges, as in my case) depends on the professional and personal relationships within and outside chambers. In my case, I benefited from having had the chance of working with three outstanding P-2 law clerks, who had considerable prior experience at the Court (whether as a University clerk, or as part of the very few P-2 clerks assigned from the Department of Legal Matters to the senior Judges). My P-2 law clerks seamlessly managed the work distribution for our respective chambers,

clarified expectations on work product and teamwork, and were also kindred scholars and became some of my greatest friends at the Court. The law clerk community at the ICJ is a rich and helpful fellowship network of friends and colleagues who share deep interests and passion for international law work. Even while we tended to work in smaller units within our chambers following the strict confidentiality rule, we nonetheless socialized and spoke of general scholarly and professional interests outside of our court work. For clerks moving to the Hague for the first time and learning Dutch customs, the law clerk community is a great resource. Meeting other legal officers in other international tribunals at the Hague is also a valuable part of being within the ICJ network. The logistical challenges of moving to the Hague (such as visas, health insurance, finding an apartment, etc.) were more easily met because of valuable help from the ICJ law clerks and the Deputy Registrar, alongside the incredible support of the public interest program at Yale Law School and the YLS faculty themselves.

The ICJ clerkship experience provides valuable direct insight into the processes of international adjudication at the highest level. During my clerkship year, we had the unique experience of being able to work on live disputes involving all phases of ICJ adjudication – a judgment on an application for provisional measures, a judgment on jurisdiction, judgment on an application for intervention, an advisory opinion, a judgment on the merits, and judgment on a request for interpretation of an ICJ judgment. The questions we were confronted with in that particular year were certainly novel gray areas in public international law, which have continued to elicit much insightful comment in the scholarly literature long after the judgments were rendered. We also followed the oral hearings closely (whether at the Great Hall or within the internal office webstream) where we had the direct opportunity to witness the world's top international litigators at work, as well as to study and analyze the parties' written submissions penned by some of the world's best international lawyers. Working firsthand at the Court also enabled me to witness the full spectrum of ideological persuasions, philosophical and legal traditions that informs the decisions of the Court and the separate opinions of its diverse membership. This unparalleled experience deepened my practical and theoretical understanding of the work of the Court, and contextualizes the latter's prospects and limitations within the spectrum of international dispute settlement mechanisms and responsiveness to the needs of States Parties in a given dispute.

Work assigned to the law clerks varies according to the preferences and methods of the ICJ Judges. In my particular case, I drafted legal opinions, research memoranda, and other needed documents as requested by my judges, and benefited from regular discussions with them on various questions of international law. I also assisted with the preparation of academic articles, speeches, and lectures to be delivered by the Judges in international law conferences or other international organizations. I actively collaborated with my P-2 law clerks in a team setting to provide whatever would be required to assist our respective Judges for their judicial deliberations and other administrative work of the Court, such as the assessment of its rules of procedure and internal case management matters. The quality of research expected was extremely precise and rigorous, sometimes including archaeological examinations of legal doctrines as well as public facts.

Despite this full year, there was more than sufficient time to look up other international law materials from the tremendous resources of the Peace Palace Library, write other articles on my own and finalize my JSD dissertation in preparation for graduation, and enjoy the general community of fellow international legal scholars and practitioners at the Hague. Judges Simma and Sepúlveda-Amor were very careful in delineating and distributing research and other work to their respective law clerks. They have given me tremendously valuable guidance and remain mentors who kindly extend warmth and advice long after I have left the Court. To the best of my knowledge, the Judges of the Court exhibit the same solicitude towards their law clerks and serve as role models for their professionalism and deep passion for international law. During my clerkship year, the Judges of the Court conducted various separate individual talks throughout the year specifically for the law clerks to ask questions about

international law issues and professional decisions after leaving the Court. The Judges also freely gave advice concerning our next steps to further develop international legal expertise.

I would recommend this clerkship/traineeship to future YLS students. From navigating living conditions (including the interesting Dutch seasons) and establishing deep personal and professional ties at the Hague to pursuing fundamental doctrinal and policy questions on international responsibility, I find that one year spent at the ICJ helps one develop a steep learning curve quite enjoyably, and afterwards opens innumerable doors to international legal scholarship, practice, or advocacy work with a sense of global community uniquely fostered by the Court. The ICJ law clerk “alumni” continue to stay in touch, and the Members of the Court continue to welcome their former and present clerks. Joining the ICJ for the year gives one the opportunity to learn and build relationships with some of the most influential exemplars of public international lawyering.

2012

INTERNATIONAL COURT OF JUSTICE

Philippa Webb, LL.M. '04

The International Court of Justice is the principal judicial organ of the United Nations. It is the institution to which certain U.N. organs and specialized agencies may turn to seek an advisory opinion on a legal question, and it is the court to which States may refer their legal disputes with each other for resolution. A diverse range of cases come before the International Court, ranging from disputes over the use of force and human rights violations to questions about land and maritime borders, diplomatic protection, and environmental concerns. The Court has its seat in The Hague, in the impressive Peace Palace.

A unique insight

Each year the Court selects around eight recent law graduates nominated by various universities, including Yale, to come for a clerkship at the Court from September to May. Each law clerk (known internally as a “University Trainee”) works for one to two Judges, undertaking tasks such as legal research related to the cases, organization of the case file, and assistance with background research for speeches and articles related to the Court. In general, law clerks coordinate their work with the Associate Legal Officer assigned to each Judge. Law clerks may also be asked to undertake work for the Court’s Department of Legal Matters, including indexing, checking of references and proofreading. Each law clerk is financed by the nominating university.

It is a truly international environment. There are 15 Judges at the Court. In 2012, the Court was composed of Judges from: Slovakia, Mexico, Japan, France, New Zealand, Morocco, the Russian Federation, Brazil, Somalia, the United Kingdom, China, the United States, Italy, Uganda and India. The law clerks themselves come from around the world to the work at the Court. The common languages are French and English.

During the clerkship, law clerks have the opportunity to attend hearings related to an average of three to four cases during the clerkship period, involving a variety of questions of international law and states from around the world. Research is greatly facilitated by access to the Peace Palace Library, one of the largest collections in the world in the field of public and private international law, foreign national law, international relations and diplomatic history.

The Hague is home to many other international bodies, such as the International Criminal Tribunal for the former Yugoslavia, the International Criminal Court, the Special Tribunal for Lebanon and the Iran-U.S. Claims Tribunal. There are opportunities to meet people working at these institutions and to attend hearings or lectures.

Post-clerkship opportunities

The clerkship is non-renewable, as with U.S. judicial clerkships. Former clerks have gone on to practice international law and commercial arbitration at law firms in New York, to teach international law at a university, to conduct doctoral research, and to work with the U.N. I myself have had the opportunity to return to the International Court to work as the Special Assistant to President Higgins. I am now a tenured academic at King's College London.

Application Process

The applications are submitted to the YLS Career Development Office (CDO). If there are more than five applicants, a YLS committee reviews and selects the applications for CDO to send to the Court. The application consists of a cover letter, curriculum vitae, writing sample and two reference letters.

Each application is reviewed by the Judges and they select one law clerk from each nominating university. It is not necessary to have an LLM degree and applications from JD graduates are welcomed. The qualities that the Judges look for include: excellent legal research and drafting skills, demonstrated knowledge of public international law, and fluency in English or French. Fluency in the other language would be a plus, as would international work experience and publications in the field of international law.

INTERNATIONAL COURT OF JUSTICE

Chiara Giorgetti, J.S.D. '09, LL.M. '02

From September 2002 to June 2003, I clerked at the International Court of Justice (ICJ), the judicial organ of the United Nations, in The Hague, The Netherlands.

I came to YLS to study public international law and international dispute resolution was a specific interest of mine (before coming to YLS for my LLM, I had worked in Africa for the U.N. and worked on two international boundary disputes) so when the possibility of working at the ICJ presented itself, it was natural for me to apply. It was a great experience and I highly recommend it to anyone who is interested in international public law.

All ICJ clerks are sponsored by Law Schools, both American and European. The program was first created by NYU Law School, who still sends the highest numbers of clerks. I was the first clerk to be sent by Yale Law School, other law schools included Columbia and Strasbourg. Many more schools participate in the program now. The number of clerks varies: it was five when I was there, but I believe it is more than 10 now.

The application is quite simple. You need to include a CV, a statement explaining why you want to be a clerk, copies of your law school grades, and two letters of recommendation. It is important to underline all past experiences in public international law in the application, as this is probably the most important requirement for the position. Most clerks have worked in some aspects of international law prior to joining the Court.

The selection process is divided into two parts. First, if there are more than five applications, a committee of YLS Professors selects a short list of candidates out of all applicants. The list is then sent to the Court, who makes the final decision and selects the candidate. CVs of all selected candidates are then circulated among members of the Court. Each Judge may decide to select a clerk. Not all Judges have clerks, and each Judge can only select one person. A clerk may work for one or more than one Judge. For example, I worked for four Judges. An important factor for selection, beside experience in public international law, is

the knowledge of other languages. The Court is a bilingual environment, and Judges work either in French or in English.

Typically, a Clerk only works in one of these two languages, but is required to know both.

At the Court, I was involved in all cases in the Court's docket. I received copies of all the submissions and studied all cases. Each Judge would ask me to focus on specific aspects of the case, both factual and legal. I typically would write several short memos a month (research facilities at the Court are great) in reply to their questions and discuss them with each Judge. It is also important to be pro-active with some Judges, and propose research topics and other ways to assist them. Often, I also raised issues that I found particularly interesting and worth pursuing. At times my memos would be circulated to the entire Court, which was very rewarding. I also assisted in researching and reviewing separate and dissident opinions and in preparing opinions summaries for press releases. Clerks also participated at public hearings and at some court's committees meetings. No clerk, however, is allowed to attend deliberations. When one of the judges I worked for was elected President of the Court, I also wrote some of his speeches.

I enjoyed very much having the opportunity to discuss different aspects of the cases with the Judges and to gain an inside look at judicial decision-making. Moreover, because I worked with four different judges, I could examine different angles of each case. I found it most fascinating to see how each judge is interested by distinct aspects of the case. I learned a lot from seeing international law in action, and also gained interesting insights on international litigation. I also enjoyed getting to know other lawyers working in other Courts in The Hague. The Hague is the headquarters of many other international organizations and courts (including the International Criminal Court and the Court for the Former Yugoslavia) and it is interesting to be amidst such an environment.

My experience was excellent. I just loved being at the Court and felt I was at the heart of international law.

The main drawback of my clerkship derived from the fact that law school clerks are not officially employed by the Court, but are considered as staff on loan from law schools. This means that the Court does not assist clerks with, for example, health insurance, obtaining visas, or finding flats in The Hague. Also, because clerks are not members of staff, they cannot participate in staff activities. However, I got great support from YLS on all administrative issues, and colleagues and peers at the Court are also very helpful.

A clerkship at the ICJ offers several career prospects. Clerks have typically joined international law practice groups of major law firms, or have often joined other international courts, including the International Criminal Court and the Tribunal for the Former Yugoslavia. A few clerks have also remained at the Court and have become full-fledged Court employees, but this is very rare.

I found my experience at the ICJ very interesting and rewarding and I would do it again. I highly suggest it to other YLS students.

2012

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

Alex Whiting, J.D. '90

From 2002 until 2007, I was a Trial Attorney and then a Senior Trial Attorney in the Prosecutor's office at the International Criminal Tribunal for the former Yugoslavia (ICTY) which is based in The Hague in The Netherlands. As a Senior Trial Attorney, I was in charge of the Prosecution team for each case that I was assigned to. The trials there lasted for a very long time, a year or more, and my job was to manage

the case both in and out of court. Our trial teams were comprised of lawyers with various levels of experience, as well as military and historical experts.

The work at the ICTY was fascinating and at times very frustrating, but at the end of the day it was undeniably addictive. It was fascinating because the cases were all against high-level military and political leaders from the former Yugoslavia, and they were extremely complex and challenging. Our task was to prove, in a court of law, horrendous crimes that occurred many years ago, in a place that is far from where we worked, often against the wishes of current governments in the region. The ICTY brings together lawyers from all over the world and various legal traditions, and combines them into one legal process, not always very smoothly. But it is the exposure to different legal approaches and rules, and to other ways of trying criminal cases, that made the job so incredibly rewarding.

I have to say that the work was also frustrating because, as is the case with most international legal endeavors, we were chronically short of resources. Generally these long and difficult cases were tried by a relatively small group of prosecutors. In addition, unlike domestic prosecutors, we had limited powers to obtain evidence and compel witnesses, and so putting together the cases and trying them in court was a constant struggle, and the job demanded very long hours and many weekends.

The ICTY is at the moment just one of many places where the prosecution of international humanitarian law is occurring. There is also the criminal court for Rwanda, the permanent international criminal court (ICC), the Special Court for Sierra Leone, the Iraq Special Tribunal, and a court in Cambodia that is in the process of being established. But aside from the ICC, all of these tribunals have finite lives and so the field of war crimes prosecutions will likely remain a narrow one. However, the attention on the broader field of international humanitarian law (which is developed and enforced through various means including war crimes prosecutions) is now higher than ever and will likely remain so for a long time, and there are numerous public interest and government organizations in this area.

Because the ICTY combines criminal law with international humanitarian law, lawyers tend to come to the ICTY with a background in one of these fields. In my case, I came to the ICTY as a criminal lawyer with really no international law experience at all. After I graduated from Yale Law School in 1990, I clerked for a year and then went into the Honors program of the Department of Justice where I was assigned to the Criminal Section of the Civil Rights Division. After three and a half years prosecuting police brutality and racial violence cases there, I became an Assistant U.S. Attorney in Boston where I prosecuted organized crime and public corruption for six and a half years before applying to the ICTY. It helped a lot that as a prosecutor in Boston I did some cases that had international aspects to them, but primarily it was my experience as a criminal prosecutor that got me the job.

So I came to the field of international law by a rather unusual route. Nonetheless, it is perhaps a reminder that it is important to develop core legal skills (whether in advocacy, negotiating, contracts, etc.) in addition to an expertise in international public law, because ultimately it is through those skills that you will be able to make a contribution to the field. What I can see now though (and I say this knowing that I was a bit of an exception to this rule) is that the most important thing that a lawyer can do to get into the field of public international law, particularly when coming from the United States, is to get international law experience as early as possible. Take international law courses and get involved in international law journals or clinics if you can. Spend a summer in the field of public international law. If you are working in a domestic legal practice, look for opportunities to work on cases that involve international law, or look for ways to take a sabbatical to work for an international legal organization. When you apply for a job in the field of public international law, the first thing that they will look for is a demonstrated interest in, and commitment to, the field. So start early to look for opportunities to show and develop your interest.

Also, while it is true, as I said before, that it is important to develop your legal skills in whatever way you can, I also think that it is a good idea to get into the field of public international law, or at least public law, as soon as you can. The longer you work in private law, such as for a law firm, the harder it will be to make the transition into public international law. So don't necessarily do what I did. If you want to work in the field of public international law, my advice is to start as early as you can.

2010

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

Jenia Iontcheva, J.D. '02

Studying international relations in college seemed a natural choice for me—I had arrived in the United States from Bulgaria just a year earlier and had a keen interest in politics and current affairs. I coupled my classes with as much practical experience as possible: at the college chapter of Amnesty International, the Baltimore Office of International Trade, the European Parliament, and the Bulgarian Civil Society Development Foundation. I also spent a year studying International Relations and International Law at Cambridge University, where I became convinced that international law was not a fiction and that I should study it in greater depth.

By the time I came to Yale Law School, I thought I had clear view of the subject I wanted to master. I was particularly interested in the role of nongovernmental actors in international law and the development of international criminal law. During the second semester of my first year, I enrolled in Ruth Wedgewood's War Crimes and Michael Ratner's Litigating International Human Rights in U.S. Courts, participated in the Human Rights Workshop, and became an articles editor of the *Yale Journal of International Law*. These experiences not only taught me about international law, but also brought me together with students and faculty who shared my interests. Interactions with this community increased my desire to do international law work.

During the first summer, I decided to explore my interest in transitional justice and international criminal law, so with the help of the Orville H. Schell Jr., Center for International Human Rights at Yale, I applied for internships in nongovernmental and intergovernmental organizations that worked in the area. I was happy to find a place at the institution of my choice—the International Criminal Tribunal for the former Yugoslavia (ICTY), created in 1993 by the Security Council to bring to justice persons responsible for violations of international humanitarian law perpetrated in the former Yugoslavia since 1991. I began my internship at the Public Information Office, which publicizes the work of the Tribunal and maintains relations with the press and the public at large. Then I moved to the Appeals Chamber, which hears appeals by defendants and the Prosecution and services both the ICTY and the International Criminal Tribunal for Rwanda (ICTR). My primary tasks there were research and writing on procedural and jurisdictional issues. I was directly supervised by the legal officers at the Chamber, but also occasionally performed research for Judge Mohamed Shahabuddeen. I learned as much from talking with the dedicated and experienced lawyers at the Tribunal as from working on cases.

The dilemmas of international criminal law I encountered not only kept me engaged with my daily work, but also made me ponder what my longer-term contribution to the field could be. Is criminal law a good tool for achieving justice in war-torn societies or are reconciliation and economic restructuring higher priorities?

If I decide to work in the field of international criminal law, would I like to prosecute, defend, serve as a judge, teach, or work in an advocacy organization? Should I work at the national or international level? After observing and sharing some of the enthusiasm and dynamism of lawyers at the ICTY, I was very tempted to continue working in international criminal law. Yet most of the people whom I met and admired at the ICTY began their careers by working at the national level, whether in criminal law practice

or in the field of human rights. This work had given them perspective and allowed them to deal more decisively and competently with the dilemmas of international criminal law. I decided I wanted to follow in their steps and work locally before deciding whether and how to start a career at the international level.

Therefore, in addition to more classes in international law, I enrolled in the immigration clinic, helped with research on two immigration cases for the ACLU, took classes in criminal law, and got an internship for half of my second law-school summer at the Office of the Federal Public Defender in Houston. I decided to spend the other half in New York, at Debevoise and Plimpton—a firm that has a strong practice in international commercial arbitration and excellent human rights pro bono opportunities.

As my law school education progressed, I found myself increasingly drawn to domestic criminal law and procedure and to law school teaching as a possible career. As a result, my focus now is on combining my interest in human rights and international law with an academic career. I am now teaching and writing in the fields of international organizations, international criminal law, and comparative and constitutional criminal procedure as a professor at SMU Law School. Some of my projects have taken me back to the ICTY, where I have continued to learn from the lawyers about the difficult questions of international criminal law.

2010

PERMANENT COURT OF ARBITRATION

Kathleen Claussen, J.D. '10

From November 2011 to November 2012, I served as Assistant Legal Counsel at the Permanent Court of Arbitration in The Hague. The PCA is a terrific place to work because even as a fellow, you are exposed to and participate in substantive work that contributes to the development of international law. The PCA maintains only a small staff and, as a result, the contract attorneys rely on the 6-10 university fellows to take on substantial responsibility. Although Yale no longer maintains a PCA-specific fellowship, there are still channels of funding available for this purpose – and it is highly worth pursuing those.

Unlike most international courts where the fellows take a back seat, the PCA will prove a rich and rewarding experience for anyone who is able to spend time there. Moreover, there are four Yale alumni on the staff, as well, who ensure that the Yale fellow gets interesting work. Fellows are not assigned to work with any one tribunal, but rather all staff work on many cases, assisting the tribunal and the parties with whatever they may need. I encourage anyone who is interested to read more about the PCA through its many publications or through its website.

Applicants should work with CDO to arrange YLS funding as directed. The PCA will not consider applications to begin in the fall until the winter before at the earliest so best to apply for funding first and then approach the PCA second. It is important to organize all materials with CDO's assistance to receive the imprimatur of YLS before sending materials to the PCA. Present your application accordingly, as a Yale fellow, and your application will be seriously considered. Follow the instructions on the PCA website (on the fellowships page) to be sure you include all necessary components in your application. My experience at the PCA has been excellent. For learning about international arbitration in practice, there is no better institutional opportunity. Please do not hesitate to contact me if you have any specific questions.

2012

SPECIAL COURT FOR SIERRA LEONE

Alexandros Zervos, J.D. '05

I served as an intern in the Outreach Section of the Special Court for Sierra Leone in the summer of 2003 and again between September 2005 and June 2006. The Special Court was set up to try those bearing greatest responsibility for serious crimes committed after November 30, 1996 in Sierra Leone's civil war. The Outreach Section's mission statement calls for it to engage in two-way communication with the people of Sierra Leone to provide impartial information about the Court and collect their views about it. Information about the Special Court (sometimes dated) is available on its website, and also through the websites of Human Rights Watch and the International Crisis Group. Two books I'd definitely recommend reading before coming to Sierra Leone (or deciding to work at the Special Court) are Richard Dooling's *White Man's Grave* (which captures the feel of Freetown better than any other I've come across) and Antjie Krog's *Country of My Skull* (whose reflections on the South African Truth & Reconciliation Commission are peculiarly applicable to the atmosphere at the Special Court). If you want to understand the war in Sierra Leone, a good book is David Keen's *Conflict & Collusion in Sierra Leone*.

I applied to work in the Section during my 1L year for the summer of 2003, and then chatted with the Coordinator who agreed to my return on graduation from law school. Though it has improved, applying for internships at the Court is a confused and badly organized process. The best thing to do is to contact someone responsible in the Section you want to work in (preferably through someone who knows both of you, but also by cold calling...sometimes many times). There is an official application form available on the Court website, but very honestly this often won't get you far unless you go the extra mile with the phone calls. This is what I did in 2003—my 2005 entry was very smooth, and completing the application form was a formality.

Generally internships in Outreach are unpaid. If you agree to stay 6 months, there are a limited number of paid internships funded by the EU—for about \$1000 per month. You can live on this in Freetown, though it may not be enough to cover flights and health insurance. One of the best things about Outreach is that the Section Coordinator is really positive about international interns and makes real efforts to provide you with substantive, interesting work. She (Binta Mansaray) is at the very heart of the Section, and most international interns' experiences are very much shaped by their interactions with her. Binta really appreciates people who are pro-active about getting involved in projects and suggesting new initiatives. Certain other Outreach staff members are also good to work with—especially the senior Outreach Officer, Patrick Fatoma, who is particularly sensitive to the inter-cultural challenges interns can face.

Individual days as an Outreach intern are very varied—you could be taking a helicopter or jeep upcountry to facilitate a town hall meeting with Court officials, writing reports or booklets (aimed at groups ranging from international policy makers to semi-literate villagers), meeting with civil society members and students in Freetown or doing secretarial work. There are no international staff members in Outreach, so foreign interns will often be called on to play a major part in both substantive and tedious work that involves writing correct English prose or manipulating Microsoft Office. It is important to note that very little of the Section's work is legal, so if that is important to you, apply to a defense team or the Office of the Prosecutor. Typically hours are about 9am to 6pm, but the peculiar nature of Outreach's work means you work weekends semi-frequently, and sometimes stay late. Binta is generous however, in allowing "time off in lieu," etc.

Sierra Leone is a peculiar place to live and work. The country is emerging from conflict but many individuals are still traumatized by the widespread violence and dislocation of the conflict. Bad things (car accidents, malaria, etc.) seem to happen more frequently to people here than in other places, and when they do the outcomes are often worse than they would be in a place where quality medical care was

readily available. Especially as an employee of the Court, you are constantly reminded of the horrific toll that the conflict took on the people around you. At the same time, the Special Court sits in a semi-sterile space in Freetown, and though Outreach has more interaction with broader society than most other units, it is hard to avoid feeling that you inhabit two entirely separate worlds at the same time. In addition to the caveats about Sierra Leone, there are some things that are important to take into account in working at the Special Court and within Outreach. Relations between interns and some staff members can be difficult, and the same is true with respect to the interactions between different sections. There are bureaucratic issues when dealing with transport, personnel, administrative services, etc. You must deal with rules such as no internet access during the day, for fear you won't do your work. These problems are partially a result of lack of funding, partially due to some of the personalities at the Court, and partly due to the nature of transitional justice institutions.

Despite the caveats described above, it is important to remember that Sierra Leoneans are incredibly friendly, and that working here (especially in the Outreach Section) can expand your perspectives on life and law enormously. Sierra Leone grips your heart in a way that nowhere else I have ever been does, and this fact is underscored by the number of expats who return here. Especially as a Special Court employee, you are continuously thrust into dialogue about the nature of justice, forgiveness, development and violence. These conversations may seem superficially similar to those engaged in by lounge lizards who set the world to rights from the coffee shops of the Left Bank. But unlike these debates, you can often translate your conclusions into action almost instantaneously and see real results. Going back to the developed world after working in Sierra Leone is a strange process—everything, including food, conversation, work and daily life—seems bland by comparison.

2010

CHAPTER 3

NATIONAL COURTS

A. Opportunities

Some national courts offer opportunities for U.S. law school students and graduates. Others reserve positions within their court systems, temporary and permanent, paid and unpaid, for their citizens, or give preference to their citizens. If you are not a citizen, check to see if there are any exceptions to the citizenship requirement that might apply to you. You might also succeed by contacting a judge personally and offering your services for free.

Still other courts do not offer specific temporary employment programs for current law school students or recent law school graduates. They follow the European model, where assistants to judges and to courts tend to have at least two years of experience working in a legal capacity outside of law school and are typically hired on a permanent basis. Furthermore, such assistants also tend to have received their legal training inside the country in which they work and thus are familiar with the country's particular legal system. Recent law school graduates from the U.S. are not precluded from these positions, though proficiency in the language of the court is absolutely necessary.

The following national courts provide specific opportunities for temporary employment that may be of interest to U.S. law school students and recent graduates.

1. High Court of Australia

The High Court is the highest court in the Australian judicial system. It was established in 1901 by the Australian Constitution, but the appointment of the first Bench had to await the passage of the Judiciary Act in 1903. The functions of the High Court are to interpret and apply the law of Australia; to decide cases of special federal significance including challenges to the constitutional validity of laws; and to hear appeals, by special leave, from Federal, State, and Territory courts.

The subject matter of the cases heard by the Court traverses the whole range of Australian law. It includes arbitration, contract, company law, copyright, courts-martial, criminal law and procedure, tax law, insurance, personal injury, property law, family law and trade practices. During hearings, barristers representing the parties present their arguments orally to the Court.

High Court of Australia
PO Box 6309
Kingston
Australian Capital Territory 2604
Tel: 61 2 6270 6811
Email: enquiries@hcourt.gov.au
Web: www.hcourt.gov.au

Opportunities: Associates to a Justice of the High Court of Australia are employed on a 12-month temporary contract, which stipulates payment and allows for leave during that period. Applicants must have graduated from law school with first-class honors, have a good knowledge of Australian law, and possess research experience and/or experience working for a law firm, university or another court. Citizenship is not required, but a successful applicant from outside Australia must ultimately obtain a work permit. Applicants should write directly to the Justice(s) with whom they seek employment. Alternatively, if you are interested in working for any one of the Justices without any preference then you should write to the Chief Executive and Principal Registrar, Mr Andrew Phelan, and he will raise your interest at a meeting with the Justices. You should include a current CV and an academic transcript with your letter. There are no specific closing dates for applications but it is common for the Justices to appoint their associates two and three years in advance. In any application, applicants should include the years they would be available.

In addition to associateships the Court also engages a Legal Research Officer each year for a 12 month period (a similar period to that for which associates are employed). If you are interested in applying for this position, you should contact Ms Petal Kinder, Court Librarian, by mail at the above address or by email to pkinder@hcourt.gov.au.

2. Federal Court of Australia

The Federal Court of Australia began to exercise its jurisdiction in 1977. The Court is a superior court of record and a court of law and equity, having assumed jurisdiction formerly exercised in part by the High Court of Australia and the whole of the jurisdiction of the Australian Industrial Court and of the Federal Court of Bankruptcy. It sits regularly in the various capital cities and elsewhere from time to time as required. The Court exercises appellate jurisdiction over decisions of single judges of the Court, and from the Federal Magistrates Court in non-family law matters. The Court also exercises general appellate jurisdiction in criminal and civil matters on appeal from the Supreme Court of Norfolk Island.

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Federal Court of Australia
Locked Bag A6000
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Tel: 02 9230 8567
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Email: query@fedcourt.gov.au
Web: www.fedcourt.gov.au

Opportunities: [Note: The Court is not presently hiring Research Associates, but this description is retained because the Court indicated hiring may resume in the future.] Like the High Court of Australia, the Federal Court offers one-year paid positions to recent law school graduates of high academic standing. The Court hires three to five Research Associates; these positions provide legal and other research support to all judges of a particular registry. They may also provide assistance with in-court work on occasion. Please note that not all registries have this type of position. The justices also have Personal Associates, similar to their counterparts on the High Court. These positions are employed as part of the personal chambers staff of a particular judge. They provide legal research, in-court duties and other support for that judge. Applicants need not be citizens, but successful applicants must acquire a proper work permit to cover their time working in Australia with the Court. For a Research Associate position, applicants should submit a cover letter explaining their interest, a CV and a law school transcript to the Registry for the Districts in which they are interested; all Districts and contact information are listed on the website. Those interested in Personal Associate positions should submit those materials directly to the judges.

3. Courts of Denmark, Faroe Islands, and Greenland

The Courts of Denmark that deal with all kinds of cases, both civil and criminal, are divided on hierarchical lines. At the bottom there are 24 district courts; then the two High Courts—the Western High Court and the Eastern High Court—and finally the highest court in the country, the Supreme Court. In addition to the ordinary courts there are courts that deal with special areas of law on a permanent basis, such as the Maritime and Commercial Court and the Land Registration Court. In Denmark, there is no separate constitutional court or separate administrative court as in Germany and France, as cases relating to these matters are dealt with in the ordinary courts. Unlike a number of other European countries, Denmark has not established specific administrative or constitutional courts. Such cases are taken up in the ordinary courts.

The Danish Court Administration
Human Resources
St. Kongensgade 1-3
1264 København K
Denmark
Tel: 45 70 10 33 22
Fax: 45 70 10 44 55
Email: post@domstolsstyrelsen.dk
Web: www.domstol.dk

Opportunities: The Danish courts offer a paid summer internship program to current law school students. Travel and subsistence expenses are not covered by the Danish courts/Danish Court Administration and are therefore the responsibility of the student. Amount of pay depends upon the length and breadth of the

student's study of law. Proficiency in the Danish language is necessary. The individual courts decide who they would like to hire and interested students may apply directly to them. A map of the judicial districts and contact information for all Danish courts can be found on the website

4. Supreme Court of Israel

Israel has a three-level system of general law courts: the Supreme Court, the district courts, and the magistrates' courts. While the latter two are mostly trial courts, the Supreme Court is essentially an appellate court, which also operates as the equivalent of the British High Court. This means that the Supreme Court acts as the court of first and last instance, exercising broad powers of judicial review over other branches of government.

Unlike many common law systems that have a long, rich, and plentiful jurisprudence from which to draw upon, the State of Israel, a relatively young country, has a comparatively small body of jurisprudence. Thus, the Israeli Supreme Court often looks to American and Commonwealth precedent, as well as European countries, for inspiration in rendering its decisions. As a result, Justices of the Israeli Supreme Court solicit individuals trained in the American and Commonwealth legal tradition, as well as European traditions, to work as Foreign Clerks.

Pending cases that are grounded in Israeli law often require a comparative law analysis. Foreign Clerks are assigned to a specific Justice for the duration of their clerkship. They conduct legal research and draft memoranda regarding specific legal questions that pertain to pending cases, providing the Court with substantive support for legal decisions it renders. Research and memoranda provided by the Foreign Clerk will, where applicable, be taken into consideration in opinions rendered by the Court.

During their clerkship, Foreign Clerks will likely find themselves working in several different areas of the law, such as public international law, criminal law, civil procedure, tort law, constitutional law, corporate law and contract law.

Dr. Yigal Mersel
Registrar of the Court
The Supreme Court of Israel
Sha'arei Mishpat Street
Kiryat David Ben-Gurion
Jerusalem, Israel 91950
Tel: 972 2 67 59 702
Fax: 972 2 67 59 703
Email: jobs@court.gov.il
Web: www.court.gov.il

Opportunities: The Supreme Court of Israel offers unpaid clerkships to law school students and recent law school graduates that can last anywhere from three months to one year. No language proficiency other than in English is required and there are no citizenship restrictions. Application details are available on the court's website.

5. Courts of New Zealand

New Zealand's general courts are structured like a pyramid. At the top is the Supreme Court. Below it, in descending order, are the Court of Appeal, the High Court and the district courts. These are "courts of general jurisdiction." The jurisdiction of the Supreme Court, the Court of Appeal and the district courts

are defined by statute. The High Court has both statutory jurisdiction and inherent common law jurisdiction. Most criminal cases are heard in the district courts, as well as a large number of civil cases, but there is a statutory ceiling on the cases that the court can hear. Though the High Court has broad general jurisdiction, it tends to hear the more serious jury trials, the more complex civil cases, administrative law cases and appeals from the decisions of courts and tribunals below it.

A case that is decided in the district courts, for example, can be appealed to the High Court, or directly to the Court of Appeal where the law allows it. The Supreme Court is the final appellate court. Because the Supreme Court hears only a small proportion of cases, the Court of Appeal is in reality the last court for an appeal for most cases in the legal system.

Outside the pyramid for courts of general jurisdiction are specialist courts and tribunals (e.g., Employment Court, the Environment Court, the Māori Land Court, and the Waitangi Tribunal). The courts of general jurisdiction may hear appeals from these courts and tribunals, and the High Court has supervisory jurisdiction of them through the judicial review process.

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Ministry of Justice
The Vogel Centre
19 Aitken St.
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Postal: DX: SX10088
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New Zealand
Tel: 64 4 918 8800
Fax: 64 4 918 8820
Email: Recruitment@justice.govt.nz
Web: www.justice.govt.nz or www.courtsofnz.govt.nz

Opportunities: The Courts of New Zealand offer positions for recent law school graduates to work Judge's Clerk in the High Court, Court of Appeal and Supreme Court, or in a District Court as a Research Counsel. Both positions are paid and can be held for a maximum of two years. Traditionally, these positions have been filled by graduates of New Zealand law schools. Applicants must submit a CV and a verified copy of their academic transcript. New Zealand citizenship is not required, but successful applicants must obtain a work permit. Go to www.immigration.govt.nz for information about obtaining a work permit. Generally, recruitment to vacant positions of Judge's Clerk or Research Counsel is conducted in October or November each year at the end of the New Zealand academic year. To find out if any openings are available, check the Vacancies section of the websites above, or contact the Ministry of Justice Recruitment Team.

6. Constitutional Court of South Africa

The Constitutional Court of South Africa was established in 1994 according to the terms of South Africa's first democratic constitution—the interim Constitution of 1993. According to the Constitution of 1996, the Court established in 1994 continues to serve its original role.

The Constitution requires that a matter before the Court is heard by at least eight judges. In practice, all 11 judges hear every case. If any judge is absent for a long period or a vacancy arises, an acting judge may be appointed by the President of the Republic on a temporary basis. Decisions of the Court are

reached by majority vote of the judges sitting in a case. Each judge must indicate his or her decision, and the reasons for the decision are published in a written judgment.

Physical

The Constitutional Court
1 Hospital Street
Constitution Hill
Braamfontein 2017
South Africa
Tel: 27 11 359 7400
Fax: 27 11 339 5098

Email: director@concourt.org.za

Application email: applications@concourt.org.za

Web: www.constitutionalcourt.org.za

Postal

The Constitutional Court
Private Bag X 1
Constitution Hill
Braamfontein 2017
Johannesburg
South Africa

Opportunities: The Court only accepts a total of five foreign clerks per term. The Court hires law clerks for each judge; however, foreign law clerks are not paid. Each judge has two South African law clerks and may also have a foreign clerk.

Clerks may serve for one, or sometimes two consecutive six-month terms. Applications for South African clerks are considered each year in May for the following July to December (i.e., 12 months thereafter) and for the January to June of the year after that (which is 18 months later). Applications for foreign clerks, however, may be considered on a rolling basis.

See www.constitutionalcourt.org.za/site/lawclerks/southafricanlawclerks.htm#programme for complete application information.

B. Narratives

SUPREME COURT OF CANADA

Clerk to Chief Justice Beverley McLachlin

Chimène Keitner, J.D. '02

Each year, twenty-seven law clerks assist the justices of the Supreme Court of Canada. It is not unusual for one or two of these clerks to be Canadian citizens with U.S. law degrees. No prior clerkship is required. Candidates should have an excellent academic record and detailed recommendations from faculty members and the dean of the law school. (Law school deans are asked to rank applicants from their schools to facilitate selection; these rankings are particularly important and helpful to the justices where there are multiple candidates from the same law school.)

Information on eligibility, application procedures, and compensation is available on the Court's website at www.scc-csc.gc.ca. Candidates apply to the Court as a whole, not to individual justices. Each justice who is interested in a candidate's application has the opportunity to interview that candidate. Once interviews are completed, the tradition is for the Chief Justice to select three clerks, then for each of the remaining justices to take turns selecting one clerk, beginning in order of seniority, until each justice has filled his or her three positions.

Unlike the U.S. Supreme Court, the Supreme Court of Canada has a permanent staff of lawyers who handle petitions for review. Five, seven, or nine justices will hear a given case, depending on its perceived importance, among other factors. The role and duties of a law clerk in the Canadian system are otherwise comparable to those of a law clerk in the United States.

The Canadian justices have offices on the second floor of the Supreme Court building, and the clerks are housed on the third floor (or at least they were during my tenure at the court in 2002–03). The practical effect of this arrangement is that you will get to know other justices' clerks at least as well, if not better, than your own co-clerks, since you do not sit "in chambers." This also means that the amount of time you spend with "your" judge will depend on his or her schedule and your respective work styles.

I would not hesitate to recommend a clerkship at the Supreme Court of Canada to anyone interested in teaching or practicing law in Canada, or in a Commonwealth country. For those interested in teaching or practicing in the United States, I would recommend it with the caveat that you should pursue this clerkship for its intrinsic, not its instrumental, value. I chose to clerk in Canada in large part because of my desire to work in a legal system that openly and enthusiastically engages with foreign and international law sources in considering questions common to modern democracies. Precisely because the U.S. system is much less outward-facing, your decision to clerk outside the United States will puzzle many people within the United States, including prospective employers. The Ottawa winter will be hard to get through unless you are genuinely committed to learning about and contributing to the Canadian legal system—in which case, you will have an incomparable year.

2010

CONSTITUTIONAL COURT OF SOUTH AFRICA

Tendayi Achiume, J.D., '08

Even before going to law school I knew I wanted to clerk on the Constitutional Court of South Africa. As an undergraduate I had spent a summer interning at a land rights organization, and during this time I attended a Constitutional Court hearing at which a question central to the country's land reform process was being argued. The energy in the courtroom was electric. As often happens at the Court, many affected community members had made long journeys from rural areas around the country to hear their stories told to the panel of judges, whose deep engagement with the complex issues was evident. About five years later, as my graduation from law school drew near, there was no question in my mind that for my first job, I wanted to be back in that courtroom learning from and contributing to one of the greatest achievements of South Africa's post-Apartheid democracy. The Court takes approximately five foreign law clerks every year and clerking on the Court had become even more appealing to me for two reasons. I had learned that human rights forms an important pillar of the Court's jurisprudence and that the South African Constitution requires the Court to consider international law in its interpretation of Constitution's Bill of Rights.

I went to law school because I wanted to be an international human rights lawyer, and this goal heavily influenced the courses that I took as a student at the Yale Law School. I took as many international law classes as I could—both private and public international law—as well as several comparative law classes. I was also a member of the Lowenstein International Human Rights Clinic for two years (and this is where I gained the experience that has been most useful to my subsequent career practicing human rights). Finally, I was Managing Editor for Submission on the Yale Journal for International Law so I was constantly reading a broad range of international legal scholarship. This background in international law generally, and international human rights law specifically was useful for my work on the Court. It provided a knowledge base from which I drew and also made the process of researching questions of international law easy. That said, I would have been perfectly able to do my job well without this background. The Court has a week of training and orientation for all incoming clerks, and I have learned since graduating that much of the job of a lawyer is learning entire bodies of unfamiliar law, as each case requires. The same was true of clerking. As a result, knowledge of South African law is not a pre-requisite. None of the justices expected their foreign clerks to have a background in South African domestic law. I later concluded that a background in international human rights was probably most useful for securing the clerkship in the first place.

Most foreign clerkships at the Court are for six months but I clerked for a year because I wanted a fuller experience. I clerked for two different justices, which I enjoyed because it exposed me to two completely different approaches to constitutional adjudication. As a clerk my responsibilities included extensive legal research, which was typically presented to justices in the form of memoranda. Clerks were also involved in the drafting of judgments at various stages of the process, according to the needs and preferences of the justices. Clerking significantly improved my analytic legal reasoning and writing skills. More importantly it taught me a lot about reconciling complex legal problems with even more complex social, political and economic realities. Clerks also attended Court hearings—an experience that remained riveting, with the exception of the occasional boring case. As with all clerkships, the individual personality and work style of the justice one clerked for on the Court greatly determined the amount of responsibility each clerk had.

As a result, my advice for people interested in clerking on the Court is that you devote some time to learning about the different justices to ensure that you apply to clerk for someone likely to help you meet your goals for your clerkship. My own experience was of full immersion in the adjudication process and I loved it.

Among my favorite experiences at the Court were the weekly law clerk seminars where all the clerks of the Court would meet to discuss the various legal issues presented by cases before the Court. The majority of the clerks on the Court were South Africans from very diverse backgrounds. The remaining clerks were foreign clerks—a few from other African countries and the rest from Europe and America. Our debates were always rich and lively, occasionally becoming heated. This was no surprise as most of the cases that came before the Court involved issues about which we were all passionate. I firmly believe that the diversity of backgrounds and viewpoints of the law clerk body contributed greatly to the quality of work that we were able to produce for the judges.

During my time at the Court I made friends that remain among my closest. I count my clerkship as one of the most profound personal and professional experiences I have ever had. It changed the way I understand the role of law in society and it gave me a better sense for the kind of lawyer I want to be. Following the clerkship I worked as a refugee protection lawyer at a human rights organization in Johannesburg and taught a human rights course at a university there. My clerkship experience was valuable substantive preparation for this and all the other human rights related work I have done since. I spent a year at a commercial law firm in New York and although there was no substantive overlap with the law I practiced there, the professionalism, and research and writing skills I developed during the clerkship were indispensable. Finally, I loved living in Johannesburg, which is an exciting, gritty city.

2011

CONSTITUTIONAL COURT OF SOUTH AFRICA

**Clerk to Justice Richard J. Goldstone and Justice Kate O'Regan
Charlton Copeland, J.D. '03**

There are eleven justices on the Constitutional Court of South Africa. Each justice hires two South African law clerks. As many as five justices are allowed to have a foreign law clerk at any one time. The Court's term is divided into four separate sessions: 15 February to 31 March; 1 to 31 May; 1 August to 30 September; and 1 to 30 November. My clerkship at the Court overlapped two terms, the final two sessions of the 2002 term and the first two sessions of the 2003 term. During the 2002 term I served as a clerk in the chambers of Justice Richard Goldstone, after which I transferred to the chambers of Justice Kate O'Regan. My decision to clerk on the Court was precipitated by my interest in constitutional theory and constitutional structures, coupled with a fatigue with discussions about "the Framers." My decision to clerk on the Court was also based largely on my interest in the role a constitution might play in structuring a politics of reconciliation. As a joint-degree student at the Divinity School, these issues were

of significant interest to me. These things, in conjunction with the general excitement for South Africa's peaceful transition to democratic governance, made the idea of clerking irresistible.

I would recommend that anyone remotely interested in clerking in South Africa do so. It remains the most amazing experience of my life. The day-to-day work of a foreign law clerk at the Court was not very different from that of an appellate clerk in the United States. Cases are assigned to a particular clerk within a chamber, and a particular chamber is designated as the "lead" chamber on the case. I was fortunate to clerk with justices who were enthusiastic about my being involved in every facet of the clerkship experience; I was not relegated to being the U.S. law expert for comparative purposes. Within chambers I wrote bench memoranda to each justice and my fellow clerks, articulating my analysis of the arguments presented in light of my independent research, and made recommendations about how the case should be decided. Each clerk was invited to respond to her colleague's memorandum, if she disagreed with the analysis or recommendation. Each of the chambers in which I clerked was a very collegial atmosphere, where the clerks met with the justice about each case on the Court's calendar.

My recommendation remains strong despite some signs that the political parties have less commitment to an independent judiciary than many in South Africa, or the larger world community, might have hoped. Only a few of the justices from a decade ago remain on the Constitutional Court, and the Court's makeup reads less like a "who's who" of the anti-apartheid era than it once did. But I think for students who are serious about the law's real promise in developing democracies, the Court still represents an important case study in the challenges to democratic and economic transformation in a globalized legal and economic culture. As we witness the events of the last two years in Northern Africa and the Middle East, the creation and maintenance of democratic governance structures remains as important today as it has ever been. As recently as last year, Justice Ruth Bader Ginsburg recommended the South African constitution to those crafting the constitution of a newly-liberated Egypt. South Africa's constitutional experience will play an important role in shaping the constitutional development of new democracies. More recently, I attended a "constitutional law schmooze" at the University of Maryland, where no fewer than 6 of the thirty or so papers delivered were related to the South African experience in social and economic rights. All of this is simply to say that South Africa's constitutional experience—the triumphs and the worries—matters in the world today.

In addition to the interaction with the justice regarding cases, there was a tremendous amount of interaction among all the clerks on cases before the Court. Before an oral argument, the chamber that had preliminary responsibility for the case usually sponsored a clerks' session, during which we would discuss, often in detail, many of the significant issues before the Court. There, we would get a sense of what other clerks, and possibly their respective justices, thought about an upcoming case. As a foreign law clerk who had not taken comparative law or a comparative constitutional law course during law school, these sessions proved to be invaluable in making me feel comfortable making recommendations about a foreign legal system.

The justices and the clerks on the Court are tremendously well informed about the U.S. legal system, and the Court's library is simply stunning in the breadth of material that it possesses. The Court's close proximity to the University of the Witwatersrand made it a wonderful place to develop a larger legal community. While there, I participated in colloquia on constitutional law and public law, and audited a class on South African Administrative Law.

Living in Johannesburg was the very best. Although it does not have the international reputation or physical beauty of Cape Town, it was the perfect place to live. The diversity of people, experiences, and cultures made it a wonderful gateway for me to southern Africa. South Africa draws people from all over the country and the region in a wonderful melting pot. The cultural life was always thriving. I was

fortunate enough not to have had any significant experience with crime in South Africa. In fact, during my time there, I became as comfortable there as I have anywhere I have lived.

Finally, South Africa has shaped my professional development in ways that I could not have conceived prior to going. During my time in private practice, I was asked to serve as the associate on a project with a partner at Hogan & Hartson (now Hogan & Lovells), who was investigating witness tampering in the cases related to the Rwandan genocide. This was a very competitive assignment, and I was chosen primarily because of my experience in southern Africa. Also, in my career as a law teacher and scholar, my experiences in South Africa continue to contribute to my research. Most recently, I just completed an article on federalism, in which I argue for an expanded conception of the judicial role in resolving federalism disputes. I drew upon South African case law as a comparative model to both describe and justify my argument for a more mediative judicial role. I continue to be amazed at how much this experience continues to shape my life, and my outlook on the law's possibility.

2012

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