Contributors

Editor's Note: In order to most accurately portray the events of the colloquium, the biographical data in this appendix reflects the position in which the authors were serving at the time of the colloquium, as reflected in the colloquium brochures and materials.

Mr. Fred Abrahams worked from 1995 to 2000 as a Senior Researcher at Human Rights Watch, covering the South Balkans. He subsequently worked as an analyst in the prosecutor's office at the International War Crimes Tribunal for the Former Yugoslavia. He is currently finishing a book on Albania's recent political history and the transition from communism.

Professor Craig H. Allen joined the University of Washington faculty in 1994, following his retirement from the US Coast Guard. He is a licensed master mariner, a fellow in the Nautical Institute and a member of the Royal Institute of Navigation and the US Maritime Law Association. Professor Allen is on the board of editors of *Ocean Development and International Law* and is the author of the forthcoming new edition of *Farwell's Rules of the Nautical Road*. Professor Allen teaches courses in international, admiralty, constitutional and foreign relations law.

Mr. Lee A. Casey is a partner in the Baker & Hostetler LLP and works in that firm's Washington, D.C. office. He focuses on federal, environmental, constitutional, election, and regulatory law issues, as well as international and international humanitarian law. From 1986 to 1993 Mr. Casey served in various capacities in the federal government, including the Office of Legal Counsel (1992–93) and the Office of Legal Policy (1986–90) at the US Department of Justice. In addition, from 1990 to 1992, Mr. Casey served as Deputy Associate General Counsel at the US Department of Energy. Mr. Casey has authored or co-authored articles on such topics as the International Criminal Court, the presidential war powers, and the Senate's treaty interpretation power.

The opinions shared in this paper are those of the author and do not necessarily reflect the views and opinions of the U.S. Naval War College, the Dept. of the Navy, or Dept. of Defense.

Professor Yoram Dinstein is the Yanowicz Professor of Human Rights at Tel Aviv University (Israel), where he is the immediate past President. Professor Dinstein has recently concluded a second term as the Charles H. Stockton Professor of International Law at the US Naval War College (2002/2003, 1999/2000). He was also a Humboldt Fellow at the Max Planck Institute for International Law at Heidelberg (Germany), 2000/2001. Professor Dinstein is a Member of the Institute of International Law. He has written extensively on subjects relating to international law, human rights and the law of armed conflict. He is the founder and Editor of the *Israel Yearbook on Human Rights*. His latest book is *The Conduct of Hostilities under the Law of International Armed Conflict*.

Colonel Charles H. B. Garraway, CBE, is serving as a Senior Research Fellow at the British Institute of International and Comparative Law prior to taking up the Charles H. Stockton Chair of International Law at the US Naval War College in August 2004. Colonel Garraway's previous tours of active duty have included assignments in Cyprus, Germany, Belgium (SHAPE) and Hong Kong, and various tours in the United Kingdom. He is a former Visiting Fellow at the Research Centre for International Law, Cambridge University (now the Lauterpacht Centre) and a Member of the International Institute of Humanitarian Law at San Remo. Colonel Garraway is also a member of the Board of Directors of the International Society for Military Law and the Law of War and was one of the General Rapporteurs for the 2003 Congress in Rome and served as Chairman of the General Affairs Committee. He has represented the United Kingdom at various international conferences, including the Preparatory Committee for Amended Protocol II to the Conventional Weapons Convention, the Diplomatic Conference on the Second Protocol to the Hague Cultural Property Convention and negotiations on the establishment of an International Criminal Court. During the 1990–1991 Gulf War, he served as senior Army Legal Services Officer where he was involved, in particular, with prisoner of war handling. In December of 2002, Colonel Garraway was appointed a Commander of the Most Excellent Order of the British Empire by Her Majesty The Queen.

Colonel David E. Graham, JA, US Army (Ret.), is the Special Assistant to the Judge Advocate General of the US Army. His active duty assignments include Chief, International and Operational Law Division, Office of the Judge Advocate General; Director, Center for Law and Military Operations at the Judge Advocate General's School of the Army and Chief, Strategic Planning, Office of the Judge Advocate General. Colonel Graham also served as a legal advisor to the Multinational Force and Observers (MFO) in Sinai (1981–82). Colonel Graham earned a Bachelor of

Arts in History from Texas A&M University, and Master of Arts in International Affairs from the George Washington University and a Juris Doctorate from the University of Texas. He is also a Distinguished Graduate of the National War College.

Professor Leslie C. Green is a former Charles H. Stockton Professor of International Law at the US Naval War College (1996–98). After serving in the British Army during World War II, he held university appointments at the University of London; University of Singapore; University of Alberta, where he is University Professor Emeritus; Kyung Hee University, Seoul, South Korea; University of Colorado; and the University of Denver. Professor Green's many government appointments include Member and Legal Advisor to the Canadian delegation to the Geneva Conference on Humanitarian Law in Armed Conflict (1975–77) and special consultant to the Judge Advocate General, National Defence Headquarters. In the latter capacity, he wrote the Canadian Manual on Armed Conflict Law. Professor Green is the author of numerous books, including *The contemporary law of armed conflict* and over 300 papers and articles.

Professor Wolff Heintschel von Heinegg is the Charles H. Stockton Professor of International Law at the US Naval War College and is a former Professor of International Law at the University of Frankfurt-Oder and the University of Augsburg, Germany. He was the Rapporteur of the International Law Association Committee on Maritime Neutrality and is currently the Vice-President of the German Society of Military Law and the Law of War. Professor Heintschel von Heinegg was among a group of international lawyers and naval experts who produced the San Remo Manual on International Law Applicable to Armed Conflicts at Sea. He is a widely published author of articles and books on the law of sea and naval warfare.

Professor Stuart Kaye was appointed Dean of Law at the University of Wollongong in July 2002. Prior to his appointment, he was Head of the Law School at James Cook University in Cairns. He holds degrees in Arts and Law from the University of Sydney and a doctorate in Law from Dalhousie University. He is admitted as a solicitor of the Supreme Court of New South Wales, a barrister of the Supreme Courts of Tasmania and Queensland, and of the High Court of Australia. Professor Kaye has an extensive research interest in the law of the sea and international law generally, and has published extensively in these areas. He has written a number of books including *Australia's Maritime Boundaries*, *The Torres Strait and International Fisheries Management*. He was appointed by Australia to the International Hydrographic Organization's Panel of Experts on Maritime Boundary Delimitation in 1995 and in 2000 was appointed by Australia to the List of Arbitrators under

the 1991 Madrid Protocol to the Antarctic Treaty. Professor Kaye was chair of the Australian Red Cross International Humanitarian Law Advisory Committee in Tasmania in 2000 and in North Queensland in 2001–02.

Lieutenant Colonel William K. Lietzau, United States Marine Corps, is currently serving as a research fellow at the National War College, Washington, D.C. His preceding assignment was as Special Advisor to the General Counsel of the Department of Defense. Lieutenant Colonel Lietzau's duties in that capacity involved legal advice on numerous international law matters associated with the global war on terrorism including establishing the military commission process. His previous assignments included duty as Deputy Legal Counsel to the Chairman of the Joint Chiefs of Staff; Circuit Judge for the Atlantic Judicial Circuit, Navy-Marine Corps Trial Judiciary; and Head Law of Armed Conflict Branch, International and Operational Law Division Office of the Navy Judge Advocate General. Lieutenant Colonel Lietzau has served on several US delegations in recent multilateral treaty negotiations including those adopting the Terrorist Bombing Convention, the Ottawa Convention banning anti-personnel landmines, the Second Protocol to the Hague Cultural Property Convention and the Rome Statute for the International Criminal Court. He also led the United States negotiating team responsible for drafting elements of crimes for the International Criminal Court. Lieutenant Colonel Lietzau has taught international law as an adjunct professor in Georgetown Law Center's Master of Laws program. He has published several articles on international law, criminal law, and constitutional law subjects.

Lieutenant General Fabio Mini, Italian Army, holds a Business Administration Diploma; a Master's Degree in Strategic Sciences; one post-university degree in Strategic Sciences; two post-university degrees in Humanistic Sciences from the "Accademia Agostiniana," Lateran University; and one post-university degree in International Negotiation from the University of Trieste. He is a 1965 graduate of the Italian Military Academy. He has commanded all levels of mechanized units from platoon to brigade. In 1992, following the mafia assassination of two judges he led his brigade in the "Vespri Siciliani" operation against organized crime in Sicily. As a major general, he was Director of the Joint Services Senior Staff College (ISSMI) and Chief of Defense Public Information. He was Chief of Staff for NATO's Allied Forces Southern Europe (AFSOUTH) for two years. In 2002, Lieutenant General Mini was appointed as Commander, Kosovo Force (KFOR), the NATO-led international force responsible for establishing and maintaining security in Kosovo. He has written widely on military, strategic and geopolitical issues.

He lectures regularly at various universities on geopolitics and at national intelligence schools on Far East and Asian strategies, terrorism and organized crime.

Doctor Christoph Müller has served as the Deputy Director General for Legal Affairs, German Foreign Office, Berlin since July 2003. Previous assignments within the German Foreign Office include Head, South Asia Division, German Foreign Office, Berlin; Head, Political Department, German Embassy, New Delhi; Deputy Chief of Mission, German Embassy, Harare, Zimbabwe; Deputy Head, Public International Law Division, German Foreign Office, Bonn; Deputy Head of the German Delegation to the Conference on Disarmament, Geneva, 1990–93, German Embassy, Beijing; Arms Control Directorate, German Foreign Office, Bonn; and the German Mission at NATO Headquarters, Brussels. Doctor Müller has a Juris Doctor degree from the University of Augsburg, Germany and a Master of Arts degree from The Fletcher School of Law and Diplomacy, Medford, Massachusetts.

Professor Jordan J. Paust is Law Foundation Professor of International Law at the Law Center of the University of Houston. He has a Juris Doctor (J.D.) degree from the UCLA School of Law, a Master of Laws (LL.M.) degree from the University of Virginia School of Law, and is a Doctor of Juridical Science (J.S.D.) Candidate, Yale University. Professor Paust has also been a Visiting Edward Ball Eminent University Chair in International Law at Florida State University, a Fulbright Professor at the University of Salzburg, Austria, and a member of the faculty of the US Army Judge Advocate General's School, International Law Division (1969–73). He has served on several committees on international law, human rights, terrorism, and the use of force in the American Society of International Law, the American Branch of the International Law Association, and the American Bar Association and is currently Co-Chair of the American Society's International Criminal Law Interest Group. Professor Paust has authored or co-authored three books and published over 140 articles, book chapters, papers and essays in law journals in Belgium, Canada, China, England, Germany, Greece, Israel, Japan, the Netherlands, and the United States, many of which address treaties, customary international law, jurisdiction, and the incorporation of international law into US domestic law.

Mr. David B. Rivkin, Jr. is a partner in the Baker & Hostetler LLP and works in that firm's Washington, D.C. office. He has in-depth experience with various constitutional issues that are frequently implicated by federal regulatory statutes, including commerce clause-, appointments clause- and due process-related issues, as well as First and Tenth amendment-related matters. Mr. Rivkin also has practiced in the area of public international law and has extensive experience in

international arbitration and policy advocacy on a wide range of international and domestic issues, including treaty implementation, multilateral and unilateral sanctions, corporate law, environmental and energy matters. Within the federal government he has served as the Associate Executive Director and Counsel of the President's Council on Competitiveness at the White House and Associate General Counsel of the US Department of Energy. In addition to those positions, he served in the Office of then Vice President George Bush, as Legal Advisor to the Counsel to the President and as Deputy Director of the Office of Policy Development (OPD), US Department of Justice. Mr. Rivkin has published numerous papers, articles, book reviews, and book chapters on a variety of international, legal, constitutional, defense, arms control, foreign policy, environmental and energy issues in various publications.

Mr. Kenneth Roth is the Executive Director of Human Rights Watch, a post he has held since 1993. Human Rights Watch is the largest US-based international human rights organization. From 1987 to 1993, Mr. Roth served as deputy director of the organization. Previously, he was a federal prosecutor for the US Attorney's Office for the Southern District of New York and the Iran-Contra investigation in Washington. He also worked in private practice as a litigator. Mr. Roth has conducted human rights investigations around the globe, devoting special attention to issues of justice and accountability for gross abuses of human rights, standards governing military conduct in time of war, the human rights policies of the United States and the United Nations, and the human rights responsibilities of multinational businesses. He has written over 70 articles and chapters on a range of human rights topics. He also regularly appears in the major media and speaks to audiences around the world.

Professor Michael N. Schmitt is the Director of the Executive Program in International and Security Affairs and Professor of International Law in the College of International and Security Studies, George C. Marshall European Center for Security Studies, Garmisch-Partenkirchen, Germany. Professor Schmitt served in the United States Air Force for 20 years before joining the Marshall Center faculty. During his military career, he specialized in operational and international law and was senior legal adviser to multiple Air Force units, including units conducting combat operations over Northern Iraq. Professor Schmitt has been on the faculty of the Air Force Academy, where he was Deputy Head of the Department of Law, and was Assistant Director for Aerial Warfare in the Naval War College's Center for Naval Warfare Studies. He has been a Visiting Scholar at Yale Law School and lectures and teaches regularly at the International Institute of Humanitarian Law

and the NATO School. The author of many scholarly articles on law and military affairs and contributing editor for multiple volumes of the US Naval War College's International Law Studies (the Blue Books) series, his works have been published in Belgium, Chile, Germany, Israel, Peru, United Kingdom, and the United States. Professor Schmitt is a member of the American Society of International Law , the International Law Association (British Branch), and the *Société Internationale de Droit Militaire et Droit de la Guerre*.

Professor Torsten Stein is Professor of International, European Union and Comparative Constitutional Law and Director of the Institute of European Studies (Law Department) at the University of Saarland, Saarbrücken, Germany. He has been a Senior Research Fellow at the Max Planck Institute of Comparative Public and Public International Law, Heidelberg (Germany), and was a Professor at the Heidelberg Law Faculty. He is the Secretary General of the German Branch of the International Law Association (ILA) and a member of the ILA's Executive Council. He was Rapporteur of ILA's International Committees on Legal Problems of Extradition in Relation to Terrorist Offences and on International Law before National Courts, and is currently Chairman of the ILA's Committee on the International Criminal Court. He has published several books and numerous articles in his fields of law. Professor Stein is also a Colonel in the German Air Force Reserve.

Commander Dale Stephens, Royal Australian Navy (RAN), just completed a year in residence at Harvard University School of Law from which he received a Master of Laws degree and is about to join the faculty of the US Naval War College's International Law Department. His previous assignments have included Fleet Legal Officer, Maritime Headquarters Australia (Sydney); Deputy Director Operations Law, Strategic Operations Division (Canberra) and Chief Legal Officer, UN Transitional Administration in East Timor Peacekeeping Force Headquarters. Commander Stephens has served as a Legal Officer in the RAN since being admitted to practice in 1989 and has had considerable experience in matters of operational and international law, especially in the context of combined operations. He is the author of several articles dealing with, inter alia, the law of naval mine warfare, navigational rights under the 1982 United Nations Convention on the Law of the Sea and the intersection of the law of armed conflict and human rights.

Mr. Ryan P. Stiles currently serves in the White House as Deputy Counsel for the Homeland Security Council. He provides legal, technical and policy guidance on the development and implementation of interagency homeland security policy

(with particular focus on the Council's Domestic Counterterrorism Directorate) and advises the Homeland Security Advisor during domestic incidents involving terrorism and natural disasters. Mr. Stiles was appointed by President Bush in May 2003. Prior to joining the White House, Mr. Stiles practiced law in Chicago, Illinois at two prestigious law firms. His practice focused on complex commercial litigation and white collar criminal defense. Mr. Stiles also volunteered for First Defense Legal Aid, providing emergency legal representation in criminal matters to indigent clients at Chicago-area police headquarters. He received his undergraduate degree in Economics from George Mason University and his Juris Doctor degree from the University of North Carolina School of Law, Chapel Hill, North Carolina.

Professor Robert F. Turner holds both professional and academic doctorates from the University of Virginia School of Law, where in 1981 he co-founded the Center for National Security Law. He has served as its Associate Director since then except for two periods of government service in the 1980s and during 1994–95, when he occupied the Charles H. Stockton Chair of International Law at the US Naval War College. A veteran of two Army tours in Vietnam, he has served in the Pentagon as Special Assistant to the Under Secretary of Defense for Policy, in the White House as Counsel to the President's Intelligence Oversight Board, at the State Department as Principal Deputy Assistant Secretary for Legislative Affairs, and as the first President of the congressionally established United States Institute of Peace. Professor Turner is a former three-term chairman of the ABA Standing Committee on Law and National Security (and for many years editor of the ABA *National Security Law Report*). He is the author or editor of a dozen books and monographs, and numerous articles in law reviews and professional journals. Professor Turner has testified before more than a dozen different congressional committees on issues of international or constitutional law and related topics.