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Employment:

PATRICIA ROBERTS HARRIS RESEARCH PROFESSOR OF LAW, George Washington University Law School, Washington, D.C. (Full Professor, 2004-present) (Associate Professor, 1998-2004).

- Teaching courses in Public International Law, International Organizations, Foreign Relations Law (and previously in International Environmental Law, International Business Transactions).
- Chair, Appointments Committee (2007-2008); Member (2006-2008, 2003-2004).
- Chair, Curriculum Committee (2005-2006); Member (2002-2003).
- Member, Board of Editors, *American Journal of International Law* (2000-2010).
- Member, Executive Council, American Society of International Law (2001-2004).
- Member, Judicial Advisory Board, American Society of International Law (2002-present).
- Member, U.S. Department of State Legal Adviser’s Advisory Committee on Public International Law (1999-present)
- Vice-Chair, National Security Committee, American Bar Association Section of International Law (2010-2011).

LEGAL COUNSELOR, U.S. EMBASSY, The Hague, The Netherlands (1995-98)

- Argued/filed briefs before the International Court of Justice in the *Lockerbie, Iran Airbus, Iran Platforms, Paraguay (Breard)*, and *Nuclear Weapons* cases.
- Served as U.S. Agent to the Iran-U.S. Claims Tribunal, both arguing cases/filing briefs on behalf of the U.S. Government and assisting private claimants.
- Served as U.S. representative to the International Criminal Tribunal for the former Yugoslavia, which involved monitoring legal and institutional issues, providing information to the prosecutor for lead purposes and for use at trial, and coordinating other U.S. support.
- Served on delegations harmonizing private law through codification by the Hague Conference on Private International Law.

ATTORNEY, OFFICE OF THE LEGAL ADVISER, U.S. DEPARTMENT OF STATE (1987-95):

- Office of International Claims and Investment Disputes (1987-89 & 1994-95): litigation and arbitration concerning trade and investment disputes.
- Office of Oceans, Environment & Science (1992-93): negotiation of international environmental agreements and international intellectual property agreements.
- Office of Politico-Military Affairs (1989-91): interpretation of foreign assistance legislation, laws of war, and war powers; negotiation of base agreements.

LAW CLERK, Hon. Thomas A. Flannery, U.S. District Court, Washington, D.C. (1985-86).

Education:

UNIVERSITY OF VIRGINIA, Doctor of Juridical Science (S.J.D.) (1995).

- Recipient, Ford Foundation Graduate Scholarship.
- Council on Foreign Relations Fellow.

UNIVERSITY OF CAMBRIDGE, Master of Laws (LL.M.) (1987).

COLUMBIA UNIVERSITY, Juris Doctor (J.D.) (1985).

- Editor-in-Chief, *Columbia Journal of Transnational Law*.
- Harlan Fiske Stone Scholar (each year).
- Honors, Parker Program in International and Comparative Law.

CATHOLIC UNIVERSITY, Washington, D.C., B.A. (1982).

- Phi Beta Kappa, Magna Cum Laude.

Awards/Memberships:

American Society of International Law 2003 Certificate of Merit (awarded for 2002 book entitled *United States Practice in International Law, 1999-2001*).

American Society of International Law 1997 Certificate of Merit for Preeminent Contribution to Creative Scholarship (awarded for 1996 book entitled *Humanitarian Intervention: The United Nations in an Evolving World Order*).

14th Annual McLean Lecturer on World Law (2005), Pittsburgh Law School.

A.B.A. 1996 Outstanding Younger Federal Lawyer Award.

American Journal of International Law 1995 Francis Deák Prize for Outstanding Scholarship by a Younger Author (awarded for 1994 article entitled *Prospective Liability Regimes for the Transboundary Movement of Hazardous Wastes*).

U.S. Department of State Superior Honor Awards (1989 & 1998).

Recent Television & Radio Appearances:

CNN; News Hour with Jim Lehrer; McLaughlin One-on-One; ABC Evening News; Voice of America TV; National Public Radio; BBC Radio; Canadian National Radio.

Personal:

Married; three children.

Selected International Litigation

Application of the Interim Accord of 13 September 1995 (the former Yugoslav Republic of Macedonia v. Greece) (pending) (representing Macedonia).

Accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo (Request for Advisory Opinion), The Hague, July 2010 (representing Kosovo).

Damages Hearings (Group Two Claims) (Ethiopia-Eritrea), Ethiopia-Eritrea Claims Commission, The Hague, May 2008 (representing Ethiopia).

Damages Hearings (Group One Claims) (Ethiopia-Eritrea), Ethiopia-Eritrea Claims Commission, The Hague, April 2007 (representing Ethiopia).

Dispute Concerning the Maritime Boundary between Guyana and Suriname, Law of the Sea Convention Annex VII Arbitral Tribunal, Washington, D.C., December 2006 (representing Suriname).

Cases Concerning the Use of Force, Central/Western Fronts & Other Claims (Ethiopia-Eritrea), Ethiopia-Eritrea Claims Commission, The Hague, April 2005 (representing Ethiopia).

Cases Concerning the Home Front (Ethiopia-Eritrea), Ethiopia-Eritrea Claims Commission, The Hague, March 2004 (representing Ethiopia).

Cases Concerning the Central Front (Ethiopia-Eritrea), Ethiopia-Eritrea Claims Commission, The Hague, November 2003 (representing Ethiopia).

Case Concerning Oil Platforms (Iran v. U.S.), Merits Phase, International Court of Justice, The Hague, March 2003 (representing the United States).

Cases Concerning Prisoners of War (Ethiopia-Eritrea), Ethiopia-Eritrea Claims Commission, The Hague, December 2002 (representing Ethiopia).

Case Concerning Compañía del Desarrollo de Santa Elena, S.A. v. Costa Rica, International Centre for the Settlement of Investment Disputes (ICSID), Washington, D.C., May 1999 (representing Santa Elena).

Case Concerning Questions of Interpretation and Application of the 1971 Montreal Convention arising from the Aerial Incident at Lockerbie (Libya v. U.S.), Jurisdiction Phase, International Court of Justice, The Hague, February 1998 (representing the United States)

Case Concerning Aerial Incident of 3 July 1988 (Iran v. U.S.), Jurisdiction Phase, International Court of Justice, The Hague, *settled* February 1996 (representing the United States)

Case Concerning Oil Platforms (Iran v. U.S.), Jurisdiction Phase, International Court of Justice, The Hague, December 1996 (representing the United States).

Case Concerning Elettronica Sicula S.p.A. (ELSI) (U.S. v. Italy), International Court of Justice, the Hague, July 1989 (representing the United States)

PUBLICATIONS

(Some papers in draft form may be accessed on the Social Science Research Network (SSRN) through the following URL: <<http://ssrn.com/author=266471>>)

Books

PRINCIPLES OF INTERNATIONAL LAW (2006) (West).

UNITED STATES PRACTICE IN INTERNATIONAL LAW, VOLUME II: 2002-2004 (2005) (Cambridge University Press).

UNITED STATES PRACTICE IN INTERNATIONAL LAW, VOLUME I: 1999-2001 (2002) (Cambridge University Press).

PUBLIC INTERNATIONAL LAW IN A NUTSHELL (4th ed., 2007) (3d ed., 2002) (West) (with Buergenthal).
— Chinese-language edition (2005).

HUMANITARIAN INTERVENTION: THE UNITED NATIONS IN AN EVOLVING WORLD ORDER (1996) (University of Pennsylvania Press).

Casebooks

INTERNATIONAL LAW: CASES AND MATERIALS (5th ed. 2009) (West) (with Lori Damrosch, Louis Henkin & Hans Smit).

FOREIGN RELATIONS AND NATIONAL SECURITY LAW (3d ed. 2008) (West) (with Thomas Franck & Michael Glennon).

Articles/Chapters in Books

“Aggression, Legitimacy and the International Criminal Court,” 20 EUROPEAN JOURNAL OF INTERNATIONAL LAW 1147 (2009).

“The International Legality of U.S. Military Cross-Border Operations from Afghanistan into Pakistan,” in 85 Int’l L. Studies 109 (U.S. Naval War College, 2009), and in 39 ISRAELI YEARBOOK ON HUMAN RIGHTS 281 (2009).

“Criminalizing Humanitarian Intervention,” 41 CASE W. RES. J. INT’L L. 241 (2009).

“Protean *Jus ad Bellum*,” 27 BERKELEY J. INT’L LAW 22 (2009), and in A WISER CENTURY?, VERÖFFENTLICHUNGEN DES WALTHER-SCHÜCKING-INSTITUTS FÜR INTERNATIONALES RECHT AN DER UNIVERSITÄT KIEL 183 (Thomas Giegerich, ed., Duncker & Humblot, Berlin) (2009).

“Does International Law Obligate States to Open Their National Courts to Persons for the Invocation of

Treaty Norms That Protect or Benefit Persons?, in *THE ROLE OF DOMESTIC COURTS IN TREATY ENFORCEMENT: A COMPARATIVE STUDY* 61 (David Sloss, ed.) (Cambridge University Press) (2009).

“The United States and the International Court of Justice: Coping with Antinomies,” in *THE SWORD AND THE SCALES: THE UNITED STATES AND INTERNATIONAL COURTS AND TRIBUNALS* 46 (Cesare Romano ed.) (Cambridge University Press) (2009).

“Evolving Geneva Convention Paradigms in the ‘War on Terrorism’: Applying the Core Rules to the Release of Persons Deemed ‘Unprivileged Combatants,’” *75 George Washington Law Review* 1105 (2007).

“Interim Measures of Relief,” in *THE IRAN-UNITED STATES CLAIMS TRIBUNAL AT 25: THE CASES EVERYONE NEEDS TO KNOW FOR INVESTOR-STATE & INTERNATIONAL ARBITRATION*, at 75 (Christopher S. Gibson & Christopher R. Drahozal, eds.) (Oxford University Press) (2007).

“The Doctrine of Preemptive Self-Defense,” *50 Villanova Law Review* 699 (2005).

“Taking Multinational Corporate Codes of Conduct to the Next Level,” *43 Columbia Journal of Transnational Law* 389 (2005).

“Self-Defense and the Israeli ‘Wall’ Advisory Opinion: An *Ipse Dixit* from the I.C.J.?,” *99 American Journal of International Law* 62 (2005).

“Assessing the Legality of Invading Iraq,” *92 Georgetown Law Journal* 173 (2004).

“International Law, the United States, and the Non-Military ‘War’ Against Terrorism,” *14 European Journal of International Law* 347 (2003).

“Liability and the WHO Framework Convention on Tobacco Control,” *5 International Law Forum du Droit International* 62 (2003).

“Terrorism and the Concept of ‘Armed Attack’ in Article 51 of the U.N. Charter,” *43 Harvard International Law Journal* 41 (2002).

“Biotechnology and International Law,” *42 Harvard International Law Journal* 47 (2001).

“Securing Payment of the Award,” in *THE IRAN-UNITED STATES CLAIMS TRIBUNAL AND THE PROCESS OF INTERNATIONAL CLAIMS RESOLUTION* 299 (David D. Caron & John R. Crook eds., 2000) (Transnational Publishers).

“Amplifying the World Court’s Jurisdiction Through Counter-claims and Third Party Intervention,” *33 George Washington International Law Review* 5 (2000).

“Democratic Legitimacy and the Recognition of States and Governments,” *48 International and Comparative Law Quarterly* 545 (1999).

reprinted in part in *DEMOCRATIC GOVERNANCE AND INTERNATIONAL LAW* 123 (Gregory H. Fox & Brad R. Roth eds., 2000) (Cambridge University Press).

“Progress and Jurisprudence of the International Criminal Tribunal of the Former Yugoslavia,” 93 *American Journal of International Law* 57 (1999).

“Prospective Liability Regimes for the Transboundary Movement of Hazardous Wastes,” 88 *American Journal of International Law* 24 (1994).

“The Security Council, Legitimacy, and the Concept of Collective Security After the Cold War,” 32 *Columbia Journal of Transnational Law* 201 (1994).

“The *ELSI* Case: An Investment Dispute at the International Court of Justice,” 16 *Yale Journal of International Law* 391 (1991).

“The Impact of Recognition of Foreign States on Litigation in U.S. Courts,” 26 *Stanford Journal of International Law* 391 (1991) (with Mary Beth West).

Report

“Evaluation of an International Liability Regime for the WHO Framework Convention on Tobacco Control,” presented to a panel of legal experts at the World Health Organization, Geneva (April 9, 2001), available at <<http://tobacco.who.int/en/fctc/LiabilityWorkshop.html>> (English and French).

Edited Materials

“Contemporary Practice of the United States Relating to International Law,” 93 *American Journal of International Law* 161, 470, 628, & 879 (1999); *id.*, 94 *American Journal of International Law* 102, 348, 516, & 677 (2000); *id.*, 95 *American Journal of International Law* 132, 387, 626, & 873 (2001); *id.*, 96 *American Journal of International Law* 237, 461, 706, 956 (2002); *id.*, 97 *American Journal of International Law* 179, 419, 681, & 962 (2003); *id.*, 98 *American Journal of International Law* 169, 349, 579 & 820 (2004).

Book Reviews/Shorter Pieces

“Shabtai Rosenne, The Law and Practice of the International Court, 1920-2005 (4th ed. 2006),” in 100 *American Journal of International Law* 963 (2006).

Foreword to “Lawyers and Wars: A Symposium Issue in Honor of Edward R. Cummings,” 38 *George Washington International Law Review* 101 (2006).

“Humanitarian Intervention,” in I ENCYCLOPEDIA OF GENOCIDE AND CRIMES AGAINST HUMANITY 465 (Dinah L. Shelton, ed. 2005) (Macmillan).

“The Law of the Lands: Why US Courts Look Overseas,” *Boston Globe*, June 5, 2005.

“John Hart Ely, War and Responsibility (1993),” in 88 *American Journal of International Law* 843 (1994).

Selected Conference Lectures/Presentations/Commentary

“International Court Jurisprudence on the Use of Force: Comparing Georgia v. Russia to the Iran-U.S. Oil Platforms Case,” American Bar Association Section on International Law, Spring Meeting, Washington, D.C. (Apr. 15, 2009).

“The Concept of International Law,” American Society of International Law Annual Conference, Washington, D.C. (Mar. 26, 2009), *Proceedings of the 103rd Annual Meeting, American Society of International Law* _____ (forthcoming).

“Criminalizing Humanitarian Intervention,” Case Western University Law School, Cleveland, Ohio (Sept. 26, 2008); U.S. Department of State Advisory Committee on Public International Law, Washington, D.C. (Nov. 7, 2008); Fletcher School of International Law and Diplomacy, Tufts University, Medford, Massachusetts (Nov. 14, 2008).

“The President’s Understated Power to Appoint and Receive Ambassadors,” Vanderbilt Law School, Nashville, Tennessee (Sept. 12, 2008).

“The Legality of U.S. Cross-Border Operations from Afghanistan Into Pakistan,” U.S. Naval War College (June 26, 2008).

“The Nature and Sources of International Law,” U.S. Foreign Service Institute Training Program on “Fundamentals of International Law,” Washington, D.C. (May 14, 2008).

“Corporations, Crimes, and Transnational Law,” George Washington University Law School Symposium on “Transnational Corporate Responsibility for the 21st Century”, Washington, D.C. (April 8, 2008) (moderator).

“The Legacy of Iraq: Its Impact on International Law,” American Society of International Law Annual Conference, Washington, D.C. (Apr. 11, 2008), *Proceedings of the 102d Annual Meeting, American Society of International Law* 215 (2008) .

“Protean *Jus ad Bellum*,” Walther-Schücking-Institut für Internationales Recht, Christian-Albrechts University of Kiel, Germany (Nov. 9, 2007), and Temple Law School International Law Colloquium, Philadelphia, PA (March 27, 2008).

“State Courts and International Tribunals,” George Washington University Law School Symposium on “Is There a New Common Law of Investment Arbitration?”, Washington, D.C. (October 16, 2007) (moderator).

“*Hamdan* and the Military Commissions Act of 2006: An Overview,” American Society of International Law Annual Conference, Washington, D.C. (Mar. 30, 2007), *Proceedings of the 101st Annual Meeting, American Society of International Law* 339 (2007) .

“Strategies and Instruments for International Environmental Change,” National Association of Environmental Law Societies, 19th Annual Conference, George Washington University, Washington, D.C. (Mar. 16, 2007) (moderator).

“The United States and the International Court of Justice: Coping with Antinomies,” Georgetown

University International Legal Theory Colloquium, Washington, D.C. (February 23, 2007).

“What is International Law?”, Federal Judicial Center Program on International Law & Litigation for U.S. Judges, Washington, D.C. (Nov. 13, 2006) & District of Columbia Superior Court Judges Annual Conference, Washington, D.C. (May 4, 2007).

“Evolving Geneva Convention Paradigms in the ‘War on Terrorism,’” George Washington Law Review Symposium on “The New Face of Armed Conflict: Enemy Combatants After *Hamdan v. Rumsfeld*,” Washington, D.C. (Oct. 20, 2006).

“International Law Five Years After 9/11,” American Society of International Law Panel for Capital Hill Staffers, Washington, D.C. (Sept. 12, 2006).

“Eritrea’s Invasion of Ethiopia: The Eritrea Ethiopia Claims Commission’s *Jus ad Bellum* Award,” Addis Ababa University Law School, Addis Ababa, Ethiopia (May 22, 2006).

“Interim Measures of Relief: Ten Lessons from the Iran-U.S. Claims Tribunal’s Jurisprudence,” American Society of International Law Annual Conference, Washington, D.C. (Mar. 29, 2006).

“International and Foreign Law as a Part of U.S. Law,” American Society of International Law Seminar-by-Web (“Webinar”) (Mar. 9, 2006), *available at* <<http://www.asil.org>>.

“Reflections on the 2003 U.S. Supreme Court Term,” American Society of International Law Annual Conference, Washington, D.C. (Mar. 31, 2005) (moderator).

“The United States and the International Court of Justice,” George Washington University Elliot School of International Affairs (Feb. 23, 2005 & March 7, 2007).

“Taking Multinational Corporate Codes of Conduct to the Next Level,” George Washington University Institute for International Corporate Governance and Accountability, Washington, D.C. (Nov. 5, 2004).

“The Doctrine of Preemptive Self-Defense,” Tufts University Fletcher School of Foreign Affairs (Oct. 1, 2004), and Villanova Law School (Oct. 23, 2004).

“The United States and the Foundations of International Law,” British Institute of International & Comparative Law, London, United Kingdom (Nov. 28, 2003).

“The Structure of the International and European Legal System and Its Values,” Hague Joint Conference on Contemporary Issues of International Law, The Hague (July 5, 2003), in *FROM GOVERNMENT TO GOVERNANCE: 2003 HAGUE JOINT CONFERENCE ON CONTEMPORARY ISSUES OF INTERNATIONAL LAW* 391 (2003).

“Commentary on ‘Peacemaking: The Interaction of Law, Politics and Diplomacy,’” American Society of International Law Annual Conference, Washington, D.C. (Apr. 4, 2003), *published in part in Proceedings of the 97th Annual Meeting, American Society of International Law* 177 (2003) (commentary on speech by former Senator George Mitchell).

“Universal Jurisdiction in International Law,” Haifa University Law School, Israel (Dec. 17, 2002).

“Terrorism and International Law,” American Society of International Law, Tillar House, Washington, D.C. (Nov. 1, 2002).

“International Intervention and State Sovereignty,” China Reform Forum, Beijing, China (Jan. 14, 2002).

“The Concept of Obligation in International Law: Is the Constructivist Perspective Helpful?,” McGill University Workshop (Oct. 5, 2001).

“Modalities and Practicalities of Reform to Address Humanitarian Intervention,” Duke University School of Law (Apr. 20, 2001), *published with on-line journal American Diplomacy at* http://www.unc.edu/depts/diplomat/articles/hum_intervention/hum_07_murphy.html.

“The U.S. Lawyer-Statesman at Times of Crisis: A Look at Colonial America,” American Society of International Law Annual Conference, Washington, D.C. (Apr. 6, 2001), *published in part in Proceedings of the 95th Annual Meeting, American Society of International Law* (2001).

“Calibrating Global Expectations Regarding Humanitarian Intervention,” Joint Conference of Minda de Gunzburg Center for European Studies at Harvard University and Kenan Institute for Ethics at Duke University, Cambridge, Mass. (Jan. 18-19, 2001).

“The Rise and Fall of Slave Labor Claims Against Companies of the Axis Powers,” International Law Association, U.S. Branch, Annual Conference, New York (Oct. 27, 2000).

“Biotechnology and Sustainable Development,” Fourth Annual J.B. and Maurice C. Shapiro Environmental Law Conference, George Washington University (Apr. 13, 2000) .

“The Intervention in Kosovo: A Law-Shaping Incident?” American Society of International Law Annual Conference, Washington, D.C. (Apr. 8, 2000), *published in part in Proceedings of the 95th Annual Meeting, American Society of International Law* 302 (2001).

“Humanitarian Intervention and the Kosovo Crisis,” ABA Standing Committee on Law and National Security Annual Conference, Washington, D.C. (Oct. 29, 1999), and the International Law Association, U.S. Branch, Annual Conference, New York (Nov. 5, 1999).

“The ICC’s Jurisdiction Over the Crime of Aggression,” International Law Students Association Annual Conference, New Orleans (Oct. 8, 1999).

“Does the World Need a New International Environmental Court?” Third Annual J.B. and Maurice C. Shapiro Environmental Law Conference, George Washington University (Apr. 15, 1999), *published in 32 George Washington Journal of International Law and Economics* 333 (2000).

“The Bombing of Pan Am Flight 103: Examination of a Potential Criminal Trial in The Hague,” Georgetown University, Washington, D.C. (Dec. 1 1998).

“The Role of the United Nations in the Maintenance of Peace Before and After the Year Two Thousand,” *26 Georgia Journal of International and Comparative Law* 115 (1995).

“Nation-Building: A Look at Somalia,” *3 Tulane Journal of International and Comparative Law* 19 (1995).

“The Role of Bilateral Defense Agreements in Maintaining the European Security Equilibrium,” 24 *Cornell Journal of International Law* 415 (1991).

“Executive Branch Implementation of Arms Control Treaties,” *Proceedings of the 85th Annual Meeting, American Society of International Law* 483 (April 1991) (moderator).

“Neutrality, the Rights of Shipping and the Use of Force in the Persian Gulf War,” *Proceedings of the 82nd Annual Meeting, American Society of International Law* 592 (April 1988) (reporter).

August 18, 2010

Sean D. Murphy

Sean D. Murphy is the *Patricia Roberts Harris Research Professor of Law* at the George Washington University Law School in Washington, D.C. He currently teaches Public International Law, Foreign Relations Law, and International Organizations, and has previously taught International Environmental Law and International Business Transactions. Professor Murphy has a B.A. from Catholic University of America, J.D. from Columbia University, LL.M. from Cambridge University, and S.J.D. from the University of Virginia. From 1987 to 1995, Professor Murphy served in the Office of the Legal Adviser at the U.S. Department of State, specializing in international environmental, claims, and politico-military matters. From July 1995 to July 1998, Professor Murphy served as the Legal Counselor of the U.S. Embassy in The Hague. In that capacity, he represented the U.S. Government before the International Court of Justice, the International Criminal Tribunal for the former Yugoslavia, the Permanent Court of Arbitration, the Hague Conference on Private International Law, and as the U.S. Agent to the Iran-U.S. Claims Tribunal. Since leaving the U.S. Government, Professor Murphy has represented several countries in international courts and tribunals, including Ethiopia, Kosovo, Macedonia, and Suriname.

Professor Murphy's book entitled *Humanitarian Intervention: The United Nations in an Evolving World Order* (University of Pennsylvania Press, 1996), won the American Society of International Law (ASIL) 1997 certificate of merit for preeminent contribution to creative scholarship. He has published articles in a variety of national and international law journals, and was awarded the *American Journal of International Law* 1994 Deák Prize for best scholarship by a younger author. His most recent books are *International Law: Cases and Materials* (West 2009) (with Damrosch, Henkin, and Smit); *Foreign Relations and National Security Law: Cases, Materials and Simulations* (West 2008) (with Franck and Glennon); *Public International Law in a Nutshell* (West 4th ed. 2007) (with Buergenthal); *Principles of International Law* (West 2006); *United States Practice in International Law 2002-2004* (Cambridge University Press 2005); *United States Practice in International Law 1999-2001* (Cambridge University Press 2002) (which also won an ASIL certificate of merit). Professor Murphy has served on the Board of Editors of the *American Journal of International Law* and on the ASIL Executive Council.