

Beth Van Schaack

Professor of Law

Santa Clara University School of Law □ 500 El Camino Real □ Santa Clara, CA 95053

EDUCATION

YALE LAW SCHOOL, J.D. (1997)

- *Student Director*, Schell Center for International Human Rights & Lowenstein Human Rights Clinic
- *Editor*, YALE LAW JOURNAL

STANFORD UNIVERSITY, B.A., Human Biology with a concentration in Feminism & Public Policy, (1991); Phi Beta Kappa

EXPERIENCE

STANFORD LAW SCHOOL, STANFORD UNIVERSITY (2014-15)

Leah Kaplan Visiting Professor in Human Rights. Teaching, blogging, and writing in the areas of human rights, national security, international criminal law, the law of armed conflict; developed new international criminal law intensive course with site visits to The Hague; developed new Policy Lab on Legal & Policy Tools to Prevent Atrocities; teaching International Justice with the International Policy Studies Program.

FREEMAN SPOGLI INSTITUTE FOR INTERNATIONAL STUDIES AT STANFORD UNIVERSITY

- *Visiting Scholar*, Center for International Security & Cooperation (2013-2014). Researching U.S. and global policy on atrocities prevention and response.
- *Visiting Scholar*, Center on Democracy, Development & the Rule of Law (2009-10). Researched the uses and misuses of international humanitarian law in U.S. litigation and the responsiveness of the major international institutions (including United Nations bodies, human rights committees, and international criminal tribunals) to women's human rights claims.

U.S. DEPARTMENT OF STATE, Washington D.C.

- *Deputy*, Ambassador-at-Large for War Crimes Issues, Office of Global Criminal Justice (2012-2013). Helped advise the Secretary of State and the Under Secretary for Civilian Security, Democracy, and Human Rights on issues related to war crimes, crimes against humanity, and genocide; helped formulate U.S. policy on the prevention of, responses to, and accountability for mass atrocities; advised U.S. and foreign governments on the appropriate use of a wide range of transitional justice mechanisms; coordinated U.S. government positions relating to the international and hybrid courts.
- *Member*, U.S. Secretary of State's Advisory Committee on International Law (ACIL) (2009-2014).
- *Academic Adviser*, U.S. Delegation, ICC Review Conference, Kampala, Uganda (2010). Advised inter-agency delegation prior to and during the first Review Conference for the International Criminal Court on issues of international criminal law, human rights, and public international law.

SANTA CLARA UNIVERSITY SCHOOL OF LAW, Santa Clara, CA (2003-present) (on leave 2012-15)

Professor of Law. Teach and write in the areas of Public International Law, International Human Rights, International Criminal & Humanitarian Law, Transitional Justice, and Civil Procedure.

- *Program Director & Faculty*, Geneva/Strasbourg Program in International Human Rights (2005 & 2010) & Human Rights in the Americas (San José, Costa Rica) (2006, 2007 & 2009).

- *Faculty*, Women's Rights as Human Rights, Oxford University/G.W. School of Law, Human Rights Summer Program (2008).
- American Society of International Law (ASIL): Judicial Benchbook Editorial Board, Co-Chair ICL Interest Group, and Annual Meeting Committee Member (2009, 2013).
- *Founder & Co-Director*, The Institute for Redress and Recovery.
- *Committee Service*, Academic Affairs, Center for Global Law & Policy, Appointments, Faculty Affairs, International Law Students Association & *Journal of International Law* adviser.

THE CENTER FOR JUSTICE & ACCOUNTABILITY, San Francisco, CA

- *Litigation Adviser* (2001-present).
- *Acting Executive Director* (2000-2001). Fulfilled CJA's mission; developed and implemented strategic planning; maintained overall responsibility for budget, staffing, program development and implementation; fostered institutional relationships; and provided leadership in the human rights movement on the local, national, and international levels.
- *Staff Attorney* (1998-1999). Conducted human rights litigation in U.S. courts and wrote briefs for human rights litigation in other fora.

MORRISON & FOERSTER, Palo Alto, CA (1999-2003)

Litigation Associate. Engaged in litigation and arbitration in state, federal, and international fora.

OFFICE OF THE PROSECUTOR, INTERNATIONAL CRIMINAL TRIBUNALS FOR THE FORMER YUGOSLAVIA AND RWANDA, The Hague, The Netherlands (1997-1998)

Law Clerk. Assisted in the prosecution of individuals indicted for violations of international humanitarian law and international criminal law in the former Yugoslavia and Rwanda. Research and brief writing on issues of international criminal law and comparative criminal procedure.

ORGANIZATIONAL AFFILIATIONS

DOCUMENTATION CENTER OF CAMBODIA (DC-CAM), Phnom Penh, Cambodia (1995-present)

Instructor & Legal Adviser. Advise Center on international law questions arising out of the establishment of the Extraordinary Chambers in the Courts of Cambodia to prosecute surviving members of the Khmer Rouge. Teach courses in international criminal law, evidence and procedure.

ACCOUNTABILITY COUNCIL, San Francisco, CA (2010-present)

Legal Adviser. Advise staff attorneys on litigation and mediation strategies on behalf of local communities impacted by international development projects.

INTERNATIONAL JUSTICE RESOURCE CENTER, San Francisco, CA (2011-present)

Legal Adviser. Advise online platform on developing human rights resources for local advocates.

COMMISSION ON JUSTICE & ACCOUNTABILITY, Brussels, Belgium (2013-present)

Legal Adviser. Advise Syrian investigators on documenting human rights violations and abuses committed during the Syrian war.

INTERNATIONAL SERVICE FOR HUMAN RIGHTS, Geneva, Switzerland (1998)

Head of Delegation. Represented ISHR and managed delegation team at the Rome Conference of the International Criminal Court.

SELECT ACADEMIC PUBLICATIONS

International Human Rights

- *The United States' Position on the Extraterritorial Application of Human Rights Obligations: Now is the Time for Change*, 90 INT'L L. STUD. 20 (2014).
- Co-Editor (with Daryn Reicherter, M.D.) & Contributor, *CAMBODIA'S INVISIBLE SCARS: TRAUMA PSYCHOLOGY IN THE WAKE OF THE KHMER ROUGE* (2011).
- *Staterways v. Folkways: International Human Rights & Gender Stereotypes*, 12 INT'L FEMINIST J. OF POLITICS (2010).
- *The Principle of Legality in International Criminal Law*, 2009 ASIL PROCEEDINGS 101.
- Engendering Genocide: *Akayesu* and the Affirmation of Genocidal Rape, in *HUMAN RIGHTS ADVOCACY STORIES* (Hurwitz, Satterthwaite & Ford, eds. 2008).
- *Crimen Sine Lege: Judicial Lawmaking at the Intersection of Law & Morals*, 97 GEORGETOWN L. J. 119 (2008).
- *The Story Behind the Case that Launched a Legal Revolution*, 30 HUM. RTS. Q. 1042 (2008) (reviewing William J. Aceves, *THE ANATOMY OF TORTURE: A DOCUMENTARY HISTORY OF FILÁRTIGA V. PEÑA-IRALA* (2007)).
- *With All Deliberate Speed: Civil Human Rights Litigation As a Tool for Social Change*, 57 VANDERBILT LAW REVIEW 2305 (2005).
- *Justice Without Borders: Civil Universal Jurisdiction*, 2005 ASIL PROCEEDINGS 120.
- *Unfulfilled Promise: The Human Rights Class Action*, 2003 UNIV. OF CHICAGO LEGAL FORUM 279, excerpted in Steinhardt et al., *INTERNATIONAL HUMAN RIGHTS LAWYERING* (2009).
- *In Defense of Civil Redress: The Enforcement of Human Rights Through Civil Litigation in the Context of the Proposed Hague Judgments Convention*, 42 HARV. INT'L L. J. 143 (2001), reviewed in *FOREIGN POLICY* (March/April 2002) at 87.

International Criminal Law

- *ICC Fugitives: The Need for Bespoke Solutions*, UCLA ICC FORUM (2014), <http://iccforum.com/arrest>.
- *INTERNATIONAL CRIMINAL LAW & ITS ENFORCEMENT* (3rd ed. Foundation Press 2014) (with Ron Slye), reviewed by Robert Sloane, 6 J. OF INT'L CRIM. JUSTICE 399 (2008).
- *THE ESSENTIALS OF INTERNATIONAL CRIMINAL LAW* (Aspen Press 2008) (with Ron Slye).
- Co-Editor & Contributor, Special Issue, *Women & International Criminal Law*, 3 INT'L CRIM. LAW REVIEW (2011).
- "Crimes against Humanity," in *OXFORD BIBLIOGRAPHIES ONLINE: INTERNATIONAL LAW* (Tony Carty, ed. Oxford University Press. 2012).
- *Atrocity Crimes: Year-In-Review*, 7 NORTHWESTERN HUM. RTS. L. J. 170 (2009).
- *Obstacles On The Road To Gender Justice: The International Criminal Tribunal for Rwanda As Object Lesson*, 17 AMERICAN UNIV. J. OF GENDER, SOCIAL POLICY & LAW 355 (2009).
- Editor & Contributor, *BRINGING THE KHMER ROUGE TO JUSTICE: PROSECUTING MASS VIOLENCE BEFORE THE CAMBODIAN COURTS* (Mellon Press 2005) (with Jaya Ramji-Nogales), reviewed by Margaret M. DeGuzman, 19 CRIM. L. FORUM 335 (2008).
- *Darfur and the Rhetoric of Genocide*, 26 WHITTIER LAW REVIEW 1101 (2005).
- *Command Responsibility: An Anatomy of Proof in Romagoza v. Garcia*, 36 U.C. DAVIS L. REV. 1213 (2003).
- Primary Contributor and Editor, *The Statute of the International Criminal Court in Light of the Deliberations in Rome* (International Service for Human Rights, Geneva, Switzerland, 1999).

- *The Definition of Crimes Against Humanity: Resolving the Incoherence*, 37 COLUMBIA J. OF TRANSNAT'L L. 787 (1999).
- *The View from Beijing: The Establishment of the Permanent International Criminal Court in Light of the Experience of the Two Ad Hoc Tribunals*, 17 CHINESE Y.B. OF INT'L L. & AFFAIRS (1999).
- *The Definition of Genocide: Repairing the Genocide Convention's Blind Spot*, 7 YALE L. J. 2259 (1997).

Public International Law & International Humanitarian Law

- *The Killing of Osama Bin Laden & Anwar Al-Aulaqi: Uncharted Legal Territory*, 14 YEARBOOK OF HUMANITARIAN LAW 255 (2012).
- *Par In Parem Imperium Non Habet: Complementarity and the Crime of Aggression*, 10 J. INT'L CRIM. JUSTICE 133 (2012) (named Editor's Choice).
- *The Crime of Aggression and Humanitarian Intervention on Behalf of Women*, 11(3) INT'L CRIM. L. REV. 477 (2011).
- *Negotiating at the Interface of Power & Law: The Crime of Aggression*, 49 COLUMBIA J. TRANSNAT'L L. 505 (2011).
- *The Grass That Gets Trampled When Elephants Fight: Will the Codification of the Crime of Aggression Protect Women?*, 15 UCLA J. INT'L L & FOR. AFF. 327 (2010).
- *Finding the Tort of Terrorism in International Criminal Law*, 28 UNIV. OF TEXAS, REVIEW OF LITIGATION 381(2009).
- *Forward*, Symposium on International Law in United States Courts, 45 SANTA CLARA LAW REVIEW 807 (2005).

OTHER

- *Executive Editor*, JUSTSECURITY BLOG on the interface of national security law and human rights: justsecurity.org.
- *Founder & Editor*, INTERNATIONAL LAW GRRLS, a blog by and about women in international law: <http://intlwgrrls.blogspot.com/search/label/BVS>.
- Brief writing for human rights and international law cases proceeding in the U.S. Supreme Court and Circuit Courts, including *Al Odah v. United States* (U.S. SCt), *Presbyterian Church of Sudan v. Talisman Energy* (2d Cir.).
- *Panelist & Organizer*, International Humanitarian Law Workshops co-hosted with the International Committee of the Red Cross (2007-2012).
- Conversational French and Spanish.
- Avid yogini.