

MEMORANDUM

To: Executive Council, American Society of International Law

From: Gráinne de Búrca, Chair, 2022-3, ASIL Honors Committee (on behalf of Committee Members Tendayi Achiume, Karima Bennoune, Hannah Buxbaum and Tom Ginsburg)

Date: October 17, 2022

Subject: ASIL Honors Committee Report and Recommendations

This memorandum constitutes the report of the 2022-23 ASIL Honors Committee and contains the Committee's recommendations to the Executive Council for the award of the three main ASIL honors for 2023. The honors are the following:

- The Manley O. Hudson Medal, awarded to a distinguished person of American or other nationality for outstanding contributions to scholarship and achievement in international law. The 2022 recipient was Lori Fisler Damrosch. For the 2023 Manley O. Hudson Medal, the Committee nominates **Professor Antony Anghie**.
- The Goler T. Butcher Medal, awarded to a distinguished person of American or other nationality for outstanding contributions to the development of effective realization of international human rights. The 2022 recipient was Chile Eboe-Osuji. For the 2023 Goler T. Butcher Medal, the Committee nominates **Patricia Viseur Sellers**.
- The Honorary Member Award, awarded to an individual of American or other nationality who has rendered distinguished contributions or service in the field of international law. The 2022 recipient was Bhupinder S. Chimni. For the 2023 Honorary Member Award, the Committee nominates **Felice Gaer**.

The 2022-2023 ASIL Honors Committee was appointed in spring 2022 by ASIL President Gregory Shaffer. In summer 2020 the Society posted a Call for Nominations and circulated it in a range of venues. The Committee received multiple nominations in each category and added several other nominations to the pool for each category. As a result, the Committee had a strong and accomplished set of nominees to consider for each of the three awards. Background materials relating to all of the nominations were reviewed by the Committee and were discussed in a number of zoom meetings. The Committee is grateful for the help and advice of Executive Director Mark Agrast, whose experience and wisdom guided us during the procedure; and for the support and assistance of Selma Laporte in managing the process smoothly and efficiently.

The Committee unanimously recommends the following candidates to the Executive Council for the awards below:

The Manley O Hudson Medal:

Antony Anghie

Professor Antony Anghie's scholarship, teaching and insights have had a profound and transformative influence on the field of international law and international legal scholarship.

He is currently Professor of Law at the National University of Singapore. Previously he was Samuel D Thurman Professor of Law at the S.J. Quinney School of Law at the University of Utah. He has been a visiting professor at the American University Cairo, Cornell Law School, the London School of Economics, Harvard Law School, the University of Tokyo, the University of Helsinki, Kent Law School and the University of Brasilia, amongst others.

Professor Anghie is co-Editor-in-Chief of the Asian Journal of International Law, and he has served on the editorial board of the American Journal of International Law. He has held various positions within the Asian Society of International Law, including organizing its biennial Conference in Beijing in 2011, and he is currently Secretary-General of the Society. In 2010 he delivered the Grotius Lecture at the Annual Meeting of the American Society of International Law.

His research interests and contributions have ranged across multiple fields of public and private international law, including human rights and globalization, development and international law, terrorism and the use of force, international economic law, as well as colonialism and the history and theory of public international law, and Third World Approaches to International Law (TWAIL). Professor Anghie's critical and historical scholarship in international law has been path breaking. Having been part of the original group of scholars to first create and coin the term TWAIL and to launch this approach to the study of the international legal order, Professor Anghie has for decades been one of the leading intellectual voices to articulate and develop this critique. His article with B.S. Chimni on *Third World Approaches to International Law and Individual Responsibility in Internal Conflicts* (2003) brought renewed attention to this growing school of international legal scholarship which aims to unmask the hierarchies of international law and to expose the inequalities, hypocrisies, and exploitative dimensions of international legal ordering.

Anghie's enormously influential monograph *Imperialism, Sovereignty and the Making of International Law* (2005) paved the way for many amongst the current generation of scholars to unearth and address the enduring legacies of colonialism and imperialism within the international order. He has written powerfully on the Eurocentric origins of international law, and the subjugation and marginalization of the interests and voices of the Global South and the peripheries within the international order. In addition to his intellectual and scholarly contributions, Professor Anghie has played an important part in mentoring more junior academics and in developing and supporting a network of scholars in this field of critical international law, which aims to reveal and challenge an unequal global order, as well as the role of international law in creating and sustaining that order.

The Goler T. Butcher Medal

Patricia Viseur Sellers

Patricia Sellers is a distinguished international criminal lawyer whose work on sexual violence has been crucial to the development of this field. She is currently Special Adviser on Slavery Crimes at the Office of the Prosecutor of the International Criminal Court (ICC), and was previously Special Advisor for Gender at the Office of the Prosecutor of the ICC. Prior to that, she was the Legal Advisor for Gender, Acting Head of the Legal Advisory Section, and a prosecutor at the Yugoslav Tribunal (ICTY) for over a decade, and the Legal Advisor for Gender at the Rwanda Tribunal (ICTR) for five years before that. While occupying these positions she has helped to develop legal strategies and legal standards for the interpretation of sexual violence as a war crime, a crime against humanity, torture, and enslavement.

In addition to her role in the development of international criminal law in practice, Patricia Sellers has taught international criminal law and human rights law at Kellogg College, Oxford, where she has been a Visiting Fellow. She is also a Practicing Professor at the London School of Economics as well as a Senior Research Fellow at the Human Rights Center of the University of California, Berkeley. She has published important articles and essays on sexual violence and human rights, including *Sexual Violence and Peremptory Norms: The Legal Value of Rape* (2002), *The Prosecution of Sexual Violence in Conflict: the Importance of Human Rights as Means of Interpretation* (2008), *Wartime Female Slavery* (2011) and *Collective Criminality and Sexual Violence: Fixing a Failed Approach* (2020).

Sellers has advised governments, international institutions, and civil society organizations on international criminal law and humanitarian law, focusing on the prosecution of sexual violence, and she has testified on several occasions as an expert witness before national and international tribunals.

Throughout her career, Patricia Sellers has strongly advocated for and promoted intersectional approaches to international justice and to legal accountability for atrocity. She has been a trailblazer for the recognition and prosecution of sexual violence as an international crime, and has been a crucial actor in the development and promotion of legal standards in this important field.

Honorary Member Award

Felice Gaer

Throughout her long career, Felice Gaer has made critically important contributions to the development, interpretation, and implementation of international human rights law, including in the areas of prevention of torture, women's human rights and freedom of religion or belief.

She was a member of the UN Committee against Torture (CAT) from 2000-2019, and was the first US national to serve on that body. She undertook vital leadership roles as Vice-Chair of the Committee, and as a passionate advocate and promoter of the Committee's jurisprudence on gender in both its country-focused work as well as its thematic output. Gaer led the drafting of the CAT General Comments 2 and 3 which articulated and underscored the Committee's position that gender is a key factor which intersects with other characteristics to affect how women are subjected to torture. These General Comments recognized gender-based violence as being important to the Committee's work, and declared that where State authorities fail to exercise due diligence to prevent and punish the commission of such violence by non-State actors, they incur responsibility under the Convention. The General Comments also emphasize that complaint and investigation mechanisms must be accessible to women and must be non-discriminatory.

Gaer also regularly raised gender-specific aspects of torture and ill-treatment in the CAT's concluding observations on a range of country (state party) reports, from Afghanistan to Ireland and beyond, and promoted the mainstreaming of women's human rights throughout the Committee's jurisprudence. At the same time, Gaer authored a number of crucial scholarly articles documenting and publicizing this gender jurisprudence. As Executive Director of the Jacob Blaustein Institute for the Advancement of Human Rights for nearly thirty years, she has worked to strengthen the UN human rights system and provide support to Special Procedures mandate holders, and to defend the universality of human rights. Gaer also served on the United States Commission on International Religious Freedom for 11 years.

Felice Gaer's distinguished service to the field of international law across several fields has been extensive, courageous, tireless, and transformative.