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MEMORANDUM

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TO: Executive Council, American Society of International Law
FROM: John R. Crook, Chair, 2020-2021 ASIL Honors Committee (on behalf of Committee Members John B. Bellinger III, Laurence Boisson de Chazournes, Lawrence H. Martin, and Natalie Y Morris-Sharma)
DATE: October 29, 2020
SUBJECT: ASIL Honors Committee Report and Recommendations

This memorandum constitutes the 2020-21 ASIL Honors Committee report, and contains the Committee's recommendations to the Executive Council for the 2021 recipients of three ASIL honors. These awards are:

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- 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 2020 recipient was Rüdiger Wolfrum. For the 2021 Manley O. Hudson Medal, the Committee nominates Professor Bernard H. Oxman.
- 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 2020 recipient was Claudio Grossman. For the 2021 Goler T. Butcher Medal, the Committee nominates The Honorable. Louise Arbour.
- 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 2020 recipient was Mónica Pinto. For the 2021 Honorary Member Award, the Committee nominates The Honorable Abdulqawi Ahmed Yusuf.

The 2020-2021 ASIL Honors Committee was appointed in the summer of 2020 by ASIL President Catherine Amirfar. As is customary, the Society circulated in the summer of 2020 a General Call for Nominations in multiple venues. These included the ASIL Newsletter, the ASIL website, and the biweekly ASIL e-bulletin. Committee members also informally solicited nominations from ASIL members.

The Committee received several nominations in each category from the General Call and added additional nominations to the pool for each category. As a result, the Committee had a highly 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 carefully discussed via email and teleconference. The Committee also benefitted from the guidance of Executive Director Mark Agrast; his advice and the invaluable assistance of Selma Laporte are gratefully acknowledged.

The Committee makes the following unanimous nominations to the Executive Council.

The Manley O. Hudson Medal

Bernard H. Oxman

Professor Oxman is the Richard A. Hausler Professor of Law at the University of Miami School of Law and has been a global leader in forging, strengthening, and teaching the law of the sea and its application in the peaceful settlement of disputes. A group of scholars who nominated Professor Oxman described him as being “among the most distinguished international lawyers of his generation.” To quote from their nomination:

Like Manley Hudson, Bernie has contributed to international law in many roles – as scholar, government legal adviser, and international judge, among other positions – and in all of them his contribution has been distinguished. As Assistant Legal Adviser in the U.S. Department of State (1968-1977) and as U.S. representative and vice-chair of the U.S. delegation to the Third U.N. Conference on the Law of the Sea (1973-1982) and chair of the Conference’s English drafting committee, he played a major role in the negotiation of the United Nations Convention on the Law of the Sea and especially in the crafting of its path-breaking dispute settlement procedure. He stands at the top of the field today, for more than half a century of contributions to the law of the sea and international dispute settlement.

He has taught international law at the University of Miami since 1977 and has lectured at many other U.S. and foreign universities. He has been elected a titular member of the Institut de Droit International where he commands great respect. He has published widely and authoritatively on a spectrum of international law subjects.

Especially noteworthy is Bernie’s service as an international judge ad hoc in multiple cases: he is, to our knowledge, the only U.S. national to have served as a judge ad hoc of both the International Court of Justice and the International Tribunal for the Law of the Sea. In that capacity he effected a major change in the often maligned role of judges ad hoc, who, with some brave exceptions, were generally assumed to fulfill the role by restating (if need be in dissent) the arguments of the party that appointed them. Bernie, as ad hoc judge in Land Reclamation, a case before ITLOS, broke that tradition and established a new pattern: at the provisional measures phase in 2003, he had both of the ad hoc judges issue a joint declaration in support of the Tribunal’s unanimous order. Similarly, he and his fellow ITLOS judge ad hoc submitted a joint declaration in support of the Tribunal’s 2012 judgment in Bay of Bengal. And he and his fellow judge ad hoc of the ICJ in the 2009 case of Maritime Delimitation in the Black Sea subscribed to the Court’s unanimous judgment on the merits. In doing so, he has ennobled and provided new meaning to the role of the ad hoc judge in public international law. Bernie has served ASIL in many matters, including as the Co-Editor in Chief of the

American Journal of International Law from 2003 to 2013, as a Vice President from 2007 to 2009, and as a Patron. For his series of articles on the law of the sea negotiations in the American Journal of International Law he was awarded the Journal's Francis Deák Prize for scholarship in 1978. He has served on the Journal's Board of Editors since 1986 and continues as a regular contributor to the Journal's pages, most recently in the April 2020 issue.

The Goler T. Butcher Medal

Louise Arbour

Throughout her distinguished career, Louise Arbour has been a sustained and powerful voice for a more compassionate and just world. She has been a force for human rights and the promotion of accountability both at the national level - as law professor, judge on the courts of Ontario, and Justice on the Supreme Court of Canada - and internationally, as UN High Commissioner for Human Rights, Chief Prosecutor of the International Criminal Tribunals for the former Yugoslavia and Rwanda, UN Special Representative for International Migration, and as a leader in civil society.

Called to the Quebec Bar in 1971, Mme. Arbour served for 13 years as Associate Professor of Law and later Associate Dean at Osgoode Hall Law School, specializing in criminal law and criminal procedure. She became a judge on the Ontario Supreme Court in 1987 and in 1990 became the first Francophone to be appointed to Ontario's Court of Appeal. In 1995, she headed a commission of inquiry to investigate events involving of abuse of female inmates at a women's prison in Kingston, Ontario; her critical report called for reform and insisted on justice for inmates as a personal right.

In 1996, the UN Security Council appointed Mme. Arbour to serve as Chief Prosecutor of both the International Criminal Tribunal for Rwanda (ICTR) in Arusha and the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague. As Chief Prosecutor, she oversaw the indictment of then-Serbian President Slobodan Milosevic for war crimes, the first serving head of State to be held to account before an international court. She also oversaw the indictments of other prominent Yugoslav and Serbian leaders, including Milan Milutinović, President of the Republic of Serbia and Nikola Šainović, Deputy Prime Minister of the Federal Republic of Yugoslavia.

Following her service as Chief Prosecutor, Mme. Arbour was appointed to the Supreme Court of Canada, where she served until 2004. That year, she was appointed UN High Commissioner for Human Rights, the principal human rights official of the United Nations. In 2008, she was awarded the UN Prize for Human Rights, in recognition of her "outstanding contribution[s] to the promotion and protection of the human rights embodied in the Universal Declaration of Human Rights and in other United Nations human rights instruments."

Following several years heading the International Crisis Group, she was appointed in 2017 to serve as the UN Special Representative for International Migration, where she led advocacy efforts on international migration and worked to coordinate the activities of United Nations entities on migration issues. Following her service as Special Representative, she has continued to provide a powerful voice on global and national issues affecting human rights, ranging from the situation in the Democratic Republic of the Congo to the need to regularize the status of persons in irregular situations in Canada.

Throughout her career—through scholarship in criminal law, investigation of human rights abuses in Canada’s correctional system, service at the highest level of Canada’s judiciary, presiding over the prosecution of war criminals in The Hague, diplomacy, advocacy, and leadership within the UN system, and in civil society, Mme. Arbour has been a tireless force for the promotion of human rights.

The Honorary Member Award

Abdulqawi Ahmed Yusuf

His Excellency Abdulqawi Ahmed Yusuf’s distinguished career of scholarship and service in international law and international organizations was recognized in his 2009 election to the International Court of Justice, followed by his selection by the Judges to serve as the Court’s Vice-President in 2015 and as President in 2018. As President, President Yusuf has provided energetic and effective leadership as the Court has met the challenges of managing a large caseload in the time of COVID-19. Under his leadership, the Court has amended its Rules and practices to meet changing requirements, including by conducting hearings and reading of judgments by video link. The Court has also rendered significant judgments on issues including application of the Genocide Convention, self-determination and the formation of customary international law, the obligation to negotiate, the jurisdiction of the ICAO Council, the UN Convention against Transnational Organized Crime, and the Convention on the Elimination of Racial Discrimination.

Holder of a doctorate in international law from the Graduate Institute of International and Development Studies in Geneva, President Yusuf has received numerous other academic recognitions and honorary doctorates and in 1993 was elected to the Institut de Droit International. As a teacher and scholar, he has been recognized for the range and depth of his numerous books and articles. His works range across fields as diverse as intellectual property, technology transfer and the TRIPS agreement; the role of African countries in the development and application of international law; self-determination, cultural heritage and cultural rights; the African Union and other international organizations; and international investment law and arbitration. He is the founding Chairman of the African Institute of International Law (AIIL), Founder and General Editor of the African Yearbook of International Law, and he serves on the boards on an array of international legal groups and publications.

As a government official, President Yusuf represented the Government of Somalia at the Third United Nations Conference on the Law of the Sea and other significant international negotiations before becoming an international official with UNIDO, UNCTAD and UNESCO. At UNESCO, he served as an adviser to numerous UNESCO delegations in significant negotiations, culminating in his service as Legal Adviser to the Executive Board and General Conference of UNESCO from 2001 until his election to the ICJ in 2009.

Prior to his election as President of the Court, Judge Yusuf frequently acted as an arbitrator or as a member of Ad Hoc Committees in the World Bank's International Centre for the Settlement of Investment Disputes. He is a member of the board of the International Council for Commercial Arbitration (ICCA) and serves on the Boards of Trustees of the Permanent Court of Arbitration Financial Assistance Fund and of the Cairo Regional Centre for International Commercial Arbitration.