

US Lawyers at the International Criminal Court

Written for the American NGO Coalition for the ICC (AMICC by Julia Keenan 2016)

At the International Criminal Court, there are 656 lawyers enrolled to practice. Of them, 58 are American lawyers. At AMICC, we researched each individual American lawyer to determine if these attorneys could, individually or collectively, contribute to our advocacy. Although we could not find extensive information on every individual, we have analyzed all available information on each American attorney we could locate.

At AMICC, we discovered that several of the lawyers enrolled at the ICC are also academics. These individuals are professors, scholars, and lecturers involved in academia. Some of these trained lawyers teach criminal and international law seminars and international procedure at universities and law schools not only in the United States, but also abroad. Several attorneys have also taught trial advocacy skills to lawyers and law students. These skilled attorneys use their expertise to train students and practitioners in the theory and practice of international criminal law and international humanitarian law.

An overwhelming majority of the 58 American attorneys are experts in criminal defense law and procedure. These attorneys have been involved with criminal defense and civil litigation, and are specialists in these fields. However, although they specialize in criminal defense, their expertise extends to other subjects. From AMICC's research, we have determined that a majority of the 58 attorneys work in private practice. We discovered only a small number of attorneys who work in major law firms. Of those attorneys who do work in such firms, we identified a few senior lawyers and partners in them. After researching each attorney and his or her type of

practice, AMICC has identified 38 criminal defense firms with American lawyers enrolled at the ICC.

Although a majority of the American attorneys have had national criminal law experience, not every American attorney has had involvement with international criminal law. About half of the attorneys have had either experience with international law or international tribunals- including the International Criminal Tribunal for the former Yugoslavia (ICTY), the Special Court for Sierra Leone (SCSL), the Extraordinary Chambers in the Courts of Cambodia (ECCC), the International Criminal Tribunal for Rwanda (ICTR), or the Special Tribunal for Lebanon (STL)- or, have been involved with the International Criminal Court. Several of the attorneys who do have international tribunal experience have been involved in a number of high-profile cases.

AMICC researched each individual to determine if he or she is a member of the National Association of Criminal Defense Lawyers (NACDL). The reason being, AMICC was hoping to draw a conclusion as to whether or not there is or is not a substantial number of NACDL members. After referring to the NACDL website, AMICC has concluded that a majority of the attorneys are not members of the NACDL.

The number of American lawyers enrolled to practice at the ICC is a meaningful figure. Although the United States has still not ratified the Rome Statute, there is a significant number of American attorneys who have wanted to be enrolled at the Court. While an attorney's precise reasons for enrolling at the Court are not clear, it is apparent that they relate to his or her preliminary practice of criminal defense law. AMICC has attached an addendum in the form of an Excel spread sheet. The spreadsheet includes the name of the American lawyer; where he or

she practices; contact information (email and/or phone number); and whether or not he or she is a member of the NACDL.

Furthermore, AMICC believes it is possible to bring these 58 American attorneys together to promote the ICC in the United States. Each individual made the decision to enroll at the International Criminal Court. Many of the attorneys have enrolled because they consider criminal justice valuable and worthwhile. While others believe these other attorneys want to add enrollment to their résumés or believe it will expand their practices. In either case, these attorneys have good reasons to advocate for the Court in the US to achieve a growing and more extensive relationship with the ICC.