

**PILPG**

*A Global Pro Bono Law Firm*

The Origin Story of the Public  
International Law & Policy Group:  
*A Case Study in Strategic Optimism*

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# INTRODUCTION

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Just over 25 years ago, Michael Scharf<sup>1</sup> and I founded the Public International Law & Policy Group (PILPG), a global *pro bono* law firm providing free legal assistance to parties involved in peace negotiations, drafting post-conflict constitutions, and war crimes prosecution, when we were both embarking on our careers in international law.

As we celebrate our 25th anniversary of **lawyering peace**, this article<sup>2</sup> takes the opportunity to look back on our origin story, which contains several key takeaways for how to harness the power of academics, non-profit organizations, and the scholar-practitioner model to impact international law. This article seeks to elucidate the discrete ingredients that came together with the formation of PILPG, which continues to be a unique and innovative organization in the space of public international law and policy, and offers reflections on the organization's impact on peace, justice, and accountability around the globe.

Throughout the evolution of PILPG, we have been guided by the core notions of **strategic optimism**; the value of **empowering clients**; the **power of the law**; and that "making a difference" is a **team sport**.



# THE EARLY YEARS: AN IDEA WHOSE TIME HAS COME

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**M**ichael and I met at the State Department's Office of the Legal Adviser. I worked at the Office of the Legal Adviser's European Affairs bureau, on issues related to the dissolution of the Soviet Union. Michael worked in the Office of the Legal Adviser's United Nations Affairs bureau. One evening during my first month at the Department, Michael popped into my office with two slices of extra-large pizza. I thought this was a warm and welcoming gesture, until I realized that under his arm, he had an urgent draft UN Security Council Resolution to impose an arms embargo on Yugoslavia and that the plan was for us to work into the wee hours of

the morning finishing out and polishing the draft. I also realized at that point that Michael was a fan of pepperoni pizza, and me, not so much, as I plucked off the pepperoni from my slice. From that point on Michael and I became fast friends.

Days later, the Security Council adopted resolution 713.<sup>3</sup> In the coming years I would argue that the dissolution of Yugoslavia rendered the resolution obsolete and inapplicable to Bosnia.<sup>4</sup>

After two years at the Department of State, I left the government to pursue a PhD at Cambridge as a Fulbright scholar, and Michael was planning to move into academia. During my last week at the State Department, Michael and I again went for pizza in the cafeteria—this time I ordered a Hawaiian slice. We chatted about how for both professional and personal reasons we needed to remain engaged in the practice of public international law as we transitioned to academia. While at the State Department, as a couple of 20-somethings, we had worked on some of the headiest legal issues of the time. I was deeply involved in legal issues relating to the dissolution of the USSR and of Yugoslavia, such as state recognition; the establishment of diplomatic relations; and state successions to treaties, debts, assets, and membership in international organizations. Michael was highly engaged in the creation of the Yugoslavia Tribunal, sanctions on Serbia, succession to U.N. membership after the breakup of the U.S.S.R and Yugoslavia, and the ICJ case involving Libya. During this lunch, we planted the seeds of creating what we called a “pocket NGO” that we could use to harness the **often-untapped expertise and energy of academics with former government experience**, and to serve as a platform for engaging with clients involved in complex questions of public international law.

By the time I arrived in Cambridge, the war in the former Yugoslavia had devolved into a full-blown war of aggression by Serbia against

Croatia and Bosnia, with a reliance on genocide and crimes against humanity to accomplish its territorial and political objectives.<sup>5</sup>

In response to the lackluster response of the United States and the European Union to the atrocity crimes being committed in the former Yugoslavia, and to the continued imposition of the now illegal arms embargo on Bosnia, I published a number of op-eds calling for the lifting of the embargo, the use of force for a humanitarian intervention, and a more coordinated US/EU coordinated approach.<sup>6</sup> One article in *The Tablet* caught the attention of the United Kingdom's Foreign Secretary Douglas Hurd and prompted a reply from the Foreign Secretary.<sup>7</sup> My first act upon reading the reply, where he took great umbrage to my suggestion that those countries that enforced the arms embargo were complicit in genocide, was to check the terms of my student visa to see if it was revocable by the government.

I began to work closely with Sir Noel Malcolm,<sup>8</sup> Dr. Brendan Simms,<sup>9</sup> Branka Magas,<sup>10</sup> Quintin Hoare,<sup>11</sup> and Dr. Norman Cigar<sup>12</sup> as they launched the Alliance to Defend Bosnia, and subsequently the Bosnian Institute. My role was primarily to provide legal insight into the rules governing the role and obligation of UN peacekeepers, and to help evaluate, from a legal perspective, the various US and EU peace proposals. It was during this time that I came to realize just how much of a team effort it was to "make a difference"—or at least attempt to—in the world. I also realized the important—but not necessarily primary—role that sound legal analysis could play in advocacy and the formulation of alternative policy prescriptions.

While I was studying at Cambridge, my wife Kathy was working as a management consultant helping to lay the foundation for the future privatization of Cellnet—the cell phone service subsidiary of British Telecom. I split my time between Cambridge and Windsor where she had a company flat. Across the street from our flat was a pub now called

the Corner Ale and Cider House, which served pints of Old Speckled Hen. One Saturday afternoon we sat down for a few pints and penciled out a way to hatch the idea that Michael and I had mused over during our last days at the State Department. The conversation was one infused with strategic optimism.

There was no blueprint or template for creating a global *pro bono* law firm focused on peace negotiations and establishing mechanisms to prosecute war criminals. The best three pieces of advice I received from Kathy during that conversation over Old Speckled Hen were: (1) **do it pro bono**—no one is going to pay a 29-year-old to represent them at peace negotiations; (2) **leave space for policy in your mission**, since you might want to expand beyond law; and (3) **devise a serious-sounding name**—not one of the catchy but breezy ones I was proposing: hence, the Public International Law & Policy Group. She also emphasized, as the management consultant that she was, that **impactful change was a team effort**, and that having an institution, in this case a non-profit, would be key for sustainability.

To this day we still hold the name Public International law & Policy Group despite the somewhat unpronounceable acronym “PILPG,” and we still provide all our services to our clients on a *pro bono* basis, instead relying on grants and *pro bono* contributions from over a dozen of the world’s top law firms.



# CRAFTING A MISSION AND VALUES-BASED APPROACH

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The next step was to seek the guidance of my dissertation supervisor, Sir Malcom Grant.<sup>13</sup> Malcolm was an intrepid entrepreneur who, at the time I met him, was the Chair of the Land Economy Department at Cambridge and would later become the President and Provost of University College London, and then CEO of the National Health Service. While serving at Cambridge he was also the Chair of the Local Government Commission for England tasked with proposing changes to the county boundaries in England, a politically and technically challenging job. When I first broached the subject of creating a global *pro bono* law firm, he tilted his head and asked, "Aren't you supposed to be writing a dissertation and the role of international law in resolving Central and East European transboundary environmental disputes?"

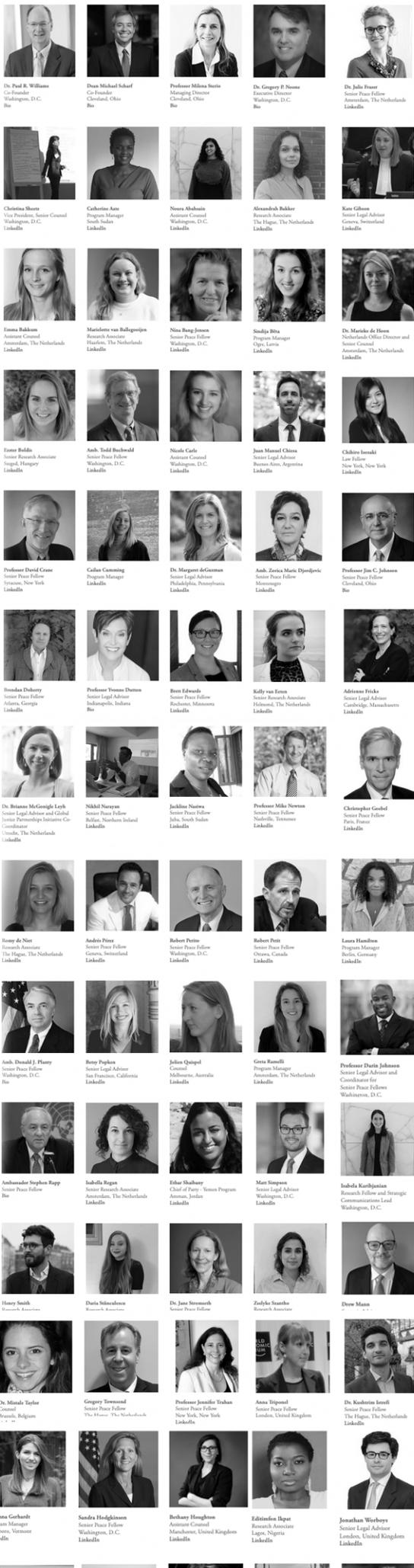
I replied, "It's Kathy's idea." That seemed to persuade him it was a wise and thoughtful idea.

Malcolm then went on to map out for me the four most crucial pieces of advice that have stayed with me for the past 25 years. First, **build a team**: life and work are team sports. Second, **find a mission** and stick with that mission. Third, **perpetually innovate**. And fourth, **always be optimistic**: only good comes from optimism. He could have added, "and always be full of good cheer," since I can't think of a time that I met with Malcolm that he was not full of good cheer. This is when I first started to think of strategic optimism and perpetual entrepreneurship as core values of both PILPG and my professional career journey.

Malcolm suggested I reach out to Professors James Crawford,<sup>14</sup> who would subsequently become my dissertation examiner, and Christopher Greenwood.<sup>15</sup> Both would eventually serve on the International Court of Justice. Malcolm wanted me to reality check the idea of a global *pro bono* law firm, focusing on peace negotiations at atrocity crimes prosecutions with two of the most well-established scholars and practitioners of public international law.

James, ever the positivist in both scholarship and life, kindly mapped out for me the traditional path of how to create a legal practice that would take me before the International Court of Justice, a path which he preferred that I pursue. He then spent a considerable amount of time thinking through with me the various ways in which one might be able to create a successful *pro bono* law firm that focuses on lawyering peace and justice for atrocity crimes. He was ultimately supportive, but warned me that if I was not careful, it would take me too far from the path of public international law. Ironically enough, fifteen years later James and I ended up on opposite sides of the table at the Peace Palace in the Hague for the Permanent Court of Arbitration case on the Abyei dispute.<sup>16</sup> He was representing the government of Sudan in a traditional legal capacity, and I was representing the Sudan People's Liberation Movement/Army





# BUILDING A TEAM: ECLECTIC EXCELLENCE

To build a team, I first turned to Christopher Goebel.<sup>18</sup> Chris and I had met on a two-week Fulbright study tour of EU and NATO institutions in the spring of 1994. The Fulbright program invited one Fulbright student from each of the European countries to engage in this intense learning experience. Chris was selected for the program by the French Fulbright Commission based on the nature of his research. Other participants were selected based upon writing competitions relating to EU and NATO policy. My name was pulled out of a hat by Allison Corbett during the UK Fulbright Christmas party. Serendipity does play a role in all things great and small.

Chris had recently graduated from Harvard Law School and was on a Fulbright in Paris at the Sorbonne researching and writing

on the potential legal solutions to the ethnic conflicts in the Balkans, before heading to practice international law for Curtis Mallet-Prevost Colt & Mosle in their New York office. The study tour occurred at the height of the Bosnian war, and Chris and I and a couple of our compatriots incessantly questioned, challenged, and even pestered the various hosts and presenters about the failure of the EU and NATO approaches to bringing an end to the conflict. This was not actually what the organizers had in mind in terms of a cultural and intellectual experience, but Chris and I became fast friends as a result.

Chris agreed to become a founding member of PILPG and set us up as a *pro bono* client of Curtis Mallet-Prevost. PILPG would not have been able to successfully launch had it not been for the resources and support that Chris was able to arrange through Curtis. I also realized early on the value of **excellence by association**, as our relationship with Chris and Curtis Mallet-Prevost gave PILPG a degree of instant credibility with our *pro bono* clients and those we were seeking to involve in our “pocket NGO.”

During the first six months of our work together, Chris and I would fax back and forth various drafts of legal memorandum for our clients. (Thankfully Malcolm gave me all-hours access to the fax machine in the Land Economy Department.) Then one day Chris sent me an email with a WordPerfect document as an attachment. Ever since then I have fully embraced the **leveraging power of innovative technology** for the pursuit of lawyering peace through the most efficient means possible.

Michael and I built out the team further by reaching out to former State Department colleagues who had transitioned into teaching, including Geoff Watson<sup>19</sup> and Peter Spiro;<sup>20</sup> and my PhD colleagues at Cambridge, including Dr. Dapo Akande<sup>21</sup> and Dr. Michael Rowe (a European historian),<sup>22</sup> and former law school classmates such as Professor Tony Arnold,<sup>23</sup> who specialized in environmental law as we

were considering an international environmental law practice area for PILPG.

Using the power of our existing network of friends and colleagues, we could work together to **build a community** of like-minded legal practitioners ready and willing to engage in the thorniest questions in public international law, peace, and justice. This network of colleagues would become the basis of PILPG, a spirit of community and collaboration that persists to this day. PILPG attracted, and continues to draw, individuals who want to complement their academic career with impactful legal work. Today, PILPG is comprised of over three dozen top-tier legal scholars, counsel, and advisors and a dozen talented young professionals.<sup>24</sup>

The ability of PILPG to build an eclectic team and to draw from a vast network of colleagues was exemplified by our 2018 investigative mission to document atrocities committed against the Rohingya. To accomplish the mission, PILPG pulled together a cohort of 18 atrocity crimes investigators from around the world. Our team of expert investigators interviewed over 1,000 refugees, documenting shocking patterns of violence, abuse, and widespread human rights violations committed against the Rohingya. The evidence led our team to conclude that there are reasonable grounds to believe that genocide, crimes against humanity, and war crimes have been committed against the Rohingya.<sup>25</sup>

Aware of the value of excellence by association from the outset, we crafted an advisory board of senior professionals in our networks who believed in the mission of providing top-quality legal services on a *pro bono* basis to parties engaged in peace negotiations, post-conflict constitution drafting, and transitional justice and accountability processes. These early Advisory Board members included Professor John Barton,<sup>26</sup> Maurice Copithorne,<sup>27</sup> Malcolm Grant, Monroe Leigh,<sup>28</sup>

Davis Robinson,<sup>29</sup> Dr. Jiří Toman,<sup>30</sup> and Edwin Williamson.<sup>31</sup> Subsequently, Justice Richard Goldstone<sup>32</sup> and Ambassador Morton Abramowitz<sup>33</sup> agreed to serve as Co-Chairs of our Advisory Board. With their public backing through their service on our Advisory Board, we continued to **establish credibility** in the international law and peacebuilding communities. The power of our growing PILPG network and community quickly created meaningful opportunities for our fledgling NGO.

The only senior professional to decline my invitation to join PILPG's advisory board was Keith Highet.<sup>34</sup> Keith had appeared before the International Court of Justice more times than any other American. Chris had put me in touch with Keith, as he was Chris' mentor. In true Keith fashion, he responded to my faxed letter of invitation to join the Advisory Board by faxing back "No thank you, but would you care to join me for drinks at the Cosmos Club this Friday afternoon?" Sitting in the outdoor patio, he explained that he had too many ongoing cases and feared he might cause PILPG to be conflicted out of certain clients and didn't want to trim the sails of a young entrepreneurial organization. He then proceeded to spend the next three hours discussing everything from grand strategy for PILPG to correcting a few embarrassing typos that I had in our one-page mission statement. I learned from Keith that one need not always be on the formal letterhead or hold a formal position to provide invaluable advice and guidance; and that as he put it, **"You should ask everyone you admire for advice."**

A few years later when Keith moved from Curtis Mallet-Prevost to McDermott Will & Emery, he invited Abe Chayes<sup>35</sup> and myself to join his Public International Law practice as of Counsel. In 1999 we filed a U.S.-based suit charging Yugoslavian President Milošević with genocide in Kosovo. It was during this time that Keith encouraged me to make PILPG more than just a "pocket NGO" and to **build out a sustainable organization** that could have an impact for decades to come.



# BUILDING AN INSTITUTION: AVOIDING THE RABBIT HOLE (AND GETTING A DAY JOB)

Upon the advice of Edwin Williamson, the former State Department Legal Advisor for Secretary James Baker, and a boss of both myself and Michael, we had taken early and immediate steps to establish the legal infrastructure for PILPG. As soon as we decided to launch PILPG, Michael rang up Mark Barnett,<sup>36</sup> an Associate at Steptoe and Johnson, who was an undergraduate school friend of Michael's with whom he co-chaired the National High School Model United Nations program. Thanks to Mark's help, we filed for and were granted 501(c)(3) status and were formally an official, recognized non-profit organization in 1996.

Michael also reached out to Professor Peter Spiro, based in New York, who navigated the process of Consultative Status to the United Nations Economic and Social Council (ECOSOC) status for PILPG. Ironically, the committee dealing with NGO membership was chaired by Sudan. For over a decade to come, PILPG would be heavily involved in legal matters adverse to Sudan, such as the implementation of South Sudan's secession, the Abyei arbitration, the Darfur peace talks, and the Southern Kordofan and Blue Nile peace talks. More recently, with the democratic transition, Sudan has become PILPG's *pro bono* client as we provide assistance with creating a truth commission and a court with jurisdiction to prosecute atrocity crimes. Lesson learned: **circumstances can change.**

At this time, Michael and I also reached out informally to Drew Mann for strategic advice. Drew had served as part of the Yugoslav team at the Department of State while Michael and I were there, and subsequently took part in the "dissent channel memorandum" challenging US policy toward Bosnia in 1992-1993.<sup>37</sup> Drew had a knack for invention and social entrepreneurship, and the best piece of advice he gave us was to start serving our clients, and then build out the infrastructure, rather than attempt to build the perfect non-profit and spend too much time operating in hypotheticals when there were real needs on the ground. Drew had seen too many organizations fail to launch because they got stuck in the rabbit hole of institutional design. He also correctly predicted that working on the substance of peace and justice would give us the energy to complete the necessary paperwork and regulatory hoops of creating a 501(c)(3) nonprofit organization and identifying and navigating funding streams to expand our work. Drew has since retired from the Department of State and is now formally PILPG's Strategic Advisor.

The final piece of prescient advice we received was from Edwin Williamson who wryly noted that if Michael and I were to dedicate

ourselves to a global *pro bono* law firm, our spouses would probably appreciate it if we found a day job as well. This perspective formed the core of one of our organizational tenets—that if we engaged fellow professors interested in the **praxis of peace**,<sup>38</sup> we could build a sustainable organization which made a difference daily, rather than dedicating the bulk of our time to fundraising, as so many NGO leaders are forced to do. Shortly thereafter, in 1998, I took Ed’s advice and took a faculty position at American University’s School of International Service and Washington College of Law.



# OUR FIRST CLIENTS: THE SEEKERS OF PEACE AND JUSTICE

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**M**acedonia, Bosnia, and the Office of the Prosecutor for the Yugoslav Tribunal were our first three high profile clients, and in keeping with our commitment to represent the “good guys.”

As noted above, I had been doing quite a bit of public legal advocacy on the crisis in Bosnia. This caught the attention of Ambassador Risto Nikovski,<sup>39</sup> the Ambassador of Macedonia to the United Kingdom. At a Croatian Embassy reception, he inquired as to whether my firm and I would be interested in helping the government of Macedonia think through legal avenues for resolving the dispute with Greece. Since Macedonia’s independence, it had been embroiled in a dispute with Greece related to its name, flag, and identity, as there is a Greek region of that

name; the consequences have included stalled movement in joining NATO and the European Union, as well as an economic blockade. This dispute is embroiled in ethnic, historical, and geographic tensions between the two states.

The government of Macedonia, as the underdog, was quite keen on situating their argument within the precepts of international law. They hoped that the European Union, and the United States, would respond, in part, to legal arguments relating to their right to choose their name and state symbols. The government of Macedonia was also interested in utilizing international legal mechanisms to try to resolve the dispute in parallel to political negotiations. To this end, they asked PILPG to prepare a detailed legal briefing on both the legal basis for their position, and how they might resolve the dispute at the International Court of Justice.

Ambassador Nikovski arranged for me to travel to Macedonia to meet with President Gligorov<sup>40</sup> to walk him through the legal position, and to discuss how Macedonia might get the issue before the World Court. I met with President Gligorov on the terrace of Joseph Tito's Vila Biljana in Lake Ohrid. The villa would be the site of the conclusion of the Ohrid Agreement negotiations a few years later, where PILPG and I would advise one of the parties to the talks.

While President Gligorov was not able to successfully secure jurisdiction of the International Court of Justice, he is widely credited with a pragmatic and legal approach to managing Macedonia's political and economic relationships with Greece, while simultaneously trying to negotiate the name issue. Many years later, in 2018, the dispute was resolved by an agreement to refer to Macedonia as "North Macedonia" in official and diplomatic matters.

I learned three very important lessons from PILPG's work with Macedonia. First, international law really does have a **central role** to play in resolving diplomatic disputes, and it is particularly sought-after from

the underdog or disadvantaged party. Second, it became clear to me that **top-flight legal analysis was not readily available** to states outside of a handful of major powers. And third, it was a wise decision to not spend the early years building out an overly detailed infrastructure for PILPG, but rather get **briefcases on the ground** quickly to provide legal advice to states emerging from, or seeking to avoid, conflict.

A month after my trip to Macedonia, I was on a short trip to Washington, D.C. for some meetings. I was invited to drinks at the Jefferson Hotel with Bosnian Foreign Minister Muhamed Sacirbey,<sup>41</sup> Ambassador (and future Foreign Minister) Sven Alkalaj<sup>42</sup> and Marshall Harris.<sup>43</sup> Mo, as he was called by his friends, was a Bosnian American from Cleveland who attended Tulane on a football scholarship, and after law school and business school became an investment banker on Wall Street. His father was close to President Izetbegovic and Mo was tapped to be Bosnia's highly effective Ambassador to the United Nations before becoming Foreign Minister. Marshall Harris resigned his commission as a Foreign Service Officer in opposition to the U.S. Government's policy in the Balkans and started the highly influential Action Council for Peace in the Balkans, which brought together key former U.S. and international officials to argue for a more assertive and effective policy in the Balkans.

Mo asked if I would consider joining the Bosnian delegation to the upcoming Dayton peace negotiations as their legal advisor.<sup>44</sup> My first response was, "But don't you have a lawyer?" They answered that obviously, yes, but they were mostly of the socialist legal tradition of the former Yugoslavia with a focus on the regulation of socialist economic enterprises, not in comparative state practice of peace negotiations or human rights and accountability mechanisms. This lack of international legal talent was to become a recurring theme throughout PILPG's work around the globe. The simple reality was that it made no sense for a domestic lawyer in Bosnia to launch a career in peace negotiations. Peace negotiations are almost always one-off events. Similarly, it would

never be a wise move to specialize in atrocity crime prosecution in Saddam Hussein's Iraq, or Muammar Gaddafi's Libya (countries in which PILPG would subsequently help new governments establish such mechanisms).

I was particularly keen to attend the Dayton talks, as my family was from Dayton, Ohio and my father had attended the University of Dayton. When I arrived at the Dayton airport, I was met by a young Lieutenant whose job was to escort me onto the Wright Paterson air base where the talks were being held. He joked with me that the staff assumed that I had been put on the wrong delegation because my name was the only name on the Bosnian delegation list that they could pronounce.

I arrived at the Hope Hotel on the base a day before the Bosnian delegation. As I walked down the hallway to my room there was a workman with his head buried deep in the phone junction box. The Lieutenant sheepishly told me that he was "Just fixing the phones." I made it a point to preface every phone call I made from my room with "Hello, this is Paul, an American citizen, and we are going to discuss attorney-client privileged matters." I thought I might have been being overly cautious, until Richard Perle<sup>45</sup> later asked me where the laundry room was located. I told him that the base had arranged for a dry-cleaning service. His response was, "Yes, I know, but that is going to be our conference room—bring your stack of quarters."

After the opening ceremony of the negotiations, President Izetbegović called me into his suite down the hallway from my room. He and Mo Sacirbey listed out 14 key objectives that the Bosnians wanted to accomplish at Dayton. The President told me that he was counting on me to be the "objective" member of the delegation who would track whether Bosnia was successfully ensuring that its objectives were accomplished in the draft agreements. When I asked him if he thought I was objective because I was not Bosnian, he said "Oh no, it's because you're our

lawyer." The day before the end of the negotiations the three of us had another meeting, and I walked him through how the delegation had achieved approximately half of its objectives. I asked him if he was going to sign the agreement. He said yes and sighed. I asked why. He said, "Because we will be getting 50,000 troops from NATO and Sarajevo will not have to go through another winter of hell."

During the negotiations, the Bosnian delegation employed the tactic of getting their draft on top first, to reach the eyes of the mediation more immediately. When the mediators came out with the first draft of the Framework Agreement, the Bosnian delegation also sought to do a line-by-line rebuttal and adjustment. The Secretariat was kind enough to give us a copy of the mediations draft on a 3.5-inch floppy disk. That evening, we made the red line edits and pushed printed copies under the doors of the chief mediators. The next morning, with the draft in hand, Michael Wood of the British delegation looked at us and said, "Very impressive, but you are not going to do this every night are you?" Thereafter, the Secretariat would only give us hard copies and not electronic copies, in order to discourage us from red lining each of the ten annexes.

A few days into the negotiations, Richard Perle and Doug Feith<sup>46</sup> arrived to provide additional assistance to the Bosnian delegation. Mo Sacirbey asked me to partner with Richard and bring him up to speed on the IFOR Annex, which provided for the deployment of NATO troops into Bosnia. I handed Richard a copy and was prepared to give him an overview and then to type up his thoughts and talking points for the next meeting. Instead, Richard asked to borrow my pen, and then sat there and read the entire 15-page annex line by line making detailed comments in the margin. If he was going to lean into the negotiation with Richard Holbrooke and General Wesley Clark, he wanted to know every word of the document.<sup>47</sup> Lesson learned: **you are never too senior to read the document.**

I did not have the gravitas of Richard Perle, or the depth of experience of Doug Feith, but I held my own and contributed to the negotiations by remembering Malcolm's axiom that **everything in life is a team sport**. I am convinced that I had the highest phone bill of any participant in the negotiations, given that I was constantly on the line with my PILPG teammates bouncing ideas and preparing draft counter-proposal language.

During the negotiations, I also learned the value of **melding the legal and the political** in order to build the foundation of a functional and durable peace agreement. During the negotiations, the Bosnians were under substantial pressure to make concessions that would likely cripple the functionality of any future government. Holbrooke threatened to bring an end to the peace talks and blame it on the Bosnians, but before this happened, the Bosnians were able to reach out to Senator Bob Dole, who was deeply invested in the peace process, and have him engage in public remarks backing the Bosnian delegation. This intervention prevented some of the most egregious provisions from being worked into the Accords. At the end of the day the peace agreement was in fact highly dysfunctional, but much less so than it would have been without Senator Dole's intervention.<sup>48</sup>

This experience also taught our fledgling firm an important lesson that we would take into all subsequent peace negotiations: **many promises are made and kept deliberately outside the written agreement**. It is incumbent upon the lawyer in the room to make sure any promises made to the client are memorialized in writing. If these promises are not in writing, they effectively do not exist. This was the story at Dayton with an oral commitment made by the senior Americans at the talks—the Secretary of State, the Secretary of Defense, and a three-star general—that the United States would ensure the immediate lifting of the U.N. arms embargo on Bosnia and would arm and train Bosnian government forces to a level of defensive parity with all Serbian forces

operating in Bosnia. At many points during the negotiations, the Americans rationalized to our clients why this promise should not be in writing, but it was very important to my clients that it should be in writing. As their lawyer, I sought to find a space to put these oral promises in writing, and I wrote it in an op-ed.<sup>49</sup>

Following our work at Dayton, PILPG was invited in fairly rapid succession by Estonian Ambassador (and future President) Toomas Ilves<sup>50</sup> to advise the Estonian government on territorial negotiations with Russia relating to the (non)-implementation of key provisions of the Tartu peace treaty;<sup>51</sup> by Kosovar Prime Minister Bujar Bukoshi<sup>52</sup> and President Ibrahim Rugova<sup>53</sup> to join the Kosovar delegation to the Rambouillet peace talks;<sup>54</sup> and by Foreign Minister Vartan Oskanian<sup>55</sup> to advise the Armenian government during the Key West negotiations<sup>56</sup> relating to Nagorno-Karabakh.

Meanwhile, Michael was making great strides in establishing our war crimes prosecution practice area. He was invited to present at an international criminal law workshop in Syracuse, Sicily organized by Cherif Bassiouni shortly after Richard Goldstone was appointed Prosecutor of the ICTY. Drew Mann had earlier introduced me to Richard at a breakfast hosted at Drew's home in The Hague while I was there on a social visit.

When Michael boarded the bus from the hotel to the conference center, Richard was sitting in the front seat behind the driver and the seat next to him was empty. Michael, seeing the opportunity before him, plopped down next to Richard Goldstone and started a conversation for the 30-minute journey. They ended up taking the same seats on the way back to the hotel and both ways for three days. During their bus conversations, they got to know each other well, and Richard confided that his office was understaffed and had no law library. Michael offered the services of PILPG and his law school, Case Western Reserve

University School of Law, to provide research assistance on the novel legal issues facing his office. He and Richard signed an MOU, and over the course of the subsequent years, Michael and PILPG provided over 250 research memos to the Yugoslav Tribunal, the Rwanda Tribunal, the Sierra Leone Tribunal, the Cambodian Extraordinary Chambers, the Lebanon Tribunal, and the International Criminal Court, as well as the Iraqi High Tribunal, the Uganda High Court War Crimes Chamber, piracy courts in Mauritius, Seychelles, and Kenya, and INTERPOL.

Building upon this early client base, over the past 25 years PILPG has provided legal assistance with over two dozen peace negotiations, and over two dozen post-conflict constitutions, and has assisted every international and hybrid criminal tribunal, as well as helped to create several domestic transitional justice mechanisms. We have worked with clients from Afghanistan, Armenia, Bosnia, Botswana, Burma, Cambodia, Côte d'Ivoire, Czech Republic, Darfur, Dutch Antilles, East Timor, Estonia, Ethiopia, Georgia, Iraq, Kenya, Kosovo, Lebanon, Liberia, Libya, Macedonia, Mauritius, Montenegro, Nagaland, Nagorno-Karabakh, Nepal, Northern Cyprus, the Philippines, Poland, Rwanda, the Seychelles, Sierra Leone, Somalia, Somaliland, South Africa, South Sudan, Sudan, Sri Lanka, Syria, Tanzania, Tunisia, Uganda, Ukraine, Yemen, and Zimbabwe.



# LEVERAGING AND AMPLIFYING INSTITUTIONAL SUPPORT

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**A**s I was preparing to leave Cambridge, Ed Williamson was kind enough to make me an offer to join Sullivan & Cromwell as a corporate associate. I was very much looking forward to this phase of my career. While in Washington, D.C. for a Bosnia conference at the Willard Hotel, Richard Perle and I were standing by the coffee bar and I had just told him but I was going to likely go work with Ed. When Ambassador Mort Abramowitz, the president of the Carnegie Endowment for International Peace, walked up, Richard turned to him and said, "Mort, you have to give Paul a job at Carnegie so that he can keep doing his work on Bosnia." Mort was a little flustered, but he indicated I should call his executive assistant and get on his calendar for later in the week.

When I arrived for the interview with Mort, I started to pitch the idea of research and advocacy on the situation in Bosnia. Mort interrupted me and said, "Don't you run a global *pro bono* law firm that no one has ever heard of, and has an acronym no one can pronounce?" I just happened to have a copy of our mission statement and our quarterly update on hand, and I handed it to Mort and walked him through what we were doing and what I hoped to do with PILPG in the coming years. A week later, Mort made me an offer to join the Carnegie Endowment as a Senior Associate, and to use the time to build out PILPG, and create a public international law program within Carnegie. Years later, I asked Mort why he was willing to take such a risk with a young professional who basically had an idea and an NGO with his friends. Mort replied that he "liked to work with people who built things."

Mort applied this same principle to his work as President of the Carnegie Endowment and is notable for the degree to which he redesigned and restructured the Carnegie Endowment, launching offices and programs in Moscow, and Beirut. Mort also founded the International Crisis Group, to serve as the world's eyes and ears for impending conflicts, and with a highly influential board that could mobilize effective action from global policymakers.

Mort, ever the "builder," suggested that PILPG **forge partnerships** with major law firms. He connected us with a friend of his named Lloyd at Wilmer, Cutler, and Pickering. One day he offhandedly told me that he had made an appointment with me to go see Lloyd at the firm. As I did my research to prepare for the meeting, I realized that Lloyd was, in fact, Lloyd Cutler,<sup>57</sup> one of the name partners of the firm, and that he had previously served as President Carter's White House counsel. When I went to the meeting, Lloyd was joined by Shelby Quast,<sup>58</sup> a bright and visionary young lawyer. Early in the conversation Lloyd said to me, "Mort says that I need to give you *pro bono* support to help countries sort out their peace negotiations. Shelby has agreed to build a team to help us

do just that.” Shelby, joined by Nancy Furman,<sup>59</sup> and Andy Lorentz,<sup>60</sup> and subsequently with the oversight and support of Gary Born, provided crucial lawyering on some of the trickiest legal problems facing our clients.

Our “pocket NGO” was now housed at a preeminent think tank and supported by one of the world's leading law firms. Other law firms soon<sup>26</sup> followed suit and partnered with PILPG to provide *pro bono* contributions to our clients around the world. Melanie Nakagawa,<sup>61</sup> one of my very first students, turned PILPG Law Fellow, came up with the idea of regularizing and expanding our relationships with law firms. She first pitched the idea to Baker McKenzie in 2003, which institutionalized the relationship and set about building global teams to assist PILPG. Brett Edwards<sup>62</sup> subsequently joined PILPG and built our law firm *pro bono* relationships into a \$15 million a year in-kind contribution revenue stream, allowing PILPG to provide assistance to over a dozen clients on a regular basis.<sup>63</sup>

As PILPG built out its institutional structure, we started to explore funding opportunities in addition to the law firm in-kind contributions. Stephen Del Rosso<sup>64</sup> at the Carnegie Corporation of New York was brave enough to take a chance with PILPG and awarded us a series of grants relating to work on state secession and peacebuilding, which enabled us to expand our ability to contribute to the intellectual discussion at the core of the issues PILPG was attempting to address through its *pro bono* legal services.<sup>65</sup>

Before our relationship with the Carnegie Corporation began, PILPG sought to stay out of the public eye, going out of our way to avoid a public-facing brand identity. One day Stephen sponsored a public affairs workshop for his grantees so that they could polish their organizations’ internet presences. The leader of the session was somewhat surprised that PILPG did not have even a rudimentary website.

Stephen openly wondered how we would be able to tell our story about the work we were doing, and about how we were being supported by the Carnegie Corporation if we did not even have a website. I took the hint, and that year we built out our website. Today, with an online following of over 45,000 followers across multiple social media platforms, it seems unimaginable that at one point PILPG had no kind of online presence. Our use of social media helps us keep in touch and spotlight our network and community, keeping the bonds strong across PILPG alumni, former clients, and our current team.

Once we pivoted to being more public facing with the kind of assistance we provided to parties in peace negotiations, our *pro bono* client base grew exponentially.

As professors at Case Western Reserve University School of Law, and American University Washington College of Law and School of International Service, Michael and I created experiential learning programs in order to help train the next generation of the best and the brightest. Michael created a war-crimes prosecution practicum at Case,<sup>66</sup> and I created the Lawyering Peace program at American University.<sup>67</sup> Over the course of the last 20 years, we have trained over a thousand young professionals in the art of prosecuting those responsible for atrocity crimes and negotiating durable peace.

The final piece of institutional support necessary for a successful and sustainable NGO is funding. For the first decade of PILPG's work, we focused on private foundations, and leveraging our institutional affiliations and our law firm relationships. At American University, Elizabeth (Beezie) Dallas had the office next to mine.<sup>68</sup> Beezie had left American University to pursue a master's at Fletcher. She rang me one day and suggested that PILPG needed to secure U.S. Government funding and **establish offices overseas**. I was a bit skeptical of this given the Herculean effort that it takes to secure and manage U.S. Government



# MAINTAINING STRATEGIC OPTIMISM

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**T**hroughout those early years, it was imperative to maintain a sense of **strategic optimism**. It would have been very easy to listen to the naysayers who said that we could not create a brand-new *pro bono* law firm in this field, or those who said that we could not or should not reinvent how a high-impact non-profit organization operates. It is much simpler to create a list of why we should not have forged ahead with the goal of providing high-quality *pro bono* legal advice and services to parties negotiating peace and seeking to prosecute war criminals. Had we listened to the pessimists rather than engaging in strategic optimism, bolstered by a broad network of legal practitioners, former government officials, academics, and peace-seekers, the landscape of peace and justice in the world may have been forever altered.

Above all, this fiercely optimistic entrepreneurial spirit has consistently allowed us to push the envelope of what PILPG could become. Though we took flight with just one



29-year-old embedded in the Bosnian delegation at the Dayton Peace Accords negotiations and five friends on speed dial, we have been able to grow into the world's pre-eminent *pro bono* law firm engaged in peace negotiations and transitional justice.

Along the way, several of PILPG's clients nominated the organization and its directors for the **2005 Nobel Peace Prize** for "significantly contributing to the promotion of peace throughout the globe by providing crucial *pro bono* legal assistance and in bringing war criminals to justice."

Each year, we reinvent the playbook for what a non-profit organization looks like, forging ahead with a singular vision of a community of scholar-practitioners providing *pro bono* legal advice of the utmost quality.

Nonprofit organizations have notoriously short life spans.<sup>69</sup> As President of PILPG, I approach each year as if I am leading a start-up organization. We consistently re-evaluate our staffing structure, the kinds of clients we take on, the kinds of services we provide, and the funding streams we seek. Just as our lawyers keep abreast of the latest innovations in public international law, PILPG also strives to stay at the cutting edge of non-profit organizational management.

PILPG has grown and changed from a high-impact idea hatched over a couple of Old Speckled Hens in a pub to a major player on the landscape of international organizations. At its core, PILPG remains a community—a network of highly-dedicated legal professionals, academics, former government officials, and talented young professionals working together to lawyer peace.

Since 2020, we have doubled down on the concept of PILPG as a network and a platform that uses its collective legal and policy acumen to

advise clients on the thorniest issues standing in the way of a durable peace. We pivoted to remote working prior to the pandemic to re-energize the global bonds and connections across our team. We doubled down on the connections and the expertise of our PILPG Senior Peace Fellows, a cohort of senior legal professionals, academic-practitioners, and retired diplomats. We forged three cohorts of senior professionals, international experts, local experts, and former clients in the topical areas of atrocity crimes prosecution, atrocity crimes investigation, and local transitional justice processes, all in service of our *pro bono* mission.

Without academic institutions, scholar-practitioners, and *pro bono* law firm partners with a desire to make a difference, we could never have put briefcases on the ground in as many conflict contexts or lawyer peace in the high-impact way that we have done for the past 25 years. Peace continues to be a lucrative field, as conflicts grow increasingly intractable and the desire for justice persists around the globe. Though our clients will change depending on the evolution of conflicts, PILPG remains well positioned to continue to provide top-notch legal services to states, sub-state actors, opposition groups, self-determination movements, and civil society for many decades to come.

*Learn more about the Public International Law & Policy Group at  
[www.pilpg.org](http://www.pilpg.org)  
@PILPG*

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<sup>1</sup> Michael Scharf is the Dean of the Case Western Reserve University School of Law and is the Co-Founder of the Public International Law & Policy Group. He has led USAID-funded transitional justice projects in Uganda, Côte d'Ivoire, Libya, and Turkey (for Syria), and maritime piracy projects in Kenya, Mauritius, and The Seychelles. During a sabbatical in 2008, Scharf served as Special Assistant to the Prosecutor of the Cambodia Genocide Tribunal and during the elder Bush and Clinton Administrations, he served in the Office of the Legal Adviser of the U.S. Department of State, where he held the positions of Attorney-Adviser for Law Enforcement and Intelligence, Attorney-Adviser for United Nations Affairs, and delegate to the United Nations Human Rights Commission.

<sup>2</sup> A version of this article appears in the *CASE WESTERN JOURNAL OF INTERNATIONAL LAW* (May 2022).

<sup>3</sup> U.N.S.C. Res. 713 (1991)

<sup>4</sup> See Paul R. Williams, *Une Lourde Violation du Droit International*, *LE MONDE*, Jun. 29, 1995; Paul R. Williams, *Why the Bosnian Arms Embargo Is Illegal*, *THE WALL STREET JOURNAL*, Jun. 15, 1995; Paul R. Williams, *UN Members Share Guilt For the Genocide in Bosnia*, *THE CHRISTIAN SCIENCE MONITOR*, Aug. 8, 1995.

<sup>5</sup> See *The Prosecutor v. Radovan Karadzic and Ratko Mladic*, Case No. IT-95-5-I, Indictment (Jul. 24, 1995).; *The Prosecutor v. Radovan Karadzic and Ratko Mladic*, Case No. IT-95-18-I, Indictment (Nov. 14, 1995).; *The Prosecutor v. Slobodan Milosevic, et al.*, Case No. IT-99-37, Indictment (May 22, 1999); *The Prosecutor v. Slobodan Milosevic*, Case No. IT-01-50-I, Indictment (Sept. 27, 2001).; *The Prosecutor v. Slobodan Milosevic*, Case No. IT-01-51-I, Indictment (Nov. 22, 2001).

<sup>6</sup> See Paul R. Williams and Michael Scharf, *UN Mandates: The Letter of the Law*, in *WITH NO PEACE TO KEEP: UNITED NATIONS PEACEKEEPING AND THE WARS IN FORMER YUGOSLAVIA* (George Stamkoski, ed., 1995); Branka Magas, Noel Malcolm, and Ivo Zanic, eds., *THE WAR IN CROATIA AND BOSNIA-HERZEGOVINA 1991-1995* (2001).

<sup>7</sup> See Douglas Hurd, *A long slog in Bosnia*, *THE TABLET*, Apr. 1, 1995.

<sup>8</sup> Sir Noel Malcolm is an English political journalist, historian, and academic. He is the former Chair of the Bosnian Institute. In 1998, he published *Kosovo: A Short History*. He is a Senior Research Fellow at All Souls College at the University of Oxford.

<sup>9</sup> Dr. Brendan Simms is Professor in the History of International Relations at the University of Cambridge. He is the President of The Henry Jackson Society and of the Project for Democratic Union.

<sup>10</sup> Branka Magas was a member of The Alliance to Save Bosnia. She writes for major European newspapers and periodicals and is the joint founding editor of the Bosnia Report. She consulted with the Bosnian Institute. She published *The Destruction of Yugoslavia* in 1993.

<sup>11</sup> Quintin Horare is a literary translator and intellectual. He was a founding editor of the journal *Labour Focus on Eastern Europe*. He was a founding member of the Alliance to Defend Bosnia-Herzegovina, and later became director of the Bosnian Institute.

<sup>12</sup> Dr. Norman Cigar was formerly Director of Regional Studies and the Minerva Research Chair at the Marine Corps University. Previously, he taught at the Marine Corps Command and Staff College and at the Marine Corps School of Advanced Warfighting. Earlier in his career, he was responsible for the Middle East in the Office of the Army's Deputy Chief of Staff for Intelligence, and supported the Secretary of the Army, the Chief of Staff of the Army, and Congress with intelligence. He published *Genocide in Bosnia: The Policy of "Ethnic Cleansing"* in 1995. He was a consultant to the ICTY and the Bosnian Institute.

<sup>13</sup> Sir Malcolm John Grant, CBE is Chancellor of the University of York. He is the former chairman of NHS England, President and Provost of University College London, and served two terms of appointment as Chair of the Local Government Commission for England (1996–2001).

<sup>14</sup> James Crawford was a Judge of the International Court of Justice, the Dean of Sydney Law School,

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and the Whewell Professor of International Law at the University of Cambridge. Formerly, he directed the University of Cambridge's Lauterpacht Centre for International Law.

<sup>15</sup> Sir Christopher John Greenwood is a former British judge at the International Court of Justice. He is Master of Magdalene College at the University of Cambridge and was formerly a professor of international law at the London School of Economics.

<sup>16</sup> See *Abyei Arbitration*, THE HAGUE JUSTICE PORTAL, available at <http://www.haguejusticeportal.net/index.php?id=9531>.

<sup>17</sup> Gary Born is an international lawyer and academic. He is the chair of the International Arbitration and International Litigation practices at Wilmer Cutler Pickering Hale and Dorr LLP. He was lead counsel in the Abyei Arbitration conducted under the auspices of the Permanent Court of Arbitration.

<sup>18</sup> Christopher Goebel is a Senior Peace Fellow with PILPG. As one of PILPG's original members, he has consulted during peace processes and other transitions on transitional justice, constitutions, security, and humanitarian issues, focusing recently on Syria and Sudan, with additional experience concerning Kenya, Libya, Yemen, Chad, Senegal, the Balkans, and elsewhere. His most recent experience includes advisor to judges and lawyers from a wide range of areas in Libya on their strategies for engaging Libyan civil society on potential transitional justice and accountability efforts at a grassroots level. He has also been a long-time member of PILPG's negotiation support teams for the peace processes for Syria and Sudan.

<sup>19</sup> Geoff Watson is the Director of the Comparative and International Law Institute at the Catholic University of America's Columbus School of Law. He served as an attorney-adviser in the Office of the Legal Adviser of the U.S. Department of State's Office of the Legal Adviser.

<sup>20</sup> Peter Spiro is the Charles R. Weiner Professor of Law and Co-Director, Institute for International Law and Public Policy at Temple University. Previously, he served as director for democracy on the staff of the National Security Council, as an attorney-adviser in the U.S. Department of State's Office of the Legal Adviser and as a resident associate at the Carnegie Endowment for International Peace.

<sup>21</sup> Dr. Dapo Akande is a Professor of Public International Law at the Blavatnik School of Government at the University of Oxford. He co-directs the Oxford Institute for Ethics, Law, and Armed Conflict.

<sup>22</sup> Michael Roe is a Professor in European History at King's College London.

<sup>23</sup> Professor Craig Anthony (Tony) Arnold is the Boehl Chair in Property and Land Use at the University of Louisville, where he teaches in both the Brandeis School of Law and the Department of Urban and Public Affairs.

<sup>24</sup> Learn more about our team here: <https://www.publicinternationallawandpolicygroup.org/our-team>

<sup>25</sup> For a detailed description and assessment of lessons learned from our 2018 documentation mission into the crimes committed against the Rohingya in Myanmar's Rakhine State, see Andrew C. Mann and Nicole Carle, *Responding to Claims of Atrocities Against The Rohingya: Behind The Scenes Of The 2018 Rohingya Documentation Project*, CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW (forthcoming).

<sup>26</sup> John Barton was a professor at Stanford Law School, a founder of the Center for International Security and Cooperation at Stanford, and a Senior Fellow at the Freeman Spogli Institute for International Studies.

<sup>27</sup> Maurice Copithorne was a professor of international law at the Peter A. Allard School of Law at the University of British Columbia. He served in the Canadian Foreign Service, holding such positions as Legal Advisor and Director General of Legal Affairs, Canadian Ambassador to Austria and UN Agencies in Vienna, and Chair of the International Atomic Energy Board of Governors. He served as UN Special Representative on the Human Rights Situation in Iran.

<sup>28</sup> Monroe Leigh was an American political philosopher and diplomat. He served as Legal Adviser for

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the United States Department of State from 1975-1977. He also served as Legal Adviser for the United States Department of Defense.

<sup>29</sup> Davis Robinson was Legal Adviser to the United States Department of State from 1981-1985. During his tenure, he established the Iran-US Claims Tribunal in The Hague and prepared and presented two major cases before the International Court of Justice.

<sup>30</sup> Dr. Jiří Toman was a jurist and professor, at the Santa Clara University School of Law. He formerly directed the Henry-Dunant Institute in Geneva.

<sup>31</sup> Edwin Williamson is a Retired Partner at Sullivan & Cromwell. He served as the Legal Adviser of the United States Department of State from 1990-1993. In this capacity, he helped form the legal positions of the United States in the 1990-1991 Persian Gulf conflict; after the dissolution of the Soviet Union and the related issues of state succession; after the dissolution of Yugoslavia; and during the attempt to end the Serbian-Bosnian conflict.

<sup>32</sup> Richard Goldstone was the Chairperson of the Commission of Inquiry regarding Public Violence and Intimidation in South Africa, later known as the Goldstone Commission. He served as the Chief Prosecutor of the United Nations International Criminal Tribunals for the former Yugoslavia and Rwanda from 1994 to 1996. Later, in 1999, he was the chairperson of the International Independent Inquiry on Kosovo. From 1994 to 2003, Justice Goldstone was a Justice of the Constitutional Court of South Africa. He has since held the role of professor of law at a number of prestigious law schools and universities in the United States and around the world.

<sup>33</sup> Morton Abramowitz was a Career Ambassador at the United States Department of State, serving in such positions as United States Ambassador to Thailand, United States Ambassador to Turkey, and Assistant Secretary of State for Intelligence and Research. He served as President of the Carnegie Endowment for International Peace and played a founding role in the creation of the International Crisis Group.

<sup>34</sup> Keith Highet frequently handled cases before the International Court of Justice and taught international law at the Fletcher School of Law and Diplomacy at Tufts University, the Paul H. Nitze School of Advanced International Studies at Johns Hopkins University, the University of Paris, the George Washington School of Law, and the Ghana School of Law in Accra.

<sup>35</sup> Abram Chayes was the Felix Frankfurter Professor of Law at Harvard Law School, where he taught for over 40 years. He served as Legal Advisor to the State Department during the Kennedy Administration.

<sup>36</sup> Mark Barnett is Chief Judge at the United States Court of International Trade. Prior to his appointment, Judge Barnett practiced in the international trade group at Steptoe & Johnson. He served at the Office of Chief Counsel for Import Administration at the United States Department of Commerce from 1995-2013.

<sup>37</sup> See e.g., Mark Matthews, *State Dept. resignations reflect dissent on Bosnia U.S. policy called weak, 'dangerous,'* THE BALTIMORE SUN, Aug. 24, 1993.

<sup>38</sup> Darin E.W. Johnson, *Praxis of Peace*, CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW (forthcoming).

<sup>39</sup> Risto Nikovski is a Macedonian Ambassador. Among other postings, he served as Member of the Council of International Relations, Undersecretary at the Ministry of Foreign Affairs, Special Advisor at the Federal Ministry for Foreign Affairs of former Yugoslavia, Undersecretary at Ministry of Information, as well as Ambassador to the Russian Federation, Albania, Great Britain, Ireland, and Iceland.

<sup>40</sup> President Kiro Gligorov was the first President of the Republic of Macedonia. He played an active role in the Macedonian independence movement and international recognition process.

<sup>41</sup> Muhamed Sacirbey is a Bosnian-American lawyer, businessman, and diplomat. He served as Bosnia's Ambassador to the United Nations and as Minister of Foreign Affairs.

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<sup>42</sup> Ambassador Sven Alkalaj is the Permanent Representative of Bosnia and Herzegovina to the United Nations. He previously served as Bosnia's Minister of Foreign Affairs and executive secretary of the United Nations Economic Commission for Europe. He served as the first Bosnia and Herzegovina Ambassador to the United States.

<sup>43</sup> Marshall Harris was U.S. foreign service officer until 1993, when he resigned in protest against U.S. inaction in Bosnia. He then co-founded the Balkan Action Council. He later worked as Senior Scholar and Vice President at Freedom House. He served as advisor to Senate Majority Leader Bob Dole, as well as an advisor to the Dayton Peace Talks and the Kosova delegation to the Rambouillet talks. Following Montenegro's independence he advised the country in pursuit of U.S. recognition of its independence and advised Bosnia in its genocide case against Serbia before the International Court of Justice.

<sup>44</sup> See generally, Susan Rosegrant, *Getting to Dayton: Negotiating an End to the War in Bosnia*, HARVARD KENNEDY SCHOOL, Jan. 1, 1996; Carl Bildt, *PEACE JOURNEY: THE STRUGGLE FOR PEACE IN BOSNIA* (1999); Richard Holbrooke, *TO END A WAR* (1999).

<sup>45</sup> Richard Perle is a political advisor, who served as Assistant Secretary for Global Strategic Affairs from 1981-1987. Under the George W. Bush administration, he served as the Chairman of the Defense Policy Board Advisory Committee.

<sup>46</sup> Douglas Feith is a former United States Under Secretary of Defense, Middle East specialist at the National Security Council, and special counsel at the Pentagon. He is a Senior Fellow at the Hudson Institute.

<sup>47</sup> The New York Times did a colorful article on Richard's role at Dayton. See Elaine Sciolino, *At the Talks, Raging Bull Meets Bulldog, Cordially*, THE NEW YORK TIMES, Nov. 18, 1995.

<sup>48</sup> See Hamza Karčić, *Saving Bosnia on Capitol Hill: the case of Senator Bob Dole* 13 JOURNAL OF TRANSATLANTIC STUDIES 20-29, 2015.

<sup>49</sup> Paul R. Williams, *Promise Them Anything*, THE WEEKLY STANDARD, Dec. 18, 1995, available at <https://www.washingtonexaminer.com/weekly-standard/promise-them-anything>.

<sup>50</sup> Toomas Hendrik Ilves served as President of Estonia from 2006-2016. He was previously Estonian Minister of Foreign Affairs from 1996-1998, and again from 1999-2002. He served as a Member of the European Parliament.

<sup>51</sup> See *Treaty of Tartu* (Estonia and Russia, 1920).

<sup>52</sup> Bujar Bukoshi was the Prime Minister of the Republic of Kosova from 1991 to 2000. He also served as the Minister of Healthcare in Kosovo.

<sup>53</sup> Ibrahim Rugova served as President of the Republic of Kosova, serving from 1992 to 2000. He served as President again from 2002 to 2006.

<sup>54</sup> See *Rambouillet Accords* (Kosovo, Serbia, and Federal Republic of Yugoslavia, 1999).

<sup>55</sup> Vartan Minasi Oskanian was the Foreign Minister of Armenia from 1998-2008, during which time he served as the negotiator of the Key West peace talks. He is the founder of the Civilitas Foundation.

<sup>56</sup> See Jean-Christophe Peuch, *Armenia/Azerbaijan: International Mediators Report Progress On Karabakh Dispute*, RADIO FREE EUROPE, Apr. 10, 2001.

<sup>57</sup> Lloyd Cutler served as White House Counsel during the presidential administrations of Jimmy Carter and Bill Clinton. He co-founded the firm Wilmer Cutler & Pickering and co-chaired the Lawyers' Committee for Civil Rights Under Law.

<sup>58</sup> Shelby Quast is the Cofounder of VoteEquality.us, the Principle/CEO of Robertson, Quast & Associates, and the former Americas Director of Equality now. Shelby previously served as the Director General of the International Legal Assistance Consortium (ILAC), the Executive Director of Partners for Gender Justice, and an Adjunct Professor at the Catholic University of America Columbus School of

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Law and American University.

<sup>59</sup> Nancy Furman Paul is a former Counsel at WilmerHale, Director of Strategic Partnerships at Bloomberg BNA, and Senior Product Manager at Hobsons. She is currently the Senior Product Manager at PowerSchool.

<sup>60</sup> Andrew J. Lorentz is a Partner at Davis Wright Tremaine LLP. He is the co-chair of DWT's FinTech practice.

<sup>61</sup> Melanie Nakagawa is the Special Assistant to the President and Senior Director for Climate and Energy at the National Security Council. Previously, she was Director of Climate Strategy at Princeville Capital and a Non-Resident Fellow at the Center on Global Energy Policy. She served as the Deputy Assistant Secretary for Energy Transformation at the United States Department of State and a Senior Energy and Environment Counsel at the United States Senate Foreign Relations Committee.

<sup>62</sup> Brett Ashley Edwards is a Senior Peace Fellow at the Public International Law & Policy Group. She previously served as PILPG's Executive Vice President and Vice President of Strategic Partnerships.

<sup>63</sup> PILPG maintains active *pro bono* relationships with many of the world's top law firms, including: Baker McKenzie, Cleary Gottlieb, Covington & Burling, Davis Polk, Dechert, DLA Piper, Eversheds Sutherland, Gibson Dunn, Millbank, Morrison & Foerster, Orrick, Shearman & Sterling, Skadden, Sullivan & Cromwell, Weil, and White & Case.

<sup>64</sup> Stephen J. Del Rosso is the Program Director, International Peace and Security, International Program at the Carnegie Corporation of New York. He spent a decade in the U.S. Foreign Service.

<sup>65</sup> PILPG has grown to receive funding from a variety of governments, foundations, and international organizations, including the governments of the United States, Ireland, Canada, the United Kingdom, Germany, Sweden, and the Netherlands; the United Nations; and high-wealth individuals.

<sup>66</sup> See <https://case.edu/law/centers-institutes/cox-international-law-center/henry-t-king-jr-war-crimes-research-office>

<sup>67</sup> See <https://lawyeringpeaceprogram.org/about/>

<sup>68</sup> Elisabeth "Beezie" Dallas is the Vice President of the Stabilization and Transition Practice at DT Global. Previously, she was Director of Chemonics International's Peace, Stability, and Transition Practice. She also served as a Senior Conflict & Peacebuilding Advisor in the U.S. Agency for International Development and as a Senior Program Director and Chief of Party at PILPG.

<sup>69</sup> The National Center on Charitable Statistics analyzed the average life expectancy for non-profit organizations and found that 30 percent of organizations shut their doors within the first ten years of their existence. See Tracy S. Ebarb, *Nonprofits Fail - Here's Seven Reasons Why*, NANOIE, Sept. 7, 2019, available at <https://nanoe.org/nonprofits-fail/>; In 2016, Forbes boldly asserted that half of all non-profit organizations are set up to fail within the next decade due to lack of leadership transition planning. See Ian Altman, *Half Of Nonprofits Are Set Up To Fail -- How About Your Favorite?*, Mar. 20, 2016, available at <https://www.forbes.com/sites/ianaltman/2016/03/20/half-of-nonprofits-are-setup-to-fail-how-about-your-favorite/?sh=44d2b03c4619>.