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CHAPTER 1
INTRODUCTION

1. Why Work at an International Tribunal or Foreign Court?

Law students and graduates seek short-term positions with a court outside of the U.S. for a variety of reasons. For some, it is an opportunity to work in an international setting and have a clerkship experience. Others have an interest in the particular issues that the court hears, such as the arbitration of commercial intellectual property disputes by the World Intellectual Property Organization Arbitration & Mediation Center or violations of humanitarian law by the International Criminal Tribunals for Rwanda or the Former Yugoslavia. Gaining experience with these issues may also fit in with their long-term career plans.

2. What is in this Guide?

This guide provides information regarding some of the courts outside of the U.S.—international tribunals and intergovernmental courts, as well as national courts—where current law students and graduates may find temporary positions, paid and unpaid. Some of these courts, such as the International Criminal Tribunal for the Former Yugoslavia, offer structured programs that are open to law students and recent graduates throughout the world. In these cases, the courts provide instructions on how to apply (e.g., High Court of Australia) or detailed application forms (e.g., International Criminal Tribunal for the Former Yugoslavia).

Other courts have no structured system. Judges do not typically have law clerks, and non-citizens are rarely employed in the court system. They may be open to the possibility of allowing law school students and recent graduates from the U.S. to work on a temporary basis, provided they are fluent in that country’s language and willing to work without pay.

The information in this guide was taken directly from the indicated websites, or obtained in telephone conversations and correspondence with court staff. If you have information about opportunities with other courts, please email cdo.law@yale.edu.

3. How To Pursue a Position with a Court Outside the U.S.

Never say “never.”

Despite the “official” work limitations that the national courts and international tribunals around the world impose, you may be able to find, or create, an opportunity if you are flexible and persistent; willing to research, track down people, or follow up on personal connections; and willing to work without pay.

The experience of one recent Yale Law School graduate provides a useful example. He was under the impression that U.S. citizens had previously clerked for the Supreme Court of India. After sending a letter and resume to the Chief Justice, he learned that the Supreme Court of India had never employed a clerk in its history. Nevertheless, the Chief Justice and the YLS graduate continued corresponding and began to construct a proposal under which he could be the “guinea pig” clerk for the Supreme Court of India. The experiment would allow the justices to decide whether such a clerkship system would be of value to them, and then to build the experiment into a national pilot project for one-year clerkships. Ultimately, the graduate was awarded a grant for a project in a different country (never put all your eggs in one basket, either) and had to defer the clerkship project—but at least he started them thinking about it!
Research.
Contact professors, alumni, or fellow students who may have experience with international tribunals or the legal system in another country, and could have information about individual judges. Remember the overseas-trained graduate students at the law school. Many of them have practiced or taught law before starting the graduate program, and some have worked for courts.

If you are interested in clerking in a country that is not covered in this guide and you have no contact, there may be information on the web. Two websites that provide court links are the WorldLII website (click on the “Courts and Cases” link under the Catalog section) at www.worldlii.org and the Council of Europe, Venice Commission website at www.venice.coe.int/site/dynamics/N_court_links_ef.asp?L+2. The WorldLII site also links to international tribunals.

You can also contact the embassy or consulate for that country in the United States. The State Department maintains contact information for embassies and consular offices in the U.S. at www.state.gov/s/cpr/rls/. Another resource is the Foreign Representatives Yellow Book, published by Leadership Directories, Inc., which is available in print and online. The Foreign Representatives Yellow Book lists contact and staff information for embassies and consulates in the U.S., as well as websites.

Think ahead.
Funding. It is rare to find a foreign court or international tribunal that can pay interns or clerks. Many students finance their internships with travel and research grants awarded through their schools or through programs such as the Fulbright grants. Those funding applications, however, must typically be submitted six to twelve months in advance. If you are able to create a term-time externship, you may be able to retain your eligibility for student loans or other financial aid, but you will also have to arrange that well in advance.

Some of the online resources for researching sources of funding are:

- Yale University Graduate School of Arts and Sciences (GSAS) at http://www.yale.edu/graduateschool/financial/database.html which provides links to the GSAS Fellowship Database which you can search for grants and fellowships at Yale and beyond.

- The Foundation Center at www.fdncenter.org, including Foundation Grants to Individuals Online, to which YLS subscribes and which can be found under Get Started/Individual Grantseekers. See Appendix B for login information.

- PSLawNet, at www.pslawnet.org, in the Search Opportunities section—choose Fellowship-Legal for Job type and refine your search with the Practice Area list or the Keyword box.

Documents. You will probably have to get a visa, and perhaps a work permit. Obviously, the paperwork will vary depending on the length of your stay and the type of position you take. Regardless, plan on a time-consuming process. Find out the details from the appropriate consulate when you are doing your initial research and get as much of a head start as possible.

Be flexible.
The more flexibility you can show in the amount of time that you can work, the time that you can start, and the type of work that you can do, the easier it will be for you to find a position. Consider working for three months or six months, not a year. If you can take a semester away from law school for an intensive learning experience, this type of work could be a good fit. Think about seeking a position after you have
worked for a year or more since this legal experience could make you a more appealing candidate. In addition, if you can save part of your salary, you may not need to find grant funding. Bear in mind that courts do not follow a uniform hiring schedule. Some courts may hire two years in advance, others may hire six months ahead.

**Provide application materials.**
Naturally, if you find specific application requirements for an internship, follow them. If there is no formal application process, send or email a resume with a cover letter that details your interest in working for the court and highlights your qualifications.

**Follow up.**
You must do more than simply make initial contact and wait to see what happens, particularly if you are not applying through a formal program. Plan to follow up with telephone calls or emails to make sure that you have the correct information, confirm that your materials arrived at the right place, provide updated information when necessary, and monitor the status of your application.
CHAPTER 2
INTERNATIONAL TRIBUNALS

A. Tribunals Offering Opportunities

Following is a description of international tribunals and intergovernmental courts that offer opportunities for temporary employment that may be suitable for law school students and recent graduates.

1. Commission for Environmental Cooperation

The Commission for Environmental Cooperation (CEC) is an international organization created by Canada, Mexico, and the United States under the North American Agreement on Environmental Cooperation. The CEC was established to address regional environmental concerns, help prevent potential trade and environmental conflicts, and promote the effective enforcement of environmental law. The Agreement complements the environmental provisions of the North American Free Trade Agreement.

Commission for Environmental Cooperation
393, rue St. Jacques Ouest
Bureau 200
Montreal, Quebec
H2Y 1N9 Canada
Tel: 514 350 4300
Fax: 514 350 4314
Email: info@cec.org
Web: www.cec.org

Opportunities: The CEC offers an unpaid summer study program to interested law students. Those wishing to be considered should mail a resume and a letter explaining their interest to the above address.

2. Court of Justice & Court of First Instance of the European Communities

The European Community Court of Justice has presided since 1952 over cases involving European Community (EC) law, which is independent, uniform in all member countries of the EC, and separate from, yet superior to, national law. Its 27 judges are charged with ensuring that EC law is interpreted and applied uniformly in each member country.

The Court of First Instance was created in 1989 to strengthen the judicial safeguards available to individuals by introducing a second tier of judicial authority and enabling the Court of Justice to concentrate on its essential task, the uniform interpretation of Community Law.

Cour de justice des Communautés européennes
L-2925 Luxembourg
Tel: 352 4303 1
Fax: 352 4303 2600
Web: www.curia.europa.eu

Paid Traineeships: Every year, the Court of Justice of the European Communities offers a limited number of paid traineeships for a maximum duration of five months. There are two traineeship periods: March 1-
Applicants must hold a degree in law or in political sciences (majority content of law) or, for traineeships in the Interpreting Division, a diploma in conference interpreting. Applicants must print and complete the application form available on the website and mail it to “Division du personnel de la Cour de justice des Communautés européennes, L-2925 Luxembourg,” together with a detailed curriculum vitae and copies of diplomas and/or certificates. In view of the nature of the working environment, a good knowledge of French is desirable.

Dean Acheson Legal Stage Program: The Dean Acheson Legal Stage Program allows for a limited number of students from 23 U.S. law schools to work as assistants at the Court of Justice and the Court of First Instance of the European Communities. YLS is one of the participating law schools, along with Boston University, California-Berkeley, Chicago, Columbia, Cornell, Duke, Fordham, Georgetown, George Washington, Harvard, Michigan, Minnesota, NYU, Northwestern, Pennsylvania, Seton Hall, Stanford, UCLA, Texas (at Austin), USC, Vanderbilt, and Virginia. Candidates must apply through the Law School, which can submit a maximum of three applications. Contact CDO for further information.

There are three different types of stage assignments. Stagiaires may work with a judge of the Court of Justice, with an Advocate General of the Court of Justice, or with a judge of the Court of First Instance. These stage opportunities are offered for periods of not more than three months during the spring and fall terms of the Court. The positions are unpaid, and stagiaires are responsible for the full cost of their transportation, room and board while participating in the program.

Applications for both terms must be received by the U.S. Embassy in Luxembourg by May 1. Priority will be granted to applicants who have completed three years of law school and who have strong knowledge of European Community Law. Some knowledge of French is essential. Knowledge of a European Union (EU) language other than French and English would also be an advantage and will, in certain cases, be necessary for certain assignments. The Stage Program is open to U.S. citizens and legal permanent residents only.

3. European Court of Auditors

The treaty establishing the European Union (EU) confers upon the European Court of Auditors (ECA) the main task of auditing the accounts and the implementation of the budget of the EU. The treaty also confers the dual aim of improving financial management and reporting to the citizens of Europe on the use made of public funds by the authorities responsible for their management.

The European Court of Auditors consists of 27 Members originating from the 27 Member States who are appointed for a term of six years. They are independent and have specific experience in the audit of public finances. The Court of Auditors examines whether EU budgetary revenue has been received and the corresponding expenditure incurred in a legal and regular manner. It places a particular emphasis on examining whether the financial management has been sound, i.e. it checks whether management objectives have been met while assessing to what extent and at what cost this has been done.

European Court of Auditors
External Relations Department
12, rue Alcide De Gasperi
L-1615 Luxembourg
Tel: 352 4398 45410
Fax: 352 4398 46430
Opportunities: The ECA provides traineeships to a limited number of university graduates for periods of three to five months. The ECA exceptionally accepts trainees from countries outside of the European Union, when a derogation has been granted by the appointing authority.

4. European Court of Human Rights

The Convention for the Protection of Human Rights and Fundamental Freedoms was drawn up within the Council of Europe in 1950 and entered into force in 1953 in an effort to enforce the United Nations Universal Declaration of Human Rights of 1948 within Europe. In addition to laying down a catalogue of civil and political rights and freedoms, the Convention laid the groundwork for the European Court of Human Rights to protect these rights and freedoms. Increased caseload led to the creation of a new European Court of Human Rights in 1998, which put into action an entirely new procedural protocol so as to hear grievances and try cases more efficiently.

The European Court of Human Rights is composed of the number of judges equal to that of the contracting nations which is currently 46. Judges are elected by the Parliamentary Assembly of the Council of Europe for a term of six years and there is no restriction on the number of judges of the same nationality. Judges sit on the Court in their individual capacity and do not represent any nation.

The Court is divided into five sections. In each section, there is a Committee of three judges who dispose of cases that are clearly inadmissible, and a Chamber of seven judges who determine admissibility and merits and rule by majority vote. A Grand Chamber of 17 judges hears cases that raise a serious question of interpretation or application of the Convention, or a serious issue of general importance.

Traineeships: The European Court of Human Rights offers three-month, unpaid traineeships to students who are nationals of one of the Council of Europe’s member states. French is the primary language of the court, and a facility with French is necessary for trainees. Trainees are usually recent law school graduates and they may serve a member of the Court during one of three periods throughout the year: January–March, April–June, and September–December. Applications for 2009 can be found online at www.coe.int/t/e/Human_Resources/Jobs/11_Traineeship_opportunities/ starting in April 2008, and must arrive at the Council of Europe headquarters no later than September 15, 2008.

The Young Lawyers’ Scheme: Attorneys at the start of their career can work at the Registry for one year and may extend their employment up to four years. Their principal task is to deal with individual applications originating from their own legal system, written in their own language. To be eligible, you must be a national of, and hold a law degree obtained in, one of the Council of Europe’s member states.
5. European Free Trade Agreement Court

The European Free Trade Agreement (EFTA) Court fulfills the judicial function within the EFTA system, interpreting the Agreement on the European Economic Area (EEA) with regard to the EFTA States party to the Agreement. At present those EFTA States are Iceland, Liechtenstein and Norway. The aim of the EEA Agreement is to guarantee the free movement of persons, goods, services and capital; to provide equal conditions of competition; and to abolish discrimination on grounds of nationality in all 30 EEA States—the 27 EU States and the three EFTA States.

The EFTA Court deals with infringement actions brought by the EFTA Surveillance Authority against an EFTA country regarding EEA rules. It settles disputes between EFTA countries. Thus, the jurisdiction of the Court over EFTA nations corresponds with the jurisdiction of the Court of Justice of the European Communities over EC states.

EFTA Court
1, rue du Fort Thüngen
L-1499 Luxembourg
Tel: 352 42 10 81
Fax: 352 43 43 89
Email: eftacourt@eftacourt.lu
Web: www.eftacourt.lu

Opportunities: The EFTA Court offers up to eight paid traineeships annually for terms of two to four months; preference is given to citizens of the EEA/EFTA nations (Iceland, Liechtenstein and Norway). The working language of the Court is English; command of French, German, Norwegian, or Icelandic is an asset. Generally, traineeships are offered from March 15 to July 15 (applications must be received by January 15) and September 1 to December 15 (applications must be received by July 1). Trainees are appointed to one of the three Judges’ Cabinets or to the Registry of the Court. Application forms and further details are available on the Court’s website.

6. Inter-American Court of Human Rights

The Inter-American Court of Human Rights (IACHR) was created by the Organization of American States (OAS) in 1979 as an autonomous judicial institution charged to apply and interpret the American Convention on Human Rights, a treaty drafted by the Inter-American Commission on Human Rights in 1967 and adopted by the OAS in 1969. The Court has adjudicatory and advisory jurisdiction.

Inter-American Court of Human Rights
Apartado 6906-1000
San José, Costa Rica
Tel: 506 234 0581
Fax: 506 234 0584
Email: corteidh@corteidh.or.cr
Web: www.corteidh.or.cr

Internship and Visiting Professionals Program: This program at the IACHR offers current law students and attorneys, among others, the opportunity to work directly with members of the Legal Department and the Deputy Secretariat of the IACHR in whatever capacity is necessary. These positions are unpaid and interns and visiting professionals are responsible for all expenses, including living costs and arrangements, during their assignment to the Court. The work can include researching human rights
issues, writing reports, analyzing international human rights jurisprudence, assisting with the process of contentious cases, advisory opinions, provisional measures and supervision of the compliance of the Court’s judgments, providing logistical assistance during public hearings, and developing legal arguments for specific cases. Interns and visiting professionals may also be required to conduct more intensive research about specific issues of law. The interns and professional interns must also participate in the daily activities of the Court, such as the review and translation of documents, and other administrative tasks.

Student applicants must be committed to the subject of human rights. With respect to attorney applicants, academic knowledge and professional experience related to the Inter-American System for the Protection of Human Rights, public and private international law, international humanitarian law, international human rights law, and international comparative law are highly valued. Good oral and written skills in Spanish and English are essential; Spanish is the principal language used at work. In addition, knowledge of other official languages of the Court, such as Portuguese and French, is greatly valued.

A minimum of three months of availability is required and applications for internships longer than three months are highly valued. The application deadlines are as follows: apply before November 15 for a position during the months of January to April; before March 15, for May to August positions; and before July 15, for September to December positions. For more details, visit the Court’s website, at www.corteidh.or.cr/pasantias.cfm.

7. International Chamber of Commerce International Court of Arbitration

The International Court of Arbitration (ICA) was created in 1923 as the arbitration body of the International Chamber of Commerce (ICC), a private organization established in 1919 that currently represents business enterprises and associations from over 130 countries. The ICC has established many of the voluntary rules that govern the conduct of business across international borders and serves as the principal representative of global business interests to the United Nations.

The ICA settles disputes that arise between parties to a contract who do not wish to have their case heard before a particular nation’s court, either because they do not trust a national court to render a fair decision, or because they do not wish to submit to a national court’s arduous and often expensive judicial process. The dispute resolution mechanisms developed by ICC have been conceived specifically for business disputes in an international context. Usually, the parties will be of different nationalities, with different linguistic, legal, and cultural backgrounds. They may also have different expectations about how a dispute can be resolved reasonably and fairly. Distrust may be relatively strong, accompanied by uncertainty or a lack of information about the course to follow. These difficulties may be compounded by distance and the disadvantages one party may face in submitting to a procedure on the other’s home ground. For all these reasons, national courts in the country of one of the parties may not appear suitable to the other parties.

The ICC provides international businesses with alternatives to government court litigation. Even in a domestic context, disputing businesses sometimes prefer alternatives to government courts that are less costly and time-consuming. ICC arbitration offers a simpler alternative, as well as confidentiality and the freedom to choose the arbitrators, the place of arbitration, the applicable rules of law, and the language of the proceedings.
Secretariat of the ICC International Court of Arbitration
38 cours Albert 1er
75008 Paris, France
Tel: 33 1 49 53 29 05
Fax: 33 1 49 53 29 33
Email: arb@iccwbo.org
Web: www.iccwbo.org/court

**Opportunities:** The Secretariat of the International Court of Arbitration has set up a program for young lawyers not yet engaged in professional legal practice and who have a special interest in international commercial arbitration. Participants attend the sessions of the Court and work with the Secretariat. They are also expected, should the need arise, to contribute to a particular research project related to arbitration. The working languages of the Court are English and French so applicants will be expected to have a good command of either or both.

The program offers no pay and is designed not to exceed two months. Accepted candidates must acquire adequate health insurance while they are in France. They are also required to handle their own visa, travel, and accommodation arrangements for the duration of their stay.

Applicants should submit a detailed resume; a summary of their motivations and interest in international arbitration; and the names, addresses, and telephone, fax, and email information for two persons the Secretariat may contact concerning their candidacy. There are two application periods each year: apply in June (receipt by June 30) to be considered for a two-month period between January and June of the following year, and in November (receipt by November 30) to be considered for a two-month period between July and December of the following year. Applications are to be addressed to Mr. Emmanuel Jolivet, General Counsel of the ICC International Court of Arbitration, 38 cours Albert 1er, 75008 Paris, France; courtinternship@iccwbo.org. More information in this respect is available at www.iccwbo.org/court/arbitration/id4430/langtype1033/index.html.

**8. International Court of Justice**

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It began work in 1946, when it replaced the Permanent Court of International Justice, which had functioned since 1922, and it operates under a statute largely similar to that of its predecessor, which is an integral part of the Charter of the United Nations.

The ICJ has a dual role: to settle in accordance with international law the legal disputes submitted to it by nations and to give advisory opinions on legal questions referred to it by duly authorized international organs and agencies. Only nations may apply to and appear before the ICJ. These include all the members of the United Nations.

The ICJ is competent to rule upon a dispute only if the nations concerned have accepted its jurisdiction. The ICJ rules in accordance with international treaties and conventions in force, international custom, general principles of law, judicial decisions, and the teachings of the most highly qualified authors and commentators.

Since 1946 the ICJ has delivered 93 Judgments on disputes concerning, among other things, land frontiers and maritime boundaries, territorial sovereignty, the non-use of force, non-interference in the internal affairs of States, diplomatic relations, hostage-taking, the right of asylum, nationality, guardianship, rights of passage, and economic rights.
Since 1946 the ICJ has given 25 Advisory Opinions concerning, among other things, the legal consequences of the construction of a wall in the occupied Palestinian territory, admission to United Nations membership, reparation for injuries suffered in the service of the United Nations, territorial status of South-West Africa (Namibia) and Western Sahara, judgments rendered by international administrative tribunals, expenses of certain United Nations operations, applicability of the United Nations Headquarters Agreement, the status of human rights rapporteurs, and the legality of the threat or use of nuclear weapons.

International Court of Justice
Peace Palace
2517 KJ The Hague
The Netherlands
Tel: 31 070 302 23 23
Fax: 31 070 364 99 28
Email: recrutement-recruitment@icj-cij.org
Web: www.icj-cij.org

Traineeship Program: The ICJ has a formal traineeship program, with individual judges, which is available to students and recent graduates of YLS and other schools designated by the ICJ. Trainees assist members of the court in tasks such as drafting opinions, orders, and other court documents; preparing for oral arguments; and researching a variety of legal issues. Once the trainees are chosen, the individual judges also use the application materials to designate which trainee they wish to have assigned to them. It is possible that the trainee will work with more than one judge. Candidates must be proficient in at least one of the ICJ’s official languages, English or French, and a good working knowledge of the other is helpful. The ICJ sets the application timetable; last year, YLS application materials were due in mid-January.

Internships: The Court offers unpaid internships of one to three months, under the supervision of the Registry staff, to students and young professionals who are in the early stages of their careers. Given the size of the organization, only a limited number of internships can be offered throughout the year. Placements are, however, possible in all departments and divisions of the Registry. The working languages of the Court are English and French. Details regarding the internships may be found on the Court’s website, at http://www.icj-cij.org/registry/index.php?p1=2&p2=6. Applications are accepted on a rolling basis via an online application form accessed from the Internships web page cited above.

9. International Criminal Court

The International Criminal Court (ICC) is the first ever permanent, treaty based, international criminal court established to promote the rule of law and ensure that the gravest international crimes do not go unpunished. The Court is complementary to national criminal jurisdictions. The jurisdiction and functioning of the Court is governed by the provisions of the Rome Statute. The Rome Statute of the International Criminal Court was established on July 17, 1998, when 120 States participating in the “United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court” adopted the Statute. The Statute entered into force on July 1, 2002. Anyone who commits any of the crimes under the Statute after that date is liable for prosecution by the Court.

There are 18 judges on the Court, which is organized into Appeals, Pre-Trial, and Trial Divisions and respective Chambers of the Court. The Appeals Division is composed of the President and four other judges, the Trial Division of the Second Vice President and Five other
judges, and the Pre-Trial Divisions of the First Vice President and six other judges. All the judges are nationals of states parties to the Rome Statute; the U.S. is not a party. The working languages of the Court are English and French.

International Criminal Court
Street Address:
Maanweg, 174
2516 AB, The Hague
The Netherlands

Postal Address:
P.O. Box 19519
2500 CM, The Hague
The Netherlands
Tel: 31 (0)70 515 8515
Fax: 31 (0)70 515 8555
Email: applications@icc-cpi.int
Web: www.icc-cpi.int

Internships and Visiting Professionals: The Court has available internships for periods of three to six months. Visiting professionals may work for one to three months. Positions are to be filled preferably by a national of a state party to the ICC Statute, or of a state which has signed and is engaged in the ratification process or which is engaged in the accession process. Nationals from non-state parties may also be considered. Interns must be under 35 years old; there is no age limit for visiting professionals. See the recruitment section of the Court’s website for extensive details on the application process.

10. International Criminal Tribunal for Rwanda

The United Nations Security Council created the International Criminal Tribunal for Rwanda (ICTR) in late 1994 to help contribute to the process of national reconciliation in Rwanda and to help maintain peace in the region. The ICTR prosecutes persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda during the 1994 calendar year. It also has jurisdiction to prosecute Rwandan citizens responsible for genocide and other such violations of international law committed in the territory of neighboring nations during 1994.

The ICTR consists of three departments: the Chambers, the Office of the Prosecutor, and the Registry. The Chambers is comprised of three trial chambers and an appeals chamber. The Office of the Prosecutor has two sections: the Investigation Section which is responsible for collecting evidence and the Prosecution Section which is responsible for prosecuting all cases. The Registry provides overall administration and management of the Tribunal, performs certain legal functions, and is the Tribunal’s channel of communication.

The Internship Coordinator
International Criminal Tribunal for Rwanda
P.O. Box 6016
Arusha, Tanzania
Attention: Ms. Felicia Madigane
Tel: 1 212 963 2850

Yale Law School Career Development Office
Opportunities: The International Criminal Tribunal for Rwanda offers a two- to six-month unpaid internship for graduate and post-graduate students. The internship program seeks to provide practical experience to the participants in their field of study, while providing necessary assistance to the offices to which the intern is assigned. However, the program has no standard format. Each individual’s internship is formed around the specific needs of the ICTR at the time. Candidates must be endorsed by their educational institution and are expected to be at an early stage of their career, holders of public office, or expecting to hold public office. Candidates must state clearly and precisely their particular field of interest and/or submit a topic for a thesis or paper on international humanitarian law/human rights/international criminal law/comparative law/international law. Proficiency in English or French is required, and knowledge of Swahili or Kinyarwanda is helpful, though not necessary. Interested applicants should submit an application (available from the ICTR website), two references, their most recent university transcript, a cover letter explaining the applicant’s interest in the internship, a sample of research/coursework relevant to the preferred assignment area (prepared in English or French), and an official endorsement by the university to the contact address above.

Accepted interns will be responsible for transportation and the necessary visas. They will also be responsible for housing, living expenses, daily transport to the ICTR office, and obtaining both regular and major medical health insurance. Interns seeking permanent employment must wait six months following the end of the internship to apply for permanent positions with the ICTR.

11. International Criminal Tribunal for the Former Yugoslavia

The United Nations Security Council created the International Criminal Tribunal for the Former Yugoslavia (ICTY) in 1993. The statute establishing the ICTY gives it the power to prosecute persons responsible for the serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991, including breaches of the Geneva Convention of 1949, violations of the laws or customs of war, genocide, and crimes against humanity.

The ICTY is divided into three general departments: the Chambers, the Office of the Prosecutor, and the Registry. The judicial activity of Chambers comprises pre-trial stages, trials, appellate proceedings, and proceedings pertaining to the exercise of the primacy of the Tribunal. Chambers also engages in regulatory activities to improve procedures for ensuring that trials are both fair and expeditious. The Office of the Prosecutor investigates and prosecutes persons, especially those in positions of authority or leadership, who were responsible for the planning, implementation, and execution of the most serious violations of international humanitarian law. The Registry is responsible for providing information to the media and the public, administering the legal aid system of assigning defense counsel to indigent accused, supervising the Detention Unit, managing the Courtrooms, and maintaining diplomatic contacts with States and their representatives.

Raad Alkhalili
Head of Recruitment, Training and Examination Unit
Human Resources Section
International Criminal Tribunal for the Former Yugoslavia
P.O. Box 13888
2501 EW The Hague
Opportunities: The ICTY offers unpaid internships, which last for three to six months, for law school graduates or those in the final stages of their graduate legal studies. Interns may assist the Registry, the Chambers, or the Office of the Prosecutor. Applicants should be sponsored and/or nominated by an educational institution, government body, or private organization, in conjunction with the application form. Applicants must be proficient in English and/or French, both written and oral, and knowledge of other languages, particularly Bosnian/Croatian/Serbian, is an asset.

12. International Tribunal for the Law of the Sea

The International Tribunal for the Law of the Sea (ITLOS) is an independent international organization, which has been established under the United Nations Convention on the Law of the Sea. An international treaty adopted in 1982, the Convention defines the outer limits to which coastal States can claim jurisdiction over their adjacent waters, provides regulations for maritime issues of potential international dispute, and sets up the International Seabed Authority, which is devoted to organizing and controlling activities in the deep seabed. Five Special chambers do exist: The Chamber of Summary Procedure, the Chamber for Fisheries Disputes, the Chamber for Marine Environment Disputes, the Chamber for Maritime Delimitation Disputes and Ad-hoc Chambers.

The Tribunal is the central forum for the settlement of disputes arising between the 155 nations currently party to the Convention, including those regarding the delimitation of maritime zones, fishing, navigation, ocean pollution, as well as the prompt release, upon the deposit of a bond, of arrested vessels and their crews. In addition, the Tribunal’s Seabed Disputes Chamber, which is composed of 11 judges selected from the 21 judges of the Tribunal, resolves disputes between member nations, the International Seabed Authority, companies, and private individuals regarding pollution of the deep seabed.

The Registrar
International Tribunal for the Law of the Sea
Am Internationalen Seegerichtshof 1
22609 Hamburg
Germany
Tel: 49 40 356 07-0
Fax: 49 40 356 07-275
Email: press@itlos.org
Web: www.itlos.org

Opportunities: The International Tribunal for the Law of the Sea employs students interested in the law of the sea, public international law, international organizations, international relations, public relations, and political science in an unpaid, three-month program intended to give participants an understanding of the work and functions of the Tribunal and to enable the Tribunal to benefit from the assistance of persons with relevant knowledge and skills. Applicants should be enrolled in a degree-granting program and should speak English and/or French. To apply, complete the application form available on the Tribunal’s website and submit it along with a resume, transcript, and, if available, a brief sample of relevant research work in English or French.
13. Iran-United States Claims Tribunal

The Iran-United States Claims Tribunal came into existence as one of the measures taken to resolve the crisis in relations between Iran and the U.S. arising out of the detention of 52 U.S. nationals at the United States Embassy in Tehran which commenced in November 1979, and the subsequent freeze of Iranian assets by the U.S. on November 14, 1979.

The government of Algeria served as intermediary in the search for a mutually acceptable solution. Having consulted extensively with the two Governments as to the commitments which each was willing to undertake in order to resolve the crisis, the government of Algeria recorded those commitments in two Declarations made on January 19, 1981: the General Declaration and the Claims Settlement Declaration, also known as the “Algiers Declarations.”

To provide alternative means for the adjudication of pending commercial claims by U.S. nationals against Iran and its state enterprises, the Claims Settlement Declaration established the Iran-United States Claims Tribunal as the mechanism for bringing about binding third-party arbitration of those claims.

The Tribunal consists of nine Members, three appointed by each government and three third-country Members appointed by the six government-appointed Members. The Tribunal has jurisdiction to decide claims of U.S. nationals against Iran and of Iranian nationals against the U.S., which arise out of debts, contracts, expropriations or other measures affecting property rights; certain “official claims” between the two governments relating to the purchase and sale of goods and services; disputes between the two governments concerning the interpretation or performance of the Algiers Declarations; and certain claims between U.S. and Iranian banking institutions.

After more than 25 years of work, the Tribunal, through its three three-member Chambers, has disposed of approximately 4000 claims utilizing the Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL) as modified by the Governments and the Tribunal. The remaining cases before the Tribunal are substantial disputes between the two Governments and are being heard by the Full Tribunal’s complement of nine members. As a consequence of the size of the remaining cases, there are periodic points of low activity at the Tribunal during which law clerks have been able to pursue their independent research interests and have had the opportunity to assist the Judges with their non-Tribunal work. This work currently includes service as arbitrator in numerous international commercial and investment disputes, service on the Eritrea-Ethiopia Claims Commission, and numerous writing projects and speaking engagements.

Iran-United States Claims Tribunal
Parkweg 13
2585 JH The Hague
The Netherlands
Tel: 31 70 352 0064
Fax: 31 70 350 2456
Email: d.valk@iusct.nl

Opportunities: In the past, the three U.S. Judges have hired law clerks. Clerkships are normally for two-year terms with the possibility of extending service if mutually agreeable to the Judge and clerk. Prior clerkship or work experience is valued. Because there are only three U.S. Judges,
vacancies occur unpredictably. Applications will be kept on file even if no opportunity is available at the time it is submitted.

### 14. Permanent Court of Arbitration

The Permanent Court of Arbitration (PCA) offers services for resolving disputes between states, between states and private parties, as well as disputes involving intergovernmental organizations. These services include arbitration, conciliation, mediation and fact-finding commissions of inquiry. In addition, the International Bureau of the PCA offers hearing facilities and ancillary administrative services to tribunals operating ad hoc or under the rules of other institutions, and is available to facilitate arbitrations conducted under the UNCITRAL Arbitral Rules.

**Permanent Court of Arbitration**  
Peace Palace  
Carnegieplein 2  
2517 KJ The Hague  
The Netherlands  
Tel: 31 70 302 4165  
Fax: 31 70 302 4167  
Email: bureau@pca-cpa.org  
Web: www.pca-cpa.org

**Internships:** The PCA offers an internship program for law school students and recent graduates. The program is unpaid and lasts three months. Interns participate fully in the regular functioning of the organization, often conducting research for arbitration tribunals, drafting memos, and assisting at hearings.

Applications can be mailed to the address above or sent electronically to: applications@pca-cpa.org. Applications should include a cover letter explaining the applicant’s interest in the program, including particular legal interests and knowledge; complete curriculum vitae (CV); copies of academic transcripts; and a letter of recommendation. Fluency in English or French is necessary. Additional language skills are a strong advantage, particularly Chinese, Arabic, Spanish, and/or Russian. Complete application procedures and guidelines as well as up-to-date program requirements are available at the PCA website.

**Yale Law School Fellowship:** The Fellowship is open to graduating students and alumni of YLS who are interested in careers in international law and dispute resolution. It is funded through support of the Oscar M. Ruebhausen Fund at Yale Law School. Please visit the Public Interest Fellowships page of the YLS web site and contact the Career Development Office for more complete information.

### 15. Special Court for Sierra Leone

The Special Court for Sierra Leone was set up jointly by the Government of Sierra Leone and the United Nations. It is responsible for trying those accused of crimes against humanity, violations of Article 3 common to the Geneva Conventions and of Additional Protocol II, other serious violations of international humanitarian law and crimes under Sierra Leonean Law.
Special Court of Sierra Leone Internship Programme: Internships are available in various offices including, Chambers, the Registry, Office of the Prosecutor, Defense Office, Public Affairs Office, Court Management, and Outreach. Interns are given the opportunity to work on current cases, prepare decisions, draft opinions, and work on overall issues surrounding the Court, or participate in taking information about the Court to the people of Sierra Leone as part of the Outreach or Public Affairs teams.

Interns in Chambers, the Registry, Office of the Prosecutor, and the Defense Office should have a first level degree qualification preferably in law. Study in the area of international humanitarian law will be considered as an advantage. No formal qualifications are required for interns in the Public Affairs Office, Court Management, Outreach and other offices. All interns must be proficient in English, both written and spoken. Knowledge of local languages will be an advantage in applying for the Programme.

All internships are for a period of six months. No extension will be granted. Internships for less than six months will be allowed only in circumstances agreed between the Programme Coordinator and the Head of Section requesting the intern(s). An acceptance of an internship is not an offer of a permanent job in the Special Court, and interns should not expect to be offered a job on the basis of having previously secured an internship.

The Special Court no longer offers funded internships for international applicants. Funding is available only for applicants who are nationals of Sierra Leone.

Application forms and a description of the duties to be performed by interns in the various offices are available at the Court’s website by clicking on “Internship,” under the “Vacancies” tab. You will be required to rank in order of preference the three offices in which you would like to work as an intern. Send the application to the Special Court Personnel section, clearly marked “Internship Programme” to the address above. Applications will be considered on a competitive basis.

16. World Intellectual Property Organization Arbitration & Mediation Center

The World Intellectual Property Organization (WIPO) Arbitration and Mediation Center was established in 1994 to offer services for the resolution of international commercial disputes between private parties. Developed by experts in cross-border dispute settlement, the procedures offered by the Center are appropriate for technology, entertainment, and other disputes involving intellectual property. Recently, the Center has focused its resources on establishing an operational and legal framework for administration of disputes relating to the Internet and electronic commerce which has resulted in the Center being recognized for, among other things, being the leading resolution service provider for disputes arising out of the registration and use of Internet domain names.
Besides settling disputes, the Center also offers advisory services and has worked with several organizations to develop dispute resolution schemes tailored to meet their specific requirements. The Center is a member of the International Federation of Commercial Arbitration Institutions and can draw on specific cooperation agreements concluded with an expanding number of other institutions.

Mr. Erik Wilbers
Acting Director, WIPO Arbitration and Mediation Center
Head, Domain Name Dispute Resolution Section
World Intellectual Property Organization
34, chemin des Colombettes
P.O. Box 18
1211 Geneva 20
Switzerland
Tel: 41 22 338 8247
Fax: 41 22 740 3700
Email: arbiter.mail@wipo.int
Web: www.wipo.int/amc

Opportunities: There is no defined internship program. Opportunities are available on an ad hoc basis for a minimum of one year, in relation especially to domain name case management. Interested students can send a CV which will be kept on file; the Center will inform them if a suitable opportunity arises.

17. World Trade Organization Appellate Body

The World Trade Organization (WTO) resolves trade disputes under the Dispute Settlement Understanding to ensure that international trade flows smoothly. A dispute arises when a member government believes another member government is violating an agreement or a commitment that it has made in the WTO. If disputing WTO Members cannot reach a mutually agreed solution, a panel is established at the complainant’s request. A Panel consists of three experts from different countries who examine the evidence and render a decision. Either party can appeal the panel’s decision before the Appellate Body. The permanent seven-member Appellate Body broadly represents the range of WTO membership. Members of the Appellate Body have four-year terms and must be individuals with recognized standing in the fields of law and international trade, but not affiliated with any government. Only three members serve on any one case.

Director, Human Resources Division
World Trade Organization
Centre William Rappard
154 rue de Lausanne
1211 Geneva 21, Switzerland
Tel: 41 22 739 51 11
Fax: 41 22 731 42 06
Email: humanresources@wto.org
Web: www.wto.org

Opportunities: The WTO Secretariat maintains a limited internship program for post-graduate university students, including law students wishing to gain practical experience and deeper knowledge of the multilateral trading system. Assignments given to interns are intended to enhance their knowledge and understanding of the WTO and of trade policy more generally.
The needs of the Division recruiting an intern will be paramount in determining the precise nature of assignments. Intake to the program is on a continuing basis, with no specific recruitment period.

Interns are recruited from among nationals of WTO Members and countries and customs territories engaged in accession negotiations. Interns must have completed their undergraduate studies in a relevant discipline (e.g., economics, law, political science, international relations), and shall normally have embarked upon postgraduate studies. In certain cases, post-graduates about to enter the job market may be considered for internships.

The minimum age for an intern is 21 years and the maximum age is 30 years. A roster of suitable candidates is maintained from which interns are selected. In addition to the regular internship program, the need may also arise to recruit interns at short notice for particular tasks. These recruits are also drawn from the roster. Names will not be maintained on the roster for longer than one year.

Interns receive a daily allowance of CHF 60 (including weekends and official holidays falling within the selected period). No other remuneration of any kind shall be paid. Internships take place in Geneva, Switzerland only. Travel expenses to and from Geneva cannot be paid by the WTO, and such travel is not covered by the Organization’s insurance. Interns are also responsible for their own insurance to cover illnesses and accidents while they are working at the WTO. The WTO may also employ unpaid interns funded from external sources.

Internships are generally of a duration of up to 24 weeks, the length of the internship depending on the project the intern is requested to work on, and on the needs of each Division. The granting of an internship does not entail in any way the right to an extension thereof nor to a vacancy in another part of the Secretariat. Interns may nevertheless apply for external vacancies. Internships can start at any time during the year. An internship can be terminated by the WTO Secretariat or by the intern with one week’s notice.

Prospective interns meeting the criteria should download and complete the application form from the WTO website and send it to the above address electronically or by post.

**B. Additional Tribunals**

The following tribunals have no information regarding temporary employment opportunities or do not offer temporary employment programs. If you are interested in working with any of these tribunals, contact them about the possibility of designing a volunteer internship.

**1. Caribbean Court of Justice**

The Caribbean Court of Justice (CCJ) is the regional judicial tribunal established in 2001 by the Agreement Establishing the Caribbean Court of Justice. The agreement was signed on that date by the Caribbean Community and Common Market (CARICOM) states of: Antigua & Barbuda; Barbados; Belize; Grenada; Guyana; Jamaica; St. Kitts & Nevis; St. Lucia; Suriname; and Trinidad & Tobago. Two further states, Dominica and St. Vincent & The Grenadines, signed the agreement on February 15, 2003, bringing the total number of signatories to 12. The Agreement came into force in 2003, and the CCJ was inaugurated in 2005 in Port of Spain, Trinidad & Tobago, the Seat of the Court. Out of a total of nine provided for in the agreement, the Court
President and ten other justices have been appointed by the Regional Judicial & Legal Services Commission.

The Caribbean Court of Justice has been designed to be more than a court of last resort for CARICOM member states. It is also vested with an original jurisdiction respecting the interpretation and application of the Treaty Establishing the Caribbean Community. In effect, the CCJ would exercise both an appellate and an original jurisdiction.

In the exercise of its appellate jurisdiction, the CCJ will consider and determine appeals in both civil and criminal matters from common law courts within the jurisdictions of member states which are parties to the Agreement Establishing the CCJ. In the discharge of its appellate jurisdiction, the CCJ will be the highest municipal court in the Region. In the exercise of its original jurisdiction, the CCJ will be discharging the functions of an international tribunal applying rules of international law in respect of the interpretation and application of the Treaty. In this regard, the CCJ would be performing functions like the European Court of Justice, the European Court of First Instance, the Andean Court of Justice and the International Court of Justice. In short, the proposed CCJ is intended to be a hybrid institution—a municipal court of last resort and an international court with compulsory and exclusive jurisdiction in respect of the interpretation and application of the Treaty.

The Caribbean Court of Justice
134 Henry Street
Port-of-Spain
Republic of Trinidad and Tobago
Tel: 1 868 623 2CCJ (2225)
Email: info@caribbeancourtofjustice.org
Web: www.caribbeancourtofjustice.org/

2. Central American Court of Justice

The Central American Integration System (SICA) was created by the Protocol of Tegucigalpa, which was signed in Honduras in 1991 by all seven Central American countries. The Protocol went into effect in 1993 and has been ratified by all member nations. The process of inter-governmental integration was not new at that time in Central America. A common market had already been formed between five of the seven countries (Guatemala, El Salvador, Honduras, Nicaragua, and Costa Rica) that provided several trade benefits. The new inter-governmental integration signaled by the Protocol not only involves trade but also is political, social, cultural, and ecological.

The Central American Court of Justice is modeled on the European Court of Justice and seeks to resolve disputes that cross Central American political borders in accordance with the rules set down in the Protocol of Tegucigalpa.

All documents and correspondence are in Spanish.

Magistrado Corte Centroamericana de Justicia
Bolonia, 1804
De Pricesmart 1 ½ c. arriba
Managua, Nicaragua
Centroamérica
3. Common Market for Eastern and Southern Africa Court of Justice

The Common Market for Eastern and Southern Africa (COMESA) Court of Justice is a regional grouping of 20 countries of Eastern and Southern Africa, spreading all the way from Egypt in the north, down to Namibia and Swaziland in the south and including the adjacent Indian Ocean nations of Comoros and Seychelles. It was established in 1994 to replace the Preferential Trade Area for Eastern and Southern Africa (PTA) which had existed since 1981. The PTA treaty had envisaged the area’s transformation into a common market, and it was in conformity with this vision that the treaty establishing COMESA was signed in 1993 in Uganda and ratified a year later in Malawi.

The COMESA Court of Justice is modeled after the European Court of Justice. In short, the Common Market, as established by its member nations, exists within a system of rules originally embodied in the PTA Treaty, updated in the COMESA treaty, and the Court exists to enforce those rules. It replaced the three judicial bodies that existed under the PTA, and thereby provides one integrated, strong judicial body with one Registry instead of three relatively weak ones. The Court addresses the issue of enforcement of decisions taken collectively and allows legal or natural citizens affected by regulations, directives or provisions of the PTA Treaty to request the Court to determine their legality under the Treaty.

COMESA Secretariat
COMESA Court of Justice
The COMESA Centre
Ben Bella Road
P.O. Box 30051
Lusaka, Zambia
Tel: 260 1 229725
Fax: 260 1 225107
Email: comesa@comesa.int
Web: www.comesa.int

4. World Bank International Centre for Settlement of Investment Disputes

The International Centre for Settlement of Investment Disputes (ICSID), established in 1966, is an autonomous international organization and part of the World Bank Group. The overriding consideration in creating ICSID was the belief that an institution specially designed to facilitate the settlement of investment disputes between governments and foreign investors could help to promote increased flows of international investment. ICSID has an Administrative Council and a Secretariat. The Administrative Council is chaired, ex officio, by the President of the World Bank, and consists of one representative of each country which has ratified the Convention that brought ICSID into being.

Recourse to ICSID conciliation and arbitration is voluntary. Once the parties have consented to arbitration under the ICSID Convention, neither can unilaterally withdraw consent. Moreover, all ICSID Contracting States, whether or not they are parties to the dispute, are required by the
Convention to recognize and enforce ICSID arbitral awards. Provisions on ICSID arbitration are commonly found in investment contracts between governments of member countries and investors from other member countries and in investment promotion treaties.

If you are interested in working with ICSID, you may wish to contact the ICSID Secretariat directly.

ICSID
Mr. Gonzalo Flores, Senior Counsel
1818 H Street, NW
Washington, DC 20433
Tel: 202 458-1534
Fax: 202 522-2615
Email: ICSIDsecretariat@worldbank.org
Web: www.worldbank.org/icsid
C. Organizations Engaged in Tribunal Work

1. War Crimes Research Office

The War Crimes Research Office (WCRO) was established at the Washington College of Law (WCL) in 1995 in response to a request from the Prosecutor of the International Criminal Tribunals for the former Yugoslavia (ICTY) and Rwanda (ICTR) for legal research assistance in the areas of international criminal and humanitarian law. Since that time, several new war crimes tribunals have been established under the auspices or with the support of the United Nations, each raising novel legal issues. This, in turn, has generated growing demands for the expert assistance of the WCRO. As a result, the Office has in recent years provided research support to the Special Panels for Serious Crimes in East Timor, the Special Court for Sierra Leone, the Extraordinary Chambers in the Courts of Cambodia, and the International Criminal Court. With the participation of WCL students and faculty, as well as a variety of other international experts and consultants, the WCRO has completed more than 90 major research projects.

The core mandate of the WCRO is to promote the development and enforcement of international criminal and humanitarian law, primarily through the provision of specialized legal research assistance to its client institutions. The WCRO also plays a prominent role in initiatives relating to the establishment of new internationalized criminal justice mechanisms. In addition, the Office periodically conducts trainings on issues of international criminal and humanitarian law.

War Crimes Research Office  
4801 Massachusetts Avenue, NW  
Washington, DC 20016-8181  
Attention: Staff Assistant  
Tel: 202 274-4067  
Fax: 202 274-4458  
Email: warcrimes@wcl.american.edu  
Physical Location: 4301 50th Street, NW, Lower Level, Suite 101

Opportunities: The WCRO occasionally has consulting or pro bono legal research opportunities available. Please email the WCRO Staff Assistant at the above email address with a resume or CV if interested.

The WCRO also sponsors a summer abroad program in The Hague, and a major topic of the program is international criminal justice. Additional information can be found at: www.wcl.american.edu/hague/.

D. Narratives

INTERNATIONAL COURT OF JUSTICE  
Philippa Webb, LLM ’04

The International Court of Justice is the principal judicial organ of the United Nations. It is the institution to which certain U.N. organs and specialized agencies may turn to seek an advisory opinion on a legal question, and it is the court to which States may refer their legal disputes with each other for resolution. A diverse range of cases come before the International Court, ranging from disputes over the use of force and human rights violations to questions about land and maritime borders, diplomatic protection, and environmental concerns.
The Court has its seat in The Hague, in the impressive Peace Palace.

*A unique insight*

Each year the Court selects around nine recent law graduates nominated by various universities, including Yale, to come for a clerkship at the Court from September to May. Each law clerk works for two Judges, undertaking tasks such as legal research related to the cases, organisation of the case file, and assistance with background research for speeches and articles related to the Court. Law Clerks may also be asked to undertake work for the Court’s Department of Legal Matters, including indexing, checking of references and proofreading. Each law clerk is financed by the nominating university.

It is a truly international environment. There are 15 Judges at the Court. In 2008, the Court was composed of Judges from: the United Kingdom, Jordan, Madagascar, China, Sierra Leone, Venezuela, the United States, Japan, Germany, Slovakia, France, New Zealand, Mexico, Morocco, and the Russian Federation. The law clerks themselves come from around the world to the work at the Court. The common languages are French and English.

During the clerkship, law clerks have the opportunity to attend hearings related to an average of three to four cases during the clerkship period. Research is greatly facilitated by access to the Peace Palace Library, one of the largest collections in the world in the field of public and private international law, foreign national law, international relations and diplomatic history.

The Hague is home to many other international bodies, such as the International Criminal Tribunal for the former Yugoslavia, the International Criminal Court, and the Iran-U.S. Claims Tribunal. There are opportunities to meet people working at these institutions and to attend hearings or lectures.

*Post-clerkship opportunities*

The clerkship is non-renewable, as with U.S. judicial clerkships. Former clerks have gone on to practice international law and commercial arbitration at law firms in New York, to teach international law at a university, to conduct doctoral research, and to work with the U.N. I myself have had the opportunity to return to the International Court to work as the Special Assistant to President Higgins.

*Application Process*

The application consists of a cover letter, curriculum vitae, writing sample and two reference letters. Each application is reviewed by the Judges and they select one law clerk from each nominating university. It is not necessary to have an LLM degree and applications from JD graduates are welcomed. The qualities that the Judges look for include: excellent legal research and drafting skills, demonstrated knowledge of public international law, and fluency in English or French. Fluency in the other language would be a plus, as would international work experience and publications in the field of international law.

2008
INTERNATIONAL COURT OF JUSTICE
Chiara Giorgetti, LLM ’02

From September 2002 to June 2003, I clerked at the International Court of Justice (ICJ), the judicial organ of the United Nations, in The Hague. I had always been very interested in international law: before coming to YLS for my LLM, I had worked in Africa for the U.N. and had worked on two international boundary disputes, so when the possibility of joining the ICJ presented itself, it was natural for me to apply. It was a great experience and I highly recommend it to anyone who is interested in international public law.

All ICJ clerks are sponsored by Law Schools, both American and European. The program was first created by NYU Law School, who still sends the highest numbers of clerks. I was the first clerk to be sent by Yale Law School, other law schools included Columbia and Strasbourg. Many more schools participate in the program now. The number of clerks varies: it was five when I was there, but I believe it is more than 10 now.

The application is quite simple. You need to include a CV, a statement explaining why you want to be a clerk, copies of your law school grades, and two letters of recommendation. It is important to underline all past experiences in international public law in the application, as this is probably the most important requirement for the position. Most clerks have worked in some aspects of international law prior to joining the Court.

CVs of all selected candidates are circulated among members of the Court. Each Judge may decide to select a clerk. Not all Judges have clerks, and each Judge can only select one person. A clerk may work for one or more than one Judge. For example, I worked for four Judges.

An important factor for selection, beside experience in international public law, is the knowledge of other languages. The Court is a bilingual environment, and Judges work either in French or in English. Typically, a Clerk only works in one of the languages, though is required to know both.

At the Court, I was involved in all cases in the Court’s docket. I received copies of all the submissions and studied all cases. Each Judge would ask me to focus on specific aspects of the case, both factual and legal. I typically would write several short memos a month (research facilities at the Court are great) in reply to their questions and discuss them with each Judge. It is also important to be pro-active with some Judges, and propose research topics and other ways to assist them. Often, I also raised issues that I found particularly interesting and worth pursuing. At times my memos would be circulated to the entire Court, which was very rewarding. I also assisted in researching and reviewing separate and dissident opinions and in preparing opinions summaries for press releases. Clerks also participated at public hearings and at some court’s committees meetings. No clerk, however, is allowed into deliberation. When one of the Judges I worked for was elected President of the Court, I also wrote some of his speeches.

I enjoyed very much having the opportunity to discuss different aspects of the cases with the Judges and to gain an inside look at judicial decision-making. Moreover, because I worked with four different Judges, I could examine different angles of each case. I found it most fascinating to see how each Judge is interested by distinct aspects of the case. I learned a lot from seeing international law in action, and also gained interesting insights on international litigation. I also enjoyed getting to know other lawyers working in other Courts in The Hague. The Hague is the headquarters of many other international organizations and courts (including the International Criminal Court and the Court for the Former Yugoslavia) and it is interesting to live in such an environment.
My experience was very good. The main drawback of my clerkship derived from the fact that law school clerks are not officially employed by the Court, but are considered as staff on loan from law schools. This means that the Court does not assist clerks with, for example, health insurance, obtaining visas, or finding flats in The Hague. Also, because clerks are not members of staff, they cannot participate in staff activities. However, I got great support from YLS on all administrative issues, and colleagues and peers at the Court are also very helpful.

A clerkship at the ICJ offers several career prospects. Clerks have typically joined international law practice groups of major law firms, or have often joined other international courts, including the International Criminal Court and the Tribunal for the Former Yugoslavia. A few clerks have also remained at the Court and have become full-fledged Court employees, but this is very rare.

I found my experience at the ICJ very interesting and rewarding, and I would do it again. I highly suggest it to other YLS students.

2008

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA
Alex Whiting, JD ’90

From 2002 until 2007, I was a Trial Attorney and then a Senior Trial Attorney in the Prosecutor’s office at the International Criminal Tribunal for the former Yugoslavia (ICTY) which is based in The Hague in The Netherlands. As a Senior Trial Attorney, I was in charge of the Prosecution team for each case that I was assigned to. The trials there lasted for a very long time, a year or more, and my job was to manage the case both in and out of court. Our trial teams were comprised of lawyers with various levels of experience, as well as military and historical experts.

The work at the ICTY was fascinating and at times very frustrating, but at the end of the day it was undeniably addictive. It was fascinating because the cases were all against high-level military and political leaders from the former Yugoslavia, and they were extremely complex and challenging. Our task was to prove, in a court of law, horrendous crimes that occurred many years ago, in a place that is far from where we worked, often against the wishes of current governments in the region. The ICTY brings together lawyers from all over the world and various legal traditions, and combines them into one legal process, not always very smoothly. But it is the exposure to different legal approaches and rules, and to other ways of trying criminal cases, that made the job so incredibly rewarding.

I have to say that the work was also frustrating because, as is the case with most international legal endeavors, we were chronically short of resources. Generally these long and difficult cases were tried by a relatively small group of prosecutors. In addition, unlike domestic prosecutors, we had limited powers to obtain evidence and compel witnesses, and so putting together the cases and trying them in court was a constant struggle, and the job demanded very long hours and many weekends.

The ICTY is at the moment just one of many places where the prosecution of international humanitarian law is occurring. There is also the criminal court for Rwanda (ICTR), the permanent international criminal court (ICC), the Special Court for Sierra Leone, the Iraq Special Tribunal, and a court in Cambodia that is in the process of being established. But aside from the ICC, all of these tribunals have finite lives and so the field of war crimes prosecutions will likely remain a narrow one. However, the attention on the broader field of international humanitarian law (which
is developed and enforced through various means including war crimes prosecutions) is now higher than ever and will likely remain so for a long time, and there are numerous public interest and government organizations in this area.

Because the ICTY combines criminal law with international humanitarian law, lawyers tend to come to the ICTY with a background in one of these fields. In my case, I came to the ICTY as a criminal lawyer with really no international law experience at all. After I graduated from Yale Law School in 1990, I clerked for a year and then went into the Honors program of the Department of Justice where I was assigned to the Criminal Section of the Civil Rights Division. After three and a half years prosecuting police brutality and racial violence cases there, I became an Assistant U.S. Attorney in Boston where I prosecuted organized crime and public corruption for six and a half years before applying to the ICTY. It helped a lot that as a prosecutor in Boston I did some cases that had international aspects to them, but primarily it was my experience as a criminal prosecutor that got me the job.

So I came to the field of international law by a rather unusual route. Nonetheless, it is perhaps a reminder that it is important to develop core legal skills (whether in advocacy, negotiating, contracts, etc.) in addition to an expertise in international public law, because ultimately it is through those skills that you will be able to make a contribution to the field. What I can see now though (and I say this knowing that I was a bit of an exception to this rule) is that the most important thing that a lawyer can do to get into the field of public international law, particularly when coming from the United States, is to get international law experience as early as possible. Take international law courses and get involved in international law journals or clinics if you can. Spend a summer in the field of public international law. If you are working in a domestic legal practice, look for opportunities to work on cases that involve international law, or look for ways to take a sabbatical to work for an international legal organization. When you apply for a job in the field of public international law, the first thing that they will look for is a demonstrated interest in, and commitment to, the field. So start early to look for opportunities to show and develop your interest.

Also, while it is true, as I said before, that it is important to develop your legal skills in whatever way you can, I also think that it is a good idea to get into the field of public international law, or at least public law, as soon as you can. The longer you work in private law, such as for a law firm, the harder it will be to make the transition into public international law. So don’t necessarily do what I did. If you want to work in the field of public international law, my advice is to start as early as you can.

2008

**INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA**

*Jenia Iontcheva, JD '02*

Studying international relations in college seemed a natural choice for me—I had arrived in the United States from Bulgaria just a year earlier and had a keen interest in politics and current affairs. I coupled my classes with as much practical experience as possible: at the college chapter of Amnesty International, the Baltimore Office of International Trade, the European Parliament, and the Bulgarian Civil Society Development Foundation. I also spent a year studying International Relations and International Law at Cambridge University, where I became convinced that international law was not a fiction and that I should study it in greater depth. By the time I came to Yale Law School, I thought I had clear view of the subject I wanted to master. I was particularly interested in the role of nongovernmental actors in international law and the development of international criminal law. During the second semester of my first year, I
enrolled in Ruth Wedgewood’s War Crimes and Michael Ratner’s Litigating International Human Rights in U.S. Courts, participated in the Human Rights Workshop, and became an articles editor of the *Yale Journal of International Law*. These experiences not only taught me about international law, but also brought me together with students and faculty who shared my interests. Interactions with this community increased my desire to do international law work.

During the first summer, I decided to explore my interest in transitional justice and international criminal law, so with the help of the Orville H. Schell Jr., Center for International Human Rights at Yale, I applied for internships in nongovernmental and intergovernmental organizations that worked in the area. I was happy to find a place at the institution of my choice—the International Criminal Tribunal for the former Yugoslavia (ICTY), created in 1993 by the Security Council to bring to justice persons responsible for violations of international humanitarian law perpetrated in the former Yugoslavia since 1991. I began my internship at the Public Information Office, which publicizes the work of the Tribunal and maintains relations with the press and the public at large. Then I moved to the Appeals Chamber, which hears appeals by defendants and the Prosecution and services both the ICTY and the International Criminal Tribunal for Rwanda (ICTR). My primary tasks there were research and writing on procedural and jurisdictional issues. I was directly supervised by the legal officers at the Chamber, but also occasionally performed research for Judge Mohamed Shahabuddeen. I learned as much from talking with the dedicated and experienced lawyers at the Tribunal as from working on cases.

The dilemmas of international criminal law I encountered not only kept me engaged with my daily work, but also made me ponder what my longer-term contribution to the field could be. Is criminal law a good tool for achieving justice in war-torn societies or are reconciliation and economic restructuring higher priorities?

If I decide to work in the field of international criminal law, would I like to prosecute, defend, serve as a judge, teach, or work in an advocacy organization? Should I work at the national or international level? After observing and sharing some of the enthusiasm and dynamism of lawyers at the ICTY, I was very tempted to continue working in international criminal law. Yet most of the people whom I met and admired at the ICTY began their careers by working at the national level, whether in criminal law practice or in the field of human rights. This work had given them perspective and allowed them to deal more decisively and competently with the dilemmas of international criminal law. I decided I wanted to follow in their steps and work locally before deciding whether and how to start a career at the international level.

Therefore, in addition to more classes in international law, I enrolled in the immigration clinic, helped with research on two immigration cases for the ACLU, took classes in criminal law, and got an internship for half of my second law-school summer at the Office of the Federal Public Defender in Houston. I decided to spend the other half in New York, at Debevoise and Plimpton—a firm that has a strong practice in international commercial arbitration and excellent human rights pro bono opportunities.

As my law school education progressed, I found myself increasingly drawn to domestic criminal law and procedure and to law school teaching as a possible career. As a result, my focus now is on combining my interest in human rights and international law with an academic career. I am now teaching and writing in the fields of international organizations, international criminal law, and comparative and constitutional criminal procedure as a professor at SMU Law School. Some of my projects have taken me back to the ICTY, where I have continued to learn from the lawyers about the difficult questions of international criminal law.

2008
SPECIAL COURT FOR SIERRA LEONE
Alexandros Zervos, JD '05

I served as an intern in the Outreach Section of the Special Court for Sierra Leone in the summer of 2003 and again between September 2005 and June 2006. The Special Court was set up to try those bearing greatest responsibility for serious crimes committed after November 30, 1996 in Sierra Leone’s civil war. The Outreach Section’s mission statement calls for it to engage in two-way communication with the people of Sierra Leone to provide impartial information about the Court and collect their views about it.

Information about the Special Court (sometimes dated) is available on its website, and also through the websites of Human Rights Watch and the International Crisis Group. Two books I’d definitely recommend reading before coming to Sierra Leone (or deciding to work at the Special Court) are Richard Dooling’s “White Man’s Grave” (which captures the feel of Freetown better than any other I’ve come across) and Antjie Krog’s “Country of my Skull” (whose reflections on the South African Truth & Reconciliation Commission are peculiarly applicable to the atmosphere at the Special Court). If you want to understand the war in Sierra Leone, a good book is David Keen’s “Conflict & Collusion in Sierra Leone.”

I applied to work in the Section during my 1L year for the summer of 2003, and then chatted with the Coordinator who agreed to my return on graduation from law school. Though it has improved, applying for internships at the Court is a confused and badly organized process. The best thing to do is to contact someone responsible in the Section you want to work in (preferably through someone who knows both of you, but also by cold calling…sometimes many times). There is an official application form available on the Court website, but very honestly this often won’t get you far unless you go the extra mile with the phone calls. This is what I did in 2003—my 2005 entry was very smooth, and completing the application form was a formality.

Generally internships in Outreach are unpaid. If you agree to stay 6 months, there are a limited number of paid internships funded by the EU—for about $1000 per month. You can live on this in Freetown, though it may not be enough to cover flights and health insurance. One of the best things about Outreach is that the Section Coordinator is really positive about international interns and makes real efforts to provide you with substantive, interesting work. She (Binta Mansaray) is at the very heart of the Section, and most international interns’ experiences are very much shaped by their interactions with her. Binta really appreciates people who are pro-active about getting involved in projects and suggesting new initiatives. Certain other Outreach staff members are also good to work with—especially the senior Outreach Officer, Patrick Fatoma, who is particularly sensitive to the inter-cultural challenges interns can face.

Individual days as an Outreach intern are very varied—you could be taking a helicopter or jeep upcountry to facilitate a town hall meeting with Court officials, writing reports or booklets (aimed at groups ranging from international policy makers to semi-literate villagers), meeting with civil society members and students in Freetown or doing secretarial work. There are no international staff members in Outreach, so foreign interns will often be called on to play a major part in both substantive and tedious work that involves writing correct English prose or manipulating Microsoft Office. It is important to note that very little of the Section’s work is legal, so if that is important to you, apply to a defense team or the Office of the Prosecutor. Typically hours are about 9am to 6pm, but the peculiar nature of Outreach’s work means you work weekends semi-frequently, and sometimes stay late. Binta is generous however, in allowing “time off in lieu” etc.
Sierra Leone is a peculiar place to live and work. The country is emerging from conflict but many individuals are still traumatized by the widespread violence and dislocation of the conflict. Bad things (car accidents, malaria, etc.) seem to happen more frequently to people here than in other places, and when they do the outcomes are often worse than they would be in a place where quality medical care was readily available. Especially as an employee of the Court, you are constantly reminded of the horrific toll that the conflict took on the people around you. At the same time, the Special Court sits in a semi-sterile space in Freetown, and though Outreach has more interaction with broader society than most other units, it is hard to avoid feeling that you inhabit two entirely separate worlds at the same time. In addition to the caveats about Sierra Leone, there are some things that are important to take into account in working at the Special Court and within Outreach. Relations between interns and some staff members can be difficult, and the same is true with respect to the interactions between different sections. There are bureaucratic issues when dealing with transport, personnel, administrative services, etc. You must deal with rules such as no internet access during the day, for fear you won’t do your work. These problems are partially a result of lack of funding, partially due to some of the personalities at the Court, and partly due to the nature of transitional justice institutions.

Despite the caveats described above, it is important to remember that Sierra Leoneans are incredibly friendly, and that working here (especially in the Outreach Section) can expand your perspectives on life and law enormously. Sierra Leone grips your heart in a way that nowhere else I have even been does, and this fact is underscored by the number of expats who return here. Especially as a Special Court employee, you are continuously thrust into dialogue about the nature of justice, forgiveness, development and violence. These conversations may seem superficially similar to those engaged in by lounge lizards who set the world to rights from the coffee shops of the Left Bank. But unlike these debates, you can often translate your conclusions into action almost instantaneously and see real results. Going back to the developed world after working in Sierra Leone is a strange process—everything, including food, conversation, work and daily life—seems bland by comparison.

2008
CHAPTER 3
NATIONAL COURTS

A. Opportunities

Some national courts offer opportunities for U.S. law school students and graduates. Others reserve positions within their court systems, temporary and permanent, paid and unpaid, for their citizens, or give preference to their citizens. If you are not a citizen, check to see if there are any exceptions to the citizenship requirement that might apply to you. You might also succeed by contacting a judge personally and offering your services for free.

Still other courts do not offer specific temporary employment programs for current law school students or recent law school graduates. They follow the European model, where assistants to judges and to courts tend to have at least two years of experience working in a legal capacity outside of law school and are typically hired on a permanent basis. Furthermore, such assistants also tend to have received their legal training inside the country in which they work and thus are familiar with the country’s particular legal system. Recent law school graduates from the U.S. are not precluded from these positions, though proficiency in the language of the court is absolutely necessary.

The following national courts provide specific opportunities for temporary employment that may be of interest to U.S. law school students and recent graduates.

1. High Court of Australia

The High Court is the highest court in the Australian judicial system. It was established in 1901 by the Australian Constitution. The functions of the High Court are to interpret and apply the law of Australia; to decide cases of special federal significance including challenges to the constitutional validity of laws; and to hear appeals, by special leave, from Federal, State, and Territory courts.

The subject matter of the cases heard by the Court traverses the whole range of Australian law. It includes arbitration, contract, company law, copyright, courts-martial, criminal law and procedure, tax law, insurance, personal injury, property law, family law and trade practices. During hearings, barristers representing the parties present their arguments orally to the Court.

High Court of Australia
PO Box 6309
Kingston ACT 2604
Australia
Tel: 61 2 6270 6811
Email: enquiries@hcourt.gov.au
Web: www.hcourt.gov.au

Opportunities: Associates to a Justice of the High Court of Australia are employed on a 12-month temporary contract, which stipulates payment and allows for leave during that period. Applicants must have graduated from law school with first-class honors, have a good knowledge of Australian law, and possess research experience and/or experience working for a law firm,
university or another court. Citizenship is not required, but a successful applicant from outside Australia must ultimately obtain a work permit. Applicants should write directly to the Justice(s) with whom they seek employment. There are no specific closing dates for applications but it is common for the Justices to appoint their associates two and three years in advance. In any application, applicants should include the years they would be available.

2. Federal Court of Australia

The Federal Court of Australia began to exercise its jurisdiction in 1977. The Court is a superior court of record and a court of law and equity, having assumed jurisdiction formerly exercised in part by the High Court of Australia and the whole of the jurisdiction of the Australian Industrial Court and of the Federal Court of Bankruptcy. It sits regularly in the various capital cities and elsewhere from time to time as required. The Court exercises appellate jurisdiction over decisions of single judges of the Court, decisions of the Supreme Courts of the Territories (except the Northern Territory), and certain decisions of Australian State Supreme Courts exercising federal jurisdiction.

Principal Registry
Federal Court of Australia
Locked Bag A6000
Sydney, South
New South Wales
Australia
Tel: 02 9230 8473
Fax: 02 9280 1381
Email: query@fedcourt.gov.au
Web: www.fedcourt.gov.au

Opportunities: Like the High Court of Australia, the Federal Court offers one-year paid positions to recent law school graduates of high academic standing. The Court hires three to five Research Associates, these positions provide legal and other research support to all judges of a particular registry. They may also provide assistance with in-court work on occasion. Please note that not all registries have this type of position. The justices also have Personal Associates, similar to their counterparts on the High Court. These positions are employed as part of the personal chambers staff of a particular judge. They provide legal research, in-court duties and other support for that judge. Applicants need not be citizens, but successful applicants must acquire a proper work permit to cover their time working in Australia with the Court. For a Research Associate position, applicants should submit a cover letter explaining their interest, a CV and a law school transcript to the Registry for the Districts in which they are interested; all Districts and contact information are listed on the website. Those interested in Personal Associate positions should submit those materials directly to the judges. If you are planning to apply, please come to CDO for detailed application information.

3. Courts of Denmark, Faroe Islands, and Greenland

The Courts of Denmark that deal with all kinds of cases, both civil and criminal, are divided on hierarchical lines. At the bottom there are 24 district courts; then the two High Courts—the Western High Court and the Eastern High Court—and finally the highest court in the country, the Supreme Court. Special courts with the right of conviction are not allowed in Denmark. In addition to the ordinary courts there are courts that deal with special areas of law on a permanent
basis, such as the Maritime and Commercial Court. In Denmark, there is no separate constitutional court or separate administrative court as in Germany and France, as cases relating to these matters are dealt with in the ordinary courts. Laymen have from ancient times taken part in the administration of justice in Denmark. Thus, specialist assistant judges take part in maritime and commercial cases, lay assessors usually play a role in criminal cases, and serious criminal cases are normally decided with the help of a jury. For further information in English, please visit the website at: www.domstol.dk/om/otherlanguages/english/Pages/default.aspx.

The Danish Court Administration
Human Resources
St. Kongensgade 1-3
1264 Kobenhavn K
Denmark
Tel: 45 70 10 33 22
Fax: 45 70 10 44 55
Email: post@domstolsstyrelsen.dk
Web: www.domstol.dk

**Opportunities:** Some Danish courts (e.g., the district courts of the cities Copenhagen, Aarhus, Odense, Aalborg and Roskilde) have offered a four-week paid summer internship program to current law school students. Travel and subsistence expenses are not covered by the Danish courts/Danish Court Administration and are therefore the responsibility of the student. Amount of pay depends upon the length and breadth of the student’s study of law. Proficiency in the Danish language is necessary. The individual courts decide who they would like to hire and interested students may apply directly to them. There are no application forms and no citizenship requirements. Students should simply send a copy of an up-to-date transcript and a CV to the court with which they wish to intern. To find which Danish courts offer such internships, contact Human Resources at the number above.

### 4. Supreme Court of Israel

Israel has a three-level system of general law courts: the Supreme Court, the district courts, and the magistrates’ courts. While the latter two are mostly trial courts, the Supreme Court is essentially an appellate court, which also operates as the equivalent of the British High Court. This means that the Supreme Court acts as the court of first and last instance, exercising broad powers of judicial review over other branches of government. The judgments of the Israeli Supreme Court often refer to comparative law, mainly American and English law. Comparative law research is conducted in all fields of law by clerks from different countries. Each clerk is working under the supervision of a specific Justice.

Dr. Yigal Mersel
Registrar of the Court
The Supreme Court of Israel
Shaarei Mishpat Street
Kiryat David Ben-Gurion
Jerusalem, Israel 91950
Tel: 972 2 67 59 702
Fax: 972 2 67 59 703
Email: yigal@supreme.court.gov.il
Web: www.court.gov.il
5. Courts of New Zealand

The New Zealand court system is modeled after that of Great Britain with the High Courts serving as the highest level court of first instance in each of 19 districts as well as the first level court of appeal. Before a case reaches a High Court it must first pass through a District Court, which serves as the ultimate judicial authority within most New Zealand towns. Then there is a Court of Appeal located in Wellington, NZ that is roughly equivalent to the British Court of Appeal. There, decisions of a High Court can be revisited. Decisions made by the Court of Appeal may also be appealed to the Supreme Court of New Zealand also based in Wellington.

Opportunities: The Courts of New Zealand offer positions for recent law school graduates to work either in a High Court as a Judge’s Clerk or in a District Court as a Research Counsel. Both positions are paid and can be held for a maximum of two years. Traditionally, these positions have been filled by graduates of New Zealand law schools. Applicants must submit a CV and a verified copy of their academic transcript. New Zealand citizenship is not required, but successful applicants must obtain a work permit. Go to www.immigration.govt.nz for information about obtaining a work permit. Generally, recruitment to vacant positions of Judge’s Clerk or Research Counsel is conducted in October or November each year at the end of the New Zealand academic year. To find out if any openings are available, contact the Ministry of Justice Recruitment Team at the address above.

6. Constitutional Court of South Africa

The Constitutional Court of South Africa was established in 1994 according to the terms of South Africa’s first democratic constitution—the interim Constitution of 1993. According to the Constitution of 1996, the Court established in 1994 continues to serve its original role. It consists of 11 judges. They may serve for a non-renewable term of 12 years, but must retire at the age of 70. They are all independent.

The Constitution requires that a matter before the Court is heard by at least eight judges. In practice, all 11 judges hear every case. If any judge is absent for a long period or a vacancy arises, an acting judge may be appointed by the President of the Republic on a temporary basis.
Decisions of the Court are reached by majority vote of the judges sitting in a case. Each judge
must indicate his or her decision, and the reasons for the decision are published in a written
judgment.

**Physical**
The Constitutional Court
Constitution Hill
Corner of Queen- and
Sam Hancock Hospital Streets
Braamfontein 2017
South Africa
Tel: 27 11 359 7459
Fax: 27 11 339 5098
Web: www.constitutionalcourt.org.za

**Postal**
The Constitutional Court
Constitution Hill
Private Bag X1
Braamfontein 2017
South Africa

**Opportunities:** The Court only accepts a total of five foreign clerks per term. The Court hires law
clerks for each judge; however, foreign law clerks are not paid. Since there are 10 justices on the
Court and two terms per year, each justice typically makes one six-month offer each year. At least
one spot each term (and frequently two) is reserved for a clerk from elsewhere in Africa. The
Court seems to typically hire no more than one, or occasionally two, U.S. law clerks per term.
The rest of the spots typically go to clerks from a variety of other places, including Europe,
Canada, Australia, New Zealand. This is done to ensure a diversity of perspectives and legal
backgrounds among the clerks.

Finally, the justices make all of their hiring decisions collectively. This means it is extremely
unlikely that a foreign applicant will receive offers from more than one judge for the same term.
In certain circumstances, where two justices are interested in the same applicant and the applicant
expresses an interest in clerking for an entire year, an applicant may receive consecutive offers
for six-month terms with each of the two justices. It may be more difficult, however, to secure
fellowship funding for a 12-month clerkship than for a six-month clerkship combined with six
months of other research or non-profit service.

Clerks may serve for one or sometimes two six-month terms. Applications are considered each
year in May for the following July to December (i.e., 12 months thereafter) and for the January to
June of the year after that (which is 18 months later).

See www.constitutionalcourt.org.za/site/lawclerks/southafricanlawclerks.htm#programme for
complete application information.

**B. Narratives**

**FEDERAL COURT OF AUSTRALIA**
**Clerk to Justice Susan Kenny**
Daniel Nazer ’04

I worked as a judge’s associate (law clerk) for Justice Susan Kenny in the Victoria Registry of the
Federal Court of Australia (FCA) from August 2005-July 2006. Immediately prior to that
position, I did a federal clerkship for Judge William K. Sessions III in the District of Vermont. I
am an Australian citizen but did my JD at Yale and had no Australian legal qualifications.
The FCA has trial and appellate jurisdiction over corporations, trade practices, industrial relations, intellectual property, migration, native title and administrative law. Judges hear cases individually in the first instance and sit on three-judge panels for appeals. The FCA has no criminal jurisdiction. Unlike in the US, judges can choose to specialize so be careful to apply to the right judge to suit your interests (this information is publicly available: www.fedcourt.gov.au/how/panels.html).

There are two different kinds of associate: chambers associate and research associate. Research associates provide assistance to all judges in a registry. Chambers associates work for a single judge. Each judge has only one chambers associate (and one personal assistant). Judge’s associates also attend court whenever the judge is in court. This makes for a very close working relationship with your judge. Justice Kenny was great to work for and I really enjoyed being involved with every stage of each case.

There is more pomp and ceremony in Australian courts and the judge, lawyers and associates all wear robes. If you enjoy the theatre of the court room, then the FCA is a good place to be. In addition to courtroom duties, associates do legal research, opinion drafting and some administrative work. If applying for a chambers position, it is very important to talk to the judge about how much substantive work the associate is expected to do. One judge candidly told me that a Yale Law School grad would find it very boring to work in his chambers. Other judges (such as Justice Kenny) will give their associate plenty of interesting work and will treat their associate as an advisor in the same role as a U.S. law clerk.

The salary is just over AUS $50,000 which provides a similar standard of living to a U.S. clerkship salary. The workload varies (and just like in the U.S. some judges expect more than others) but is light by American standards. I left most days around 6:30 pm and rarely worked weekends. In the Victoria Registry there is a lot of camaraderie among the associates and plenty of socializing (after-work drinks on Friday are all but compulsory in Australia).

For a chambers position, apply directly to the judge. Contact the court for details about applying for a research position. Apply well in advance (I would recommend at least a year for a chambers position). A few judges will not consider applicants without Australian qualifications but other judges will see a Yale JD as an asset (I was Justice Kenny’s second YLS associate and I am sure she would welcome further applicants). Judges have individual schedules for when they hire and for when associates start work. Melbourne tends to be the main destination for YLS grads as a number of folks have blazed the trail. In the past, the court has organized work visas for non-citizens. 2008

SUPREME COURT OF CANADA
Clerk to Chief Justice Beverley McLachlin
Chimène Keitner, JD ’02

Each year, twenty-seven law clerks assist the justices of the Supreme Court of Canada. It is not unusual for one or two of these clerks to be Canadian citizens with U.S. law degrees. No prior clerkship is required. Candidates should have an excellent academic record and detailed recommendations from faculty members and the dean of the law school. (Law school deans are asked to rank applicants from their schools to facilitate selection; these rankings are particularly important and helpful to the justices where there are multiple candidates from the same law school.)
Information on eligibility, application procedures, and compensation is available on the Court’s website at www.scc-csc.gc.ca. Candidates apply to the Court as a whole, not to individual justices. Each justice who is interested in a candidate’s application has the opportunity to interview that candidate. Once interviews are completed, the tradition is for the Chief Justice to select three clerks, then for each of the remaining justices to take turns selecting one clerk, beginning in order of seniority, until each justice has filled his or her three positions.

Unlike the U.S. Supreme Court, the Supreme Court of Canada has a permanent staff of lawyers who handle petitions for review. Five, seven, or nine justices will hear a given case, depending on its perceived importance, among other factors. The role and duties of a law clerk in the Canadian system are otherwise comparable to those of a law clerk in the United States.

The Canadian justices have offices on the second floor of the Supreme Court building, and the clerks are housed on the third floor (or at least they were during my tenure at the court in 2002–03). The practical effect of this arrangement is that you will get to know other justices’ clerks at least as well, if not better, than your own co-clerks, since you do not sit “in chambers.” This also means that the amount of time you spend with “your” judge will depend on his or her schedule and your respective work styles.

I would not hesitate to recommend a clerkship at the Supreme Court of Canada to anyone interested in teaching or practicing law in Canada, or in a Commonwealth country. For those interested in teaching or practicing in the United States, I would recommend it with the caveat that you should pursue this clerkship for its intrinsic, not its instrumental, value. I chose to clerk in Canada in large part because of my desire to work in a legal system that openly and enthusiastically engages with foreign and international law sources in considering questions common to modern democracies. Precisely because the U.S. system is much less outward-facing, your decision to clerk outside the United States will puzzle many people within the United States, including prospective employers. The Ottawa winter will be hard to get through unless you are genuinely committed to learning about and contributing to the Canadian legal system—in which case, you will have an incomparable year.

2008

CONSTITUTIONAL COURT OF SOUTH AFRICA
Clerk to Justice Richard J. Goldstone and Justice Catherine O’Regan
Charlton Copeland, JD ’03

There are eleven justices on the Constitutional Court of South Africa. Each justice hires two South African law clerks. As many as five justices are allowed to have a foreign law clerk at any one time. The Court’s term is divided into four separate sessions: 15 February to 31 March; 1 to 31 May; 1 August to 30 September; and 1 to 30 November. My clerkship at the Court overlapped two terms, the final two sessions of the 2002 term and the first two sessions of the 2003 term. During the 2002 term I served as a clerk in the chambers of Justice Richard Goldstone, after which I transferred to the chambers of Justice Catherine O’Regan. My decision to clerk on the Court was precipitated by my interest in constitutional theory and constitutional structures, coupled with a fatigue with discussions about “the Framers.” My decision to clerk on the Court was also based largely on my interest in the role a constitution might play in structuring a politics of reconciliation. As a joint-degree student at the Divinity School, these issues were of significant interest to me. These things, in conjunction with the general excitement for South Africa’s peaceful transition to democratic governance, made the idea of clerking irresistible.
I would recommend that anyone remotely interested in clerking in South Africa to do so. It remains the most amazing experience of my life. The day-to-day work of a foreign law clerk at the Court was not very different than that of an appellate clerk in the U.S. Cases are assigned to a particular clerk within a chamber. I was fortunate to clerk with justices who were enthusiastic about my being involved in every facet of the clerkship experience; I was not relegated to being the U.S. law expert for comparative purposes. Within chambers I wrote bench memoranda to each justice and my fellow clerks, articulating my analysis of the arguments presented in light of my independent research, and made recommendations about how the case should be decided. Each clerk was invited to respond to her colleague’s memorandum, if she disagreed with the analysis or recommendation. Each of the chambers in which I clerked was a very collegial atmosphere, where the clerks met with the justice about each case on the Court’s calendar.

In addition to the interaction with the justice regarding cases, there was a tremendous amount of interaction among all the clerks on cases before the Court. Before an oral argument, the chamber that had preliminary responsibility for the case usually sponsored a clerks’ session, during which we would discuss, often in detail, many of the significant issues before the Court. There, we would get a sense of what other clerks, and possibly their respective justices, thought about an upcoming case. As a foreign law clerk who had not taken comparative law or a comparative constitutional law course during law school, these sessions proved to be invaluable in making me feel comfortable making recommendations about a foreign legal system.

The justices and the clerks on the Court are tremendously well informed about the U.S. legal system, and the Court’s library is simply stunning in the breadth of material that it possesses. The Court’s close proximity to the University of the Witswatersrand made it a wonderful place to develop a legal community. While there, I participated in colloquium on constitutional law and public law, and audited a class on South African Administrative Law.

Living in Johannesburg was the very best. Although it does not have the international reputation or physical beauty of Cape Town, it was the perfect place to live. The diversity of people, experiences, and cultures made it a wonderful gateway for me to southern Africa. South Africa draws people from all over the country and the region in a wonderful melting pot. The cultural life was always thriving. Finally, I was fortunate enough not to have had any significant experience with crime in South Africa. In fact, during my time there, I became as comfortable there as I have anywhere I have lived.

2007