

Judge Joan E. Donoghue

(Member of the Court since 9 September 2010; re-elected as from 6 February 2015)

Born 12 December, 1956, Yonkers, New York, United States of America.

Previous international law positions:

United States Department of State: 2007-2010: *Principal Deputy Legal Adviser*. The Senior career attorney of the Department of State (Acting Legal Adviser, January to June 2009); Advice to Secretary Clinton and President Obama on all aspects of international law; Advice on development, interpretation and application of international humanitarian law and human rights law; United States submissions in advisory proceedings in *Accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo* (International Court of Justice); Advice on drafting, negotiation and implementation of resolutions of the Security Council, General Assembly and other United Nations bodies; Oversight of legal work related to the law of the sea, Antarctica, the Arctic, fisheries and the environment; Supervision of United States advocacy in Iran-United States Claims Tribunal and North American Free-Trade Agreement (NAFTA) investor-state arbitration; Head of delegation, bilateral claims negotiations with Iraq; Legal advice and congressional testimony regarding 2008 United States-Iraq Security Agreement and Strategic Framework Agreement; Implementation of President Obama's Executive Orders on Guantanamo, detention and interrogation; Oversight of treaty approval process, including testimony for advice and consent of United States Senate; Representative to United States-European Union Legal Dialogue; Representative to Council of Europe Committee of Legal Advisers.

George Washington University School of Law (2005): *Adjunct Professor*, Public International Law.

United States Department of State: 2000-2001: *Deputy Legal Adviser*: oversight of bilateral law enforcement cooperation; supervision of international economic issues, including international investment law and economic sanctions.

1994-1999: *Assistant Legal Adviser for Economic and Business Affairs*: legal adviser in negotiation of understandings with the European Community regarding United States economic sanctions and conflicts of jurisdiction; Litigation regarding sub-federal sanctions; Legal adviser and supervisor in investment negotiations (bilateral and Organization for Economic Cooperation and Development (OECD)); Legal advice regarding OECD Anti-Corruption Convention; Formulation of United States positions in NAFTA investor-state cases; Legal adviser in bilateral aviation negotiations.

1993-1994: *Assistant Legal Adviser for African Affairs*: legal advice on the transition to democracy in South Africa, including work with United States Congress to revise federal law; Advice related to establishment of the International Criminal Tribunal for Rwanda; Advice on recognition and state succession.

Council on Foreign Relations International Affairs Fellow and Visiting Professor, Boalt Hall School of Law, University of California at Berkeley (1992): research and writing on international environmental law and immunities law; Teaching of United States foreign relations law and international environmental law.

Georgetown University Law Center (1991): *Adjunct Professor*, Foreign Relations Law.

United States Department of State: 1989-1991: *Assistant Legal Adviser for Oceans, Environment and Science*: Legal adviser, negotiation of United Nations Framework Convention on Climate Change; Legal adviser, negotiation of Protocol Concerning Specially Protected Areas and Wildlife to the Cartagena Convention; Legal adviser, Meeting of the Consultative Parties to the Antarctic Treaty; Formulation of positions in General Agreement on Tariffs and Trade dispute settlement; Submission to United States Senate of United States-USSR treaty on maritime boundary; Representative to legal expert groups on liability for environmental damage; Head of delegation and legal adviser in fisheries negotiations.

1986-1989: *Director, Office of Diplomatic Law and Litigation*: head of office responsible for foreign state immunity, head of state immunity, immunity of diplomats and special missions immunity; responsibilities included legislative drafting, congressional testimony, litigation and negotiation of international agreements.

1986: *Attorney, Office of Law Enforcement and Intelligence*: negotiation of extradition and mutual legal assistance agreements; Legal advice related to international narcotics issues.

1984-1986: *Attorney, Office of Inter-American Affairs*: member, United States team in *Nicaragua v. United States* (International Court of Justice); United States-Cuba migration negotiations; Legal advice regarding implementation of Panama Canal Treaty.

Other professional experience: Freddie Mac, served as *General Counsel and Corporate Secretary* (2003-2005) and *Associate General Counsel, Legislative and Regulatory Affairs* (2001-2003). United States Department of the Treasury (1999-2000), *Deputy General Counsel*. Covington & Burling, Washington, D.C. (1981-1984) Federal court and administrative litigation.

Education: Boalt Hall School of Law, University of California, Berkeley, J.D., 1981; University of California, Santa Cruz, B.A. with Honors in Russian Studies; BA with Honors in Biology, 1978;

Selected Publications: *The Role of the World Court Today*, 47 Georgia L. Rev. 181 (2012); Book Review, A COMMON LAW OF INTERNATIONAL ADJUDICATION, by Chester Brown, 105 AM. J. INT L L. 612 (2011); "The public face of private international law: prospects for a convention on foreign State immunity, 57 *Law and Contemporary Problems* 305 (1994); International law and policy-making about global change, in *The Ecological and Social Dimensions of Global Change* (David D. Caron, Terry Chapin, Joan Donoghue, Mary Firestone, John Harte and Lisa Wells, eds., Institute of International Studies, University of California at Berkeley, 1994); Book review, *The International Politics of the Environment*, by Andrew Hurrell and Benedict Kingsbury, 88 *American Journal of International Law* 411 (1994); "EC participation in the protection of the marine environment, 17 *Marine Policy* 515 (1993); " Taking the sovereign out of the foreign sovereign immunities act: a functional approach to the commercial activities exception, 17 *Yale Journal of International Law* 489 (1992); The trade provisions of international environmental agreements: can they be reconciled with the GATT?, 86 *American Society of International Law Proceedings* 233 (1992); Perpetual immunity for foreign diplomats? A response to the Abisinito Affair: a restrictive theory of diplomatic immunity?, 27 *Columbia Journal of Transnational Law* 615 (1989).

Selected honors, awards and activities: Faculty member, UN Regional Training Course, Addis Ababa, 2013 and UN Audio-visual Library, 2012; Counselor, American Society of International law, 2011-present; Counselor, American Law Institute Fourth Restatement Fourth of Foreign Relations Law, 2012-present; Secretary of State Distinguished Honor Award (2009); Presidential Rank Award (Meritorious Executive) (2009); Younger Federal Lawyer (awarded by the Federal Bar Association) (1988); Member, District of Columbia Bar Association.
