

RELEASE IN
PART B6

From: Mills, Cheryl D <MillsCD@state.gov>
Sent: Friday, September 2, 2011 11:45 AM
To: H
Subject: Fw: S/WCI Deputy

[Redacted]

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From: Mills, Cheryl D
Sent: Friday, September 02, 2011 11:40 AM
To: Rapp, Stephen J
Cc: Laszzych, Joanne; Samuelson, Heather F
Subject: Re: S/WCI Deputy

Stephen

Let's set a time to meet as I want to ensure we step through any re-location of S/WCI prior to bringing on tlen to replace Diane.

I will ask Joanne to find a time.

I am copying Heather so you might share the information on the candidate you reference.

Best
Cdm

From: Rapp, Stephen J
Sent: Friday, September 02, 2011 11:36 AM
To: Mills, Cheryl D
Subject: Fw: S/WCI Deputy

From: Stephen Rapp [mailto:stephen.rapp@state.gov]
Sent: Friday, September 02, 2011 11:31 AM
To: Rapp, Stephen J
Subject: S/WCI Deputy

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Dear Cheryl,

My deputy, Diane Orentlicher, must return to her position as a Professor of Law at American University in December. Her tenure at S/WCI has confirmed the wisdom of filling the position with a candidate with stellar qualifications from outside the government. She has been particularly invaluable in developing our policy regarding "commissions of inquiry", which have become the preferred first response following perpetration of serious violations of human rights. As the author of the UN standards for COIs, she contributed to our diplomacy leading to the deployment of UN-backed COI's for Guinea, Cote d'Ivoire, Libya, and Syria. But of even greater importance, we were able to turn to her with confidence in situations like Kyrgyzstan and Bahrain where commissions were created without international mandates in order to establish terms of reference and the necessary independence and expertise to ensure credible investigations.

I wish to propose that she be succeeded by an outside candidate of similarly stellar qualifications, Beth Van Schaack, who is on the law faculty at Santa Clara University. I came to know Beth well when she served as a citizen member of our US observer delegation at the ICC Review Conference in Kampala, Uganda, where she impressed us all with her sound

judgment and her ability to draft excellent resolution and intervention language on a moment's notice. But beyond great competence, she also brings a commitment to justice for victims of mass atrocities, in particular for the women who are the targets of organized sexual violence. As you can from the attached CV she written extensively about overcoming the challenges of prosecuting gender crime and on the recognition of women's rights as human rights.

As you will recall, Diane Orentlicher was originally hired as a Schedule C appointee, but was converted to Schedule B because of her strong and relevant qualifications. With Beth, I would hope that it would be possible to move her straight to Schedule B, so that this would not diminish the Schedule C positions that are needed for others. I am uncertain about the provisions applicable to Schedule B, but presume that such appointments may end when administrations change. Beth would hope to serve for the period of a two-year leave from her university, but understands that there could be a transition of administrations that could shorten her tenure to one year.

I believe that we need someone of this kind of energy, expertise, and commitment to keep us at the top of our game. I hope to that it would be possible to offer Beth Van Schaack the appointment as Deputy in the Office of War Crimes Issues.

Best,

Stephen