

Timothy William Waters

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Education

- Harvard Law School, J.D. cum laude** 1999
Executive editor, Harvard Human Rights Journal. Study at Boğaziçi University, Turkey. Sheldon Traveling Fellow, American Research Institute in Turkey Fellow, Henigson Human Rights Fellow.
- Columbia University School of International and Public Affairs, M.I.A., Adv. Cert.** 1998
Masters in International Affairs, Harriman Institute Advanced Cert. (East Central Europe). Gitelson-Meyerowitz Writing Award, Institute for International Education Fellow, Peace Corps Fellow.
- University of California at Los Angeles, B.A. magna cum laude** 1989
English literature and Mass media. Study at Lund University, Sweden. Phi Beta Kappa, National Merit Scholar, Richard Carleton Meeker Scholar.

Teaching and Research Appointments

- Associate Professor, Indiana University Maurer School of Law (Bloomington)** 2007-11
Have taught courses on: international criminal law; human rights; Islamic law; legal lessons of the Yugoslav wars; the Milošević trial; and professional responsibility.
- Visiting Professor, Central European University** 2002, 2008, 2009
Taught various courses in international and comparative subjects.
- Visiting Professor of Political Studies, Bard College** 2006
Taught human rights in the Globalization and International Affairs Program.
- Visiting Professor, University of Mississippi School of Law** 2005-6
Taught professional responsibility, international criminal law, human rights, and Islamic law.
- Fellow and Visiting Scholar, Harvard Law School** 2002-5
Human Rights Program Visiting Fellow 2002, Reginald F. Lewis Fellow for Law Teaching 2003, East Asian Legal Studies Visiting Scholar 2005.
- Visiting Assistant Professor, Boston University School of Law** 2004
Taught international human rights law and comparative Islamic law.
- Fellow, International Institute for Education** 1995
Researched interactions of Beas Roma and ethnic majority communities in Hungary and Croatia.

Academic Publications (see <http://ssrn.com/author=476025>)

THE MILOŠEVIĆ TRIAL: AN AUTOPSY (Oxford University Press, *forthcoming*)(editor).

A Kind of Judgment: Searching for Judicial Narratives after Death, 42 GEORGE WASHINGTON INTERNATIONAL LAW REVIEW __ (2011, *forthcoming*).

“Group Thinking: Antique Models of Community for Modern Religious Rights Regimes,” in THIRD INTERNATIONAL CONFERENCE ON HUMAN RIGHTS PAPERS (Mofid University, *forthcoming*).

Discursive Democracy and the Challenge of State-Building in Divided Societies: Reckoning with Symbolic Capital in Bosnia and Herzegovina, 38 NATIONALITIES PAPERS 449-68 (2010)(co-author).

“The Momentous Gravity of the State of Things Now Obtaining”: Annoying Westphalian Objections to the Idea of Global Governance, 16 INDIANA JOURNAL OF GLOBAL LEGAL STUDIES 25-58 (2009).

Academic Publications (continued)

“Assuming Bosnia: Taking the Polity Seriously in Ethnically Divided Societies,” in D. Haynes, ed., *DECONSTRUCTING THE RECONSTRUCTION: HUMAN RIGHTS AND THE RULE OF LAW IN POSTWAR BOSNIA AND HERZEGOVINA* 53-78 (Ashgate 2008).

Killing Globally, Punishing Locally? The Still-Unmapped Ecology of Atrocity, 55 *BUFFALO LAW REVIEW* 1331-70 (2008)(review of Mark Drumbl, *Atrocity, Punishment and International Law*).

The Blessing of Departure: Acceptable and Unacceptable State Support for Demographic Transformation – The Lieberman Plan to Exchange Populated Territories in Cisjordan, 2 *LAW & ETHICS OF HUMAN RIGHTS* 221-85 (2008).

A Different Departure: A Reply to Shany’s “Redrawing Maps, Manipulating Demographics: On Exchange of Populated Territories and Self-Determination”, 2 *LAW & ETHICS OF HUMAN RIGHTS* 311-23 (2008).

Overview: Design and Reform of Public Prosecution Services, in B. Cooper and T.W. Waters, eds., *PROMOTING PROSECUTORIAL ACCOUNTABILITY, INDEPENDENCE AND EFFECTIVENESS: COMPARATIVE RESEARCH* (Open Society Institute Sofia)(2008), at 19-79.

PROMOTING PROSECUTORIAL ACCOUNTABILITY, INDEPENDENCE AND EFFECTIVENESS: COMPARATIVE RESEARCH (Open Society Institute Sofia)(2008)(co-editor), 439 pp.

“Reconsidering Dhimmah as a Model for Regulating Minorities, with Some Implications for Human Rights,” in K. Wellman and M. Modjandeh, eds, *THEORETICAL FOUNDATIONS OF HUMAN RIGHTS* 386-96 (Mofid University 2007).

Remembering Sudetenland: On the Legal Construction of Ethnic Cleansing, 47 *VIRGINIA JOURNAL OF INTERNATIONAL LAW* 63-146 (2006).

Migrating towards Minority Status: Shifting European Policy towards Roma, 43 *JOURNAL OF COMMON MARKET STUDIES* 763-86 (2005)(co-author).

Contemplating Failure and Creating Alternatives in the Balkans: Bosnia’s Peoples, Democracy and the Shape of Self-Determination, 29 *YALE JOURNAL OF INTERNATIONAL LAW* 423-75 (2004).

Unexploded Bomb: Voice, Silence, and Consequence at the Hague Tribunals: A Legal and Rhetorical Critique, 35 *N.Y.U. JOURNAL OF INTERNATIONAL LAW AND POLITICS* 1015-131 (2003).

“Overview,” in H. Mickevičius and T.W. Waters, eds., *MONITORING THE EU ACCESSION PROCESS: JUDICIAL CAPACITY* 11-51 (Open Society Institute 2002).

MONITORING THE EU ACCESSION PROCESS: JUDICIAL CAPACITY (Open Society Institute 2002)(co-editor), 221 pp.

Indeterminate Claims: New Challenges to Self-Determination Doctrine in Yugoslavia, 20 *SAIS REVIEW* 111-44 (2000); version in Serbian by Agency for Local Democracy (Subotica, 2001).

“Judicial Independence in the EU Accession Process,” in H. Mickevičius and T. W. Waters, eds., *MONITORING THE EU ACCESSION PROCESS: JUDICIAL INDEPENDENCE* 13-68 (Open Society Institute 2001).

MONITORING THE EU ACCESSION PROCESS: JUDICIAL INDEPENDENCE (Open Society Institute 2001) (co-editor), 472 pp.

The Naked Land: The Dayton Accords, Property Disputes, and Bosnia’s Real Constitution, 40 *HARVARD INTERNATIONAL LAW JOURNAL* 517-93 (1999). **ILSA Francis Deak Award** 2000.

Return from Exile, Return to Politics: Leadership, Political Mobilization and National Identity among the Crimean Tatars, 44 *THE UKRAINIAN REVIEW* 42-54 (1997).

Academic Publications (continued)

“Two Souls to Struggle with:” *The Failing Implementation of Hungary’s New Minorities Law and Discrimination against Gypsies*, 9 HARVARD HUMAN RIGHTS JOURNAL 297-313 (1996); and in J. Micgiel, ed., STATE AND NATION BUILDING IN EAST CENTRAL EUROPE 177-97 (Columbia 1996)(co-author). Columbia University **Gitelson-Meyerowitz Award** for Human Rights Writing 1995.

Kings without Countries: Problems in the Formation of a Gypsy National Identity, 6 JOURNAL OF PUBLIC AND INTERNATIONAL AFFAIRS 24-46 (APSIA/Princeton)(1995).

Representative Professional and Field Experience

Expert Witness, *United States v. Padilla et al.* **2007**

Advising counsel for co-defendant Adham Amin Hassoun, serving as expert witness on international law and the Balkan wars, especially humanitarian law and self-determination.

Consultant, *Open Society Institute (and Justice Initiative), Budapest and New York* **2001-7**

Researched, wrote and edited two report series assessing judicial independence and capacity in ten transition states; edited report series on prosecutorial reform in Europe, Africa, and the Americas.

Elections Monitor, *OSCE Missions in Kosovo and Armenia* **2001, 2003**

Expert Consultant, *United Nations Development Program, Latvia* **2002**

Wrote report for Ministry of Justice assessing judicial reform’s compliance with international norms.

Research Officer, *International Criminal Tribunal for the Former Yugoslavia, The Hague* **1999-2000**

In the Office of the Prosecutor, co-drafted *Milošević* indictment; analyzed constitutional structures and command responsibility; lectured on Yugoslav wars; prepared memorandum on sexual crimes.

Human Rights/Democratization Officer, *OSCE Mission to Bosnia and Herzegovina* **1996-7**

Monitored compliance with peace accords in Republika Srpska; coordinated refugee resettlement; led electoral fraud investigation team; wrote audit of contested registration process in Brčko district.

Consultant, *Human Rights Watch, Hungary and Yugoslavia* **1995-6**

Researched and wrote reports on discrimination against minorities; analyzed legislative programs, anti-discrimination laws hate crimes; elections; treatment of refugees.

Volunteer, *United States Peace Corps, Hungary* **1991-4**

Taught English; organized national drama festival; helped open Europe’s first high school for Roma.

Representative Professional Reports, Articles and Editorials

“Let My People Go: Sudan’s Lesson on Secession,” *European Journal of International Law/EJIL Talk!*, 24 January 2011.

“No One Left to Blame,” *Foreign Policy (FP.com)*, 11 November 2009 (op-ed on Karadžić trial).

“Hear the Victims’ Voices,” *New York Times*, 4 February 2009 (solicited commentary).

“Russia-Georgia: The Separatist Regions, The Western Response,” *New York Times*, 29 August 2008 (Q&A interview).

“Karadzic on Trial,” *New York Times*, 24 July 2008 (Q&A interview).

“Kosovo as Precedent and Pretext: New Debates and Old Lessons,” *Jurist*, 18 February 2008.

“Kosovo: The Day After,” *openDemocracy*, 18 February 2008.

“A Separate Peace,” *New York Times*, 1 February 2007; “The wrong solution,” *International Herald Tribune*, 1 February 2007 (op-ed on proposal for partition of Kosovo).

Representative Professional Reports, Articles and Editorials (continued)

“Guilty of Fighting a War,” *New York Times*, 12 August 2006, *International Herald Tribune*, 13 August 2006 (op-ed on amnesty proposals for insurgents in Iraq).

“Why Insist on the Surrender of Ratko Mladic?” *New York Times*, 12 May 2006; “Why insist on Mladic’s arrest?” *International Herald Tribune*, 12 May 2006 (op-ed on EU policy towards Serbia).

“What Now for War Trials after Milosevic?” *Christian Science Monitor*, 16 March 2006 (op-ed).

“Opinion Report on the Draft Law on Judicial Power” (for UNDP/Latvian Justice Ministry, 2002).

“Judges for a New Order: The Case for Continued Monitoring after Membership,” *European Union Accession Monitoring Program* (eumap.org, November 2002).

RIGHTS DENIED: VIOLATIONS AGAINST THE RIGHTS OF HUNGARIAN ROMA (Human Rights Watch, 1996); JOGFOSTOTTAN: ROMÁK MAGYARORSZÁGON (Magyar Helsinki Bizottság, 1996)(co-author).

Board Memberships and Service

Editorial Board, Nationalities Papers: The Journal of Nationalism and Ethnicity, 2009-11.

Executive Committee, Russian and East European Institute, Indiana University 2008-11.

Executive Committee, Islamic Studies Program, Indiana University, 2009-11.

Scientific Committee, International Conference on Human Rights, Mofid University (Qom, Iran), 2005, 2007, 2009, 2011.

Languages

Hungarian and Swedish (highly competent); German (intermediate); Serbo-Croatian and Turkish (basic). Reading knowledge of Norwegian and Dutch.

Select Lectures and Presentations (presentations at Indiana University not included)

“~~[Redacted]~~: Writing and Reconciling in the Shadow of Secrecy at a War Crimes Tribunal.” *Second International Criminal Defense Conference: Lessons from the Defense at the Ad Hoc UN Tribunals, and Prospects for International Justice at the ICC*, Brussels May 2010.

“[Redacted]: Writing and Reconciling in the Shadow of Secrecy at a War Crimes Tribunal.” *Association for the Study of Nationalities 15th Annual Conference*, Columbia University April 2010.

“The International Court of Justice and the Politics of the Balkans.” *American Bar Association International Law Section Spring Meeting*, New York, April 2010 (panelist).

Conference: *The Milošević Trial – An Autopsy*, Indiana University, February 2010 (conference organizer).

“Troubled No More by Death: Legal and Moral Hierarchies in a Rwandan Genocide Trial.” *Junior Faculty Regional Workshop*, Washington University – St. Louis, February 2010.

“Blind Panopticon: Redaction of/and History in Yugoslav War Crimes Trials.” *Beyond Cold War Linearities: Entangled Histories and Interactive Ideas*, Open Society Archivum, Budapest December 2009.

“Comments on Prof. Yuval Shany’s ‘Assessing the Effectiveness of International Courts: Can the Unquantifiable be Quantified?’” *Scholarship Roundtable on the Law and Politics of International Cooperation*, Duke University School of Law, November 2009 (discussant).

Select Lectures and Presentations (continued)

“Gaps in the Line: Consequences of an Incomplete Theory of Aggression.” *Fourth Big Ten Aspiring Scholars Conference*, University of Illinois, August 2009.

“The Consequences of an Incomplete Theory of Aggression: Reacting to and Regulating Violence in the Russian-Georgian War.” Central European University, Budapest June 2009.

“Constructing Citizenship through War in the Human Rights Era.” *Fifth International Conference on Human Rights: Peace Human Rights and Religion*, Mofid University, Qom, Iran May 2009.

“Plucky Little Russia: Assessing the Resort to Violence in Internal and Cross-Border Conflicts.” *Association for the Study of Nationalities 14th Annual Conference*, Columbia University April 2009.

“Conditions of Discursive Democracy in Contested Territories.” *Association for the Study of Nationalities 14th Annual Conference*, Columbia University April 2009 (co-presenter).

“Death Comes for the Tribunal: Legal and Moral Hierarchies in *Bagaragaza*.” *War Crimes Conference*, University of London Institute of Advanced Legal Studies February 2009.

“Democracy in the Shape of the State: Discursive Democracy in Contested Territories.” *Challenges to Democratic Governance in CEE and the Balkans*, Centre for the Study of Imperfections in Democracy, Central European University, Budapest October 2008 (co-presenter).

“Transforming Values.” *Constitutional Axiology – the Individual vs. the State 16th Annual Conference*, Central European University, Budapest June 2008 (discussant).

“Constructing the Home Front: War, Territory, and Citizenship.” *Association for the Study of Nationalities 13th Annual Conference*, Columbia University April 2008.

“Boxing Pandora: Defining Borders in a Democratizing World.” *Midwest Political Science Association*, Chicago April 2008.

“Identity and Transnational Influences.” *Midwest Political Science Association*, Chicago April 2008 (chair and discussant).

“New Frontiers: Theorizing the Moral and Empirical Bases for a Democratic Right of Secession.” University of Illinois College of Law, Urbana-Champaign February 2008.

“A Right to Democratic Secession: Normative and Empirical Considerations.” Hebrew University, Jerusalem January 2008.

“What Need for Conquest? Demographic and Legal Echoes of War.” *Workshop on Citizenship in Wartime*, Tel Aviv University December 2007.

“The Blessing of Departure: The Lieberman Plan to Exchange Populated Territories in Cisjordan.” *Central States Law Schools Association conference*, Wayne State University, Detroit October 2007.

“Ana Trbovich’s ‘Kosovo as a (Non-)Precedent’.” Columbia University October 2007 (discussant).

“Acceptable and Unacceptable State Support for Demographic Transformation: Exchanging Populated Territories in Cisjordan.” *Association for the Study of Nationalities 12th Annual Conference*, Columbia University April 2007.

“Putting Partition Back on the Table: Rethinking Borders in Balkan Democracies,” Harriman Institute, Columbia University March 2007.

“The Blessing of Departure: Exchange of Populated Territories – The Lieberman Plan as an Abstract Exercise in Demographic Transformation.” *Human Rights and Demography*, Ramat Gan Academic College of Law, Israel January 2007.

Select Lectures and Presentations (continued)

“Doctrine and Determination: Theorizing a Democratic Right of Secession.” *Association for the Study of Nationalities 11th Annual Conference*, Columbia University, New York 2006.

“Remembering Sudetenland: On the Legal Construction of Memory.” *Association for the Study of Nationalities 10th Annual Conference*, Columbia University, New York 2005.

“Migrating towards Minority Status: Shifting European Policy towards Roma.” *Journal of Common Market Studies special issue preparatory conference*, London School of Economics 2005 (joint presentation).

“Contemplating Failure and Creating Alternatives in the Balkans: Bosnia’s Peoples, Democracy and the Shape of Self-Determination.” Yale Law School, New Haven, Connecticut 2004.

“‘To you your way...’: Considering the Implications of *Dhimmah* for Political Participation within Islam.” *Association for the Study of Nationalities 9th Annual Conference*, Columbia University, New York 2004.

“Unexploded Bomb: The ICTY’s (Non-)Investigation of NATO’s Kosovo War: Implications for the New ICC.” Boston University School of Law 2004; New York University School of Law 2004; Harvard Law School, Cambridge, Massachusetts 2004.

“David Kennedy’s ‘The Dark Sides of Virtue.’” Boston University School of Law 2004 (commentator).

“Reconsidering *Dhimmah* as a Model for a Modern Minority Rights Regime.” *Theoretical Foundations of Human Rights*, Mofid University, Qom, Iran 2003.

“EU Accession Criteria and Judicial Reform.” *Assessing the Accession Criteria: The Impact of the Accession Criteria: Public Administration and Judiciaries*, European Research Institute, University of Birmingham, England 2003.

“Other Determinations: Alternatives to Self-Determination in Western Recognition of Bosnia and Herzegovina.” *Association for the Study of Nationalities 8th Annual Conference*, Columbia University, New York 2003; *Law and Justice under Fire: Legal Lessons of the Yugoslav Wars*, Inter-University Centre, Dubrovnik 2002.

“Institutional Reform of the Judicial Administration.” *Conference on the Draft Law on Judicial Power*, Latvian Ministry of Justice, Riga 2002.

“Judicial Capacity and the Case for Continued Monitoring of EU Membership.” *The Impact of Enlargement on Evolving Standards for Anti-Corruption Policy and Judicial Reform in the EU*, Centre for European Policy Studies, Brussels 2002.

“Unexploded Bomb: Voice, Silence and Consequence at the Hague Tribunals – A Legal and Rhetorical Analysis.” *Law and Justice under Fire: Legal Lessons of the Yugoslav Wars*, Inter-University Centre, Dubrovnik 2002.

“Good Governance and Judicial Independence.” *Strengths and Perspectives: Candidate Countries in the EU Accession Process*, TESEV/Heinrich Böll Foundation, İstanbul 2002.

“Judicial Independence in EU Candidate States.” *Judicial Independence in Latvia: Issues of Continuing Education, Qualification and Administration of Judiciary*, Riga Graduate School of Law 2001.

“The European Union Accession Process: Findings and Recommendations.” *European Free Alliance and Czech Joint Parliamentary Committee hearings*, European Parliament, Brussels 2001.

“*Acquis* Implementation, Administrative and Judicial Capacity.” *Issues in EU Enlargement: Risks and Opportunities in Key Policy Areas*, Centre for European Policy Studies, Brussels 2001 (panelist).

Select Lectures and Presentations (continued)

“Speaking in Tongues: Elites, Demography, and Constituency Balancing in Central Asian Language Law Reform.” *Nationality and Citizenship in Post-Communist Europe*, Sciences Po, Paris 2001.

“Indeterminate Claims: New Challenges to Self-Determination Doctrine in Yugoslavia.” *Regionalization in Central and Southeast Europe: Comparative Analysis and Practice*, Open University, Subotica, Yugoslavia 2001.

“The Yugoslav Wars and War Crimes.” *SFOR Theater Surgeon’s Conference*, Cavtat, Croatia 2000.

“Historical Background to the Yugoslav Wars.” *SFOR Theater Surgeon’s Conference*, Cavtat, Croatia 2000.

“Yugoslav History, Peoples, and Politics.” International Criminal Tribunal for the Former Yugoslavia (ICTY), The Hague 1999 and 2000.

“Kosovo and Serbia: Legal and Political Structures.” ICTY, The Hague 1999.

“FRY and Serbian Political and Constitutional Systems.” ICTY, The Hague 1999.

“‘Two Souls to Struggle with:’ The Failing Implementation of Hungary’s New Minorities Law and Discrimination against Gypsies.” *State and Nation Building in East Central Europe: Contemporary Perspectives*, Columbia University, New York 1996 (joint presentation).

“Madness of Many Dimensions: *Sistematizarea* under Ceaușescu.” Romanian Cultural Center, New York 1995.