PREFACE

International claims commissions and the law they apply and clarify always have been of interest not only to claimants, their attorneys and their governments, but also to other governments and everyone concerned with the development of the Law of International Claims and the resolution of transnational disputes. For these reasons, the Seventh Sokol Colloquium, in 1983, was devoted exclusively to the early operations and developing jurisprudence of the Iran–United States Claims Tribunal, surely one of the most important arbitral tribunals in history. As that body was slowly winding down, however, the UN Security Council, in 1991, created the UN Compensation Commission to adjudicate over 2.5 million claims against Iraq arising out of its invasion and occupation of Kuwait and the events leading up to and culminating in the Gulf War. In number of claims, the amounts being claimed (already over $160 billion), and the difficulty of administering a mass claims program including a myriad of new as well as old legal issues of great complexity, the Commission dwarfs the Tribunal and, indeed, all of its predecessors in significance. How it operates and what it decides will shape the Law of International Claims far into the twenty-first century.

In view of the above, the Commission was an obvious topic for the Thirteenth Sokol Colloquium held in April of this year. The possibility initially was broached to the Commission’s Executive Secretary, Ambassador Carlos Alzamora, and his Deputy Executive Secretary, my old friend and colleague from Tribunal days, Michael Raboin, during a visit to the Villa La Pelouse, the Commission’s seat in Geneva, over two and a half years ago. They responded with enthusiasm, agreeing to attend the Colloquium themselves and to bring along several of their staff and one of their key consultants. The participation of several U.S. and Kuwaiti
government officials quickly was arranged, a number of partici-
pants in the Tribunal process as well as advisors to governments or
claimants appearing before the Commission agreed to attend, and
some of "the usual suspects"—specialists in the Law of Interna-
tional Claims and in international organizations law generally—
were rounded up. The fifteen participants whose essays appear in
this volume, plus the nine other invitees also in attendance,
insured that this Colloquium would be not only the largest but
certainly one of the most stimulating Sokol Colloquia ever held.
The contents of this volume certainly bear out this conclusion.

As in previous Colloquia, the success of this one—and the
volume in hand—result not only from the perceptive contribu-
tions of the participants, but also from the tireless efforts and
personal commitment to the success of these Colloquia of the
Administrative Director of the Gustave Sokol Program, Maria
White. Her planning, organization, and running of the Thirteenth
Sokol Colloquium, this time with little if any additional assistance,
once again was unsurpassed. It is no exaggeration to state—and
countless "thank you" letters from participants attest to it—that
the outstanding arrangements she makes and the hospitable
environment she creates also contribute beyond measure to the
substantive side of the Sokol Colloquium.

My thanks also are due to my research assistant, Mr. Robert A.
Kole of the University of Virginia School of Law Class of 1996,
who helped check the text and footnotes of several successive
drafts of each essay in this volume; to Dean Robert Scott, whose
support through a summer research grant enabled me to complete
most of my editorial chores in record time; and to Ronald Sokol,
Esq., whose establishment of the Gustave Sokol Fund has made the
Thirteenth Sokol Colloquium and its dozen predecessors possible.

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