

STATEMENT OF JUDGE CHARLES N. BROWER

Since April of 1983, when I first was appointed as a Substitute Member of the Iran-United States Claims Tribunal, then shortly later as a regular Member, by the Reagan Administration, I have served continuously as a Member of the Tribunal, in one capacity or another, most recently as a regular Member during the past 15 years following my reappointment as such by the Clinton Administration. No other Member has served longer.

The Tribunal is now well into the State-to-State cases, its only remaining business. It hears them one at a time, and going forward each is predicted to require up to five years of intensive work each for preparation, hearings, deliberations and the issuance of a Final Award. This turn of events, added to my function since 2014 as Judge ad hoc of the International Court of Justice, has severely limited my ability to sit in other arbitrations. I therefore decided that it is time to leave the Tribunal, before the next State-to-State case is taken up for consideration, and thus to enable the United States to appoint a replacement who is fully prepared to sit in the next and future State-to-State cases.

My letter of resignation was submitted to the President of the Tribunal under date of 1 November 2015, was accepted by the Tribunal officially on 30 November, and took effect 2 December 2015 upon the arrival at the Tribunal of my successor to take up his new duties. In resigning, however, I have pledged to do my duty under the Tribunal's Rules of Procedure (Article 13, paragraph 5) to continue participating in the deliberations of the sole case currently under deliberation, which deliberations are estimated by my colleagues as likely to extend another two years. Having no other duties at the Tribunal, I am now freer again to accept appointments as arbitrator, as I have just done in accepting an institutional appointment as tribunal president.

In leaving the Tribunal I cannot say enough good things about my successor, David D. Caron. I congratulate the United States on its wisdom in appointing him, the person in my view most outstandingly suited to the task, and felicitate the Tribunal on acquiring him as a colleague. Professor Caron was my first law clerk at the Tribunal (1984-85), and since then has blazed a career in international law without comparison. We have worked closely as successive Presidents of the American Society of International Law and Chairmen of the Institute for Transnational Arbitration of the Center for American and International Law. He joined 20 Essex Street Chambers in London, of which I, too, am a member, upon qualifying as a barrister in England and Wales. Most currently we have been serving as co-arbitrators in a case during his tenure as Dean of the Dickson Poon School of Law at King's College in London. His breadth of experience, including intimate knowledge of the history and practices of the Tribunal, make him the ideal addition to its ranks. I leave the Tribunal in the knowledge that with Professor Caron's appointment it is in better hands than ever.