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Sompong Sucharitkul

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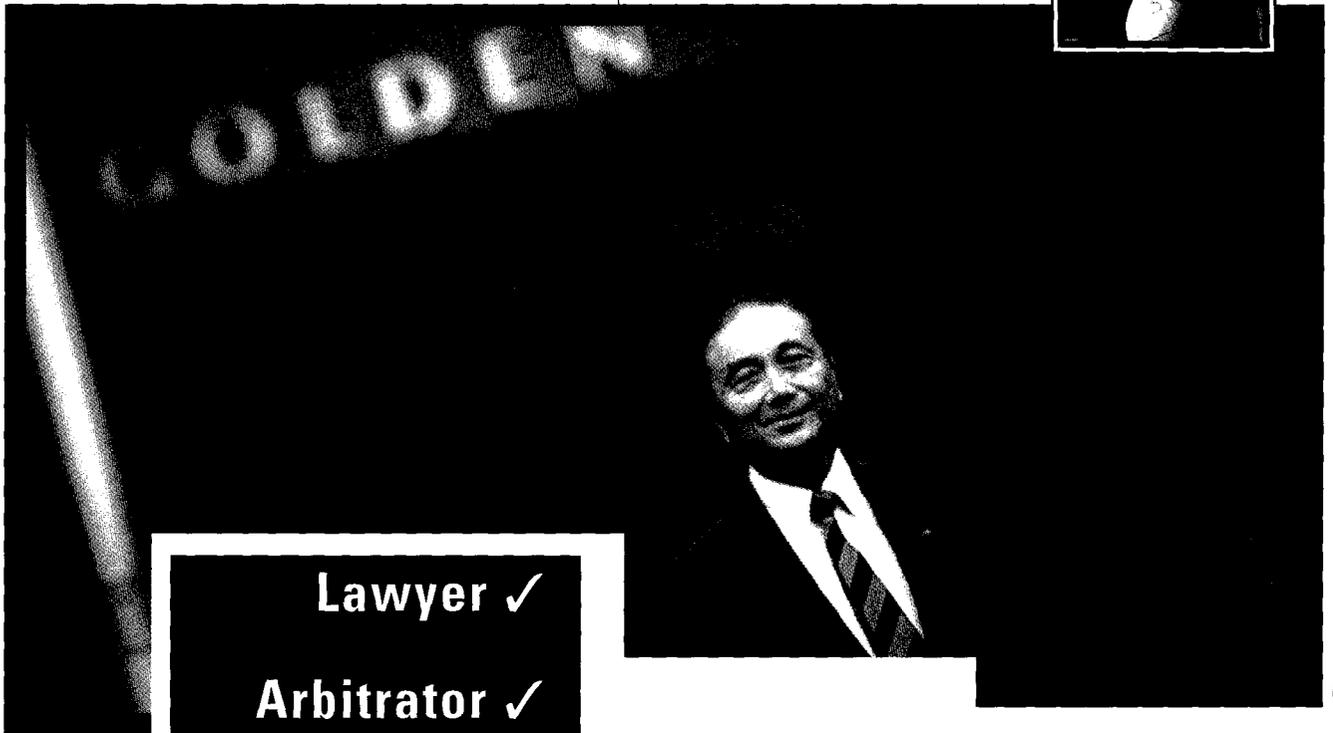
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Sompong



Lawyer ✓
Arbitrator ✓
Ambassador ✓
Teacher ✓

Photographs by Kevin Ng

The tiny, 15th-floor office is crammed with books, papers and pamphlets. A tower of freshly printed copies of a recently published article totters on the edge of what is almost certainly a desk (although it's difficult to be sure). A clog of boxes makes it impossible to open the door all the way. Inside, sitting comfortably amid the seemingly impenetrable clutter—this metaphor of a crowded life—is Sompong Sucharitkul. And he is smiling warmly.

Lawyer, arbitrator, ambassador, teacher; Professor Sucharitkul has led a busy, productive life, and his pace doesn't appear to be slowing down. A specialist in international law, he was recently named commissioner of the United Nations Compensation Commission, which will be resolving claims against Iraq for losses resulting from that country's invasion of Kuwait.

Earlier in his career, Sucharitkul served as his native Thailand's ambassador to Japan, Italy, Greece, Israel, France, Portugal, the Benelux countries, the European Union and UNESCO. He served in the UN General Assembly for nearly three decades. He is currently a member of the Commercial Arbitration Centre at Cairo, the Regional Centre for Arbitration at Kuala Lumpur, and the Panel of Arbitrators of the Conciliators of the International Centre for the Settlement of Investment Disputes for the World Bank. Somehow, he also finds time to direct GGU's Center for Advanced International Legal Studies, which includes a summer program in Bangkok.

Sompong, as he's known to most people on campus ("It's easier to pronounce, I suppose") shrugs at the length of his resume. "I've been involved in all kinds of human activities," he says, the very soul of understatement. His Oxford University education peeks through his accent in the decidedly English cadences of his speech. "Lot of fun, really."

Before joining the GGU law faculty in 1990, Sucharitkul taught at Leiden University in Holland. He had taught previously at Notre Dame, Lewis and Clark, and the University of North Carolina at Charlotte, so he was familiar with American academia.

"I was very pleased to be asked to come to San Francisco," he recalls. "I am drawn to the academic freedom in this country. What I'm seeking is the internationalization of American legal education. Sooner or later we in the United States are going to be in very close competition with the outside world. The outside world is very large, and has many legal systems and experts. To have someone with sufficient background and experience in this area is bound to be rather useful."

Sucharitkul lived in Thailand until he was 17, when he received a scholarship to study law in England. The law is a deeply embedded tradition in Sucharitkul's family. His father and his grandfather were barristers "called to the English bar." Both served in the

Sucharitkul

Middle Temple in England, and his grandfather was appointed chief justice of Thailand's Court of Foreign Causes. Several of his younger brothers currently serve on the Supreme Court in Thailand. "I was more or less expected to become a barrister," he says. "My family went to Oxford, so I went there, too."

"Traditionally, well-to-do families in Thailand send their children to be educated abroad," he explains. "There was a Harvard graduate from Thailand almost a hundred years back."

Sompong, too, has a Harvard degree, as well as doctorates from the University of Paris and the Hague Academy of International Law. Not surprisingly, he speaks "a few European languages."

Sucharitkul's initial lukewarm attitude toward his prescribed profession heated up with his introduction to international law. What would become for Sompong a lifetime passion was first inspired by an Oxford professor named Sir Humphrey Merredith Waldorf, who later became president of the International Court of Justice. Another professor, an American named Arthur Goodhart, also fueled the fires of his interest. "They both inspired me greatly," he recalls. "So I took up international law, and I've been studying it since 1950, when I was an undergraduate."

What is it about the international aspects of jurisprudence that inspires Sompong? "Ah, well, the law is ever evolutionary," he says. "You have to try to get a firm grasp of it as it is at one stone moment. But you also have to watch the future trends of the law, where it's heading. We look into the past to find the future, but it won't necessarily develop in that way. Like the rivers, the law bends and shrinks and expands. Looked at in an international context, it's simply intriguing. I find it difficult to stop thinking about it."

Sucharitkul will have plenty to think about over the next few years, as he and his two fellow members of Panel E take on the knotty problem of resolving claims against Iraq for the UN Compensation Commission. The commission was established by the United Nations in 1991, and it has received over two and a half million claims from companies and private individuals through their governments. So far, over 900,000 claims have been settled.

This isn't exactly new territory for either the United Nations or Sucharitkul. The US-Iran Claims Tribunal has been going since 1981, and Sucharitkul has long experience in international arbitration. Panel E will be dealing specifically with corporate claims

against Iraq—construction contracts, dams, equipment repairs, and the like. Since Iraq has accepted liability, the panel's primary work will involve deciding who gets how much.

"It's a question of estimation of compensation," Sucharitkul explains. "Sometimes the claims are, let us say, exaggerated somewhat. Therefore, we need to look into the true nature of the damage or injurious consequences that represent the actual suffering."

Sucharitkul's panel will be supported by a fact-finding group, so panel members will be free to focus on legal details and accounting. The panel's findings are called "recommendations," but Sucharitkul says they are really judicial or arbitrator determinations, which the UN governing council is likely to endorse.

In a larger context, Sucharitkul's work on Panel E affords him a further opportunity to study and influence the evolution of international law. "This is important because we know now that international law is not just talk, floating in the air," he says. "It is actually law, applicable and intelligible, something that can be put into practice and implemented, and even enforced. All of these claims eventually will be fully paid."

Yet, in 1986, when the World Court ruled against the United States for mining Nicaragua's harbors in support of the Contras, President Reagan refused to accept the court's decision. That, plus America's reluctance to pay its UN dues, cast doubt on the ability of international organizations to influence powerful nations. But Sucharitkul is sanguine about US international cooperation. "I think on the whole, the United States hasn't done badly," he says gently, ever the diplomat. "I understand that President Clinton is making amends by planning more progressive payments. Apart from that, I think the US has been fair. The ruling in the International Court of Justice was a shock to the US. But every child has to go through traumatic experience to be born."

As to the continuing role of the United States in world affairs, Sucharitkul sees the US as a vital force that is adapting slowly but well to global changes. "The United States is the undisputed leader of the world," he says, "but it should grow out of its Fortress America mentality—and I think that's what it is doing. No country can afford to live in a silk cocoon. The world is interdependent. America needs materials from other countries, and they need American goods and services. The interchange will bring sound growth and economic development to the whole world." ■

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