July 2, 2009

Mr. James H. Thessin
Deputy Legal Adviser and
Designated Agency Ethics Official
U.S. Department of State
2201 C. St. NW
Washington, D.C. 20520-6310

Re: Ethics Undertakings

Dear Mr. Thessin:

I am committed to the highest standards of ethical conduct for government officials. If confirmed as U.S. Ambassador at Large for War Crimes Issues, as required by 18 U.S.C. §208(a), I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any other person whose interests are imputed to me, unless I first obtain a written waiver, pursuant to section 208(b)(1), or qualify for a regulatory exemption, pursuant to section 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Upon confirmation, I will resign from my position as Prosecutor of the Special Court for Sierra Leone and from my official position with the United Nations as Chief, United Nations Office of Legal Affairs, Executive Office for the Special Court for Sierra Leone. Further, I will have a "covered relationship" under 5 C.F.R. § 2635.502 with both the Special Court for Sierra Leone and the United Nations. Pursuant to 5 C.F.R.§2635.502(d), I will seek written authorization to participate in particular matters involving specific parties in which the Special Court for Sierra Leone or the United Nations is or represents a party.

Upon confirmation, I will resign from my position as member of the War Crimes Advisory Committee, International Bar Association. For one year after my resignation, I will not participate personally and substantially in any particular matter involving specific parties in which the War Crimes Advisory Committee is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

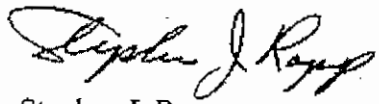
Upon confirmation, I will resign from my position as partner of Kania III, and will become only a limited partner of this entity. During my appointment, I will not manage this entity or provide any other services to it. Instead, I will receive only passive investment income from it. As Ambassador at Large for War Crimes Issues, I will not participate personally and substantially in any particular matter that has a direct and predictable effect on the financial interests of Kania III unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

Within 90 days of confirmation, I will document the recusals of this ethics agreement by designating in writing an individual to screen me out of conflicting matters and to reassign those matters, providing the individual with a list of assets and parties giving rise to such conflicts, and notifying you when I have completed these implementing actions.

I understand that as an appointee I am required to sign the Ethics Pledge (Exec. Order No. 13490) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this and any other ethics agreement. I understand that I am "employed" by the Special Court for Sierra Leone and the United Nations for purposes of the restrictions set forth in paragraph 2 of the Ethics Pledge. Pursuant to section 3 of the Ethics Pledge, I will seek a written waiver of the paragraph 2 restrictions as they apply to the United Nations and the Special Court for Sierra Leone so I may participate in particular matters involving specific parties that are directly and substantially related to the United Nations or the Special Court for Sierra Leone.

Finally, I will provide the appropriate officials with the list of those interests I have retained or may acquire in order to support my efforts to avoid conflicts of interest. In addition, I will recuse myself from participation on a case-by-case basis in any particular matter involving specific parties in which I determine that a reasonable person with knowledge of the relevant facts would question my impartiality in that matter, unless I am first authorized to participate, pursuant to 5 C.F.R. Part 2635, Subpart E.

Sincerely,



Stephen J. Rapp