



# General Assembly Security Council

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**General Assembly  
Seventy-eighth session**

Item 115 (c) of the provisional agenda\*

**Elections to fill vacancies in principal organs: election of  
members of the International Court of Justice**

**Security Council  
Seventy-eighth year**

## **Election of members of the International Court of Justice: curricula vitae of the candidates nominated by national groups**

### **Note by the Secretary-General**

The Secretary-General has the honour to submit to the General Assembly and to the Security Council the curricula vitae of the candidates nominated by national groups for the elections to fill five vacancies on the International Court of Justice (see annex). The elections will be held during the seventy-eighth session of the General Assembly. The list of nominations is contained in document [A/78/98-S/2023/446](#). The composition of the Court and the voting procedure to be followed in the General Assembly and in the Security Council are set out in a memorandum by the Secretary-General ([A/78/97-S/2023/445](#)).

\* [A/78/150](#).



## Annex

### Curricula vitae\*

#### Aurescu, Bogdan-Lucian (Romania)

<b>Name</b>	<b>AURESCU BOGDAN-LUCIAN</b>
<b>Academic Title</b>	<b>Professor Dr.</b> (authorized to conduct the coordination of Ph.D. students in Public International Law, at the Doctoral Law School of the University of Bucharest), <b>Member of the United Nations International Law Commission.</b>
<b>Studies</b>	<p><b>2010-2011</b> - Post-Doctoral Advanced Research Programme, with the qualification “Excellent”, in the field of “International Humanitarian Law, Human Rights, Rights of Refugees and Criminal Law” with the subject “Evolutions in the Relation between State and Individual in the Field of International Law of Human Rights and of the International Protection of Persons belonging to National Minorities”, Post- doctoral School of Law, Faculty of Law, University of Bucharest</p> <p><b>1999-2003</b> - Ph.D. (doctor) in Law, Faculty of Law, University of Bucharest, with the qualification „Very Good” and the distinction “<i>Summa cum Laude</i>”, title of the Ph.D. thesis: “The Concept of Sovereignty and the Primacy of International Law”</p> <p><b>2000-2001</b> - Post-graduate course, Department for Training of Professors (graduation grade – 10), Faculty of Psychology and Sciences of Education, University of Bucharest</p> <p><b>2000</b> - National Defense College (of Romania), title of the post-graduate paper: “The NATO Operations in Kosovo during the Former Yugoslavia Crisis and their Consequences on International Law”, Academy of High Military Studies, Ministry of National Defense, Bucharest</p> <p><b>1996</b> - Public International Law Session, The Hague Academy of International Law</p> <p><b>1995-1996</b> - Diplôme d’université de droit des affaires franco- roumain, Institut Franco-Roumain du Droit des Affaires et Coopération Internationale “N. Titulescu - H. Capitant”, Université Paris 1 Panthéon-Sorbonne and University of Bucharest; title of the post-graduate paper (in French): “La capacité de la Communauté européenne pour conclure des traités internationaux”, Bucharest</p> <p><b>1993-1998</b> - Faculty of History, University of Bucharest (graduation grade – 10), speciality: contemporary universal history, title of the graduate paper: “The Regional Co- operation and the History of European Integration”</p> <p><b>1992-1996</b> - Faculty of Law, University of Bucharest</p> <p>(graduation grade – 9. 91; “Diploma with Merits”), title of the graduate paper: “The Relations between International Law and Domestic Law. The New Geometry of International Law”</p> <p><b>1988-1992</b> National College <i>St. Sava</i> (graduation grade – 9.59), Bucharest</p>
<b>Teaching and Academic Activities</b>	<p><b>2018</b> – Approval of the Senate of the University of Bucharest to conduct Ph.D. coordination at the Doctoral Law School of the University of Bucharest</p> <p><b>2017</b> – Obtaining the certificate of authorization to conduct Ph.D. coordination at the Doctoral Law School of the University of Bucharest</p> <p><b>2015 to present</b>, Professor at the Faculty of Law of the University of Bucharest (the Public Law Department), teaching Public International Law, International Organisations and</p>

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\* Curricula vitae are issued without formal editing.

International Relations, International Jurisdictions, International Law of Minorities' Protection

**2012-2015**, Senior Lecturer at the Faculty of Law of the University of Bucharest (the Public Law Department), teaching Public International Law, International Organisations and International Relations, International Jurisdictions, International Law of Minorities' Protection

**2009 to present**, lecturer – The System of International Jurisdictions; The Law of Treaties and the practice of negotiations (until 2012), at the Master of International Law, Faculty of Law of the University of Bucharest

**2010 to present**, lecturer – Public International Law (in English), at the Master “Security and Diplomacy”, Department of International Relations and European Integration, National School of Political and Administrative Studies

**2006** (July), Visiting professor (ERASMUS Teaching Staff mobility) at the Faculty of Law, University of Hamburg

**2004-2012**, university Lecturer, at the Faculty of Law of the University of Bucharest (the Public Law Department), teaching Public International Law, Diplomatic and Consular Law, International Organisations and International Relations, International Jurisdictions, The Law of Treaties and the practice of negotiations

**2004 to present**, lecturer – International Jurisdictions at the Master of international and EU Law, “Nicolae Titulescu” University of Bucharest

**2002-2004**, university Assistant at the Faculty of Law of the University of Bucharest (the Public Law Department), Public International Law, Diplomatic and Consular Law

**1998-2002**, coordinator of the seminars of the 3<sup>rd</sup> series of the 2<sup>nd</sup> year of studies, Faculty of Law of the University of Bucharest

**2002-2003**, lecturer - Public International Law, The Law of Treaties for the 2<sup>nd</sup> year of studies, Faculty of International Relations, National School of Political and Administrative Studies

**1999**, lecturer - Public International Law, The Law of Treaties, the Post-graduate Programme on International Relations, organized by the Romanian MFA and the Faculty of Law of the University of Bucharest for the primary professional training of diplomats under the aegis of the Romanian Diplomatic Academy

#### **Scientific and Research Activities**

Director of the research project “Identification of specific national remedies for the unduly length of judicial proceedings in Romania” / The Programme “Ideas – Projects of Exploratory Research” (project code 769/2009), the “National Plan II for Research, Development and Innovation 2007-2013” (2009-2011). The results of the research were published in the volume “Identification of specific national remedies for the unduly length of judicial proceedings in Romania”, 2011, C.H. Beck Publishing House;

Editor-in-chief of the *Romanian Journal of International Law*, since 2003;

Member of the Editorial Board of the *Judicial Courier*, C.H. Beck Publishing House, Bucharest, since 2008;

Member of the Scientific Council of the Journal *ACTA Universitatis Lucian Blaga*, Sibiu, Universul Juridic Publishing House, since 2013;

Member of the Scientific Council of the *Constitutional Law Review*, Bucharest, since 2015;

Associated expert for drafting the Recommendations of the OSCE High Commissioner for National Minorities on *National Minorities in Interethnic Relations* (the Bolzano Recommendations) (2008)

Research contract for drafting a chapter of the volume „The Responsibility to Protect Minorities: Is the Kin State a Problem or a Solution?“ (2008-2009) cu UN University (Tokyo);

Associated researcher in the Programme Institutions of Research and Tertiary Education in Central and South East Europe – Developments, Structures and Perspectives for their Integration into the European Higher Education and Research Area, University of Graz, Austria (2006)

#### **Publications**

19 books (3 – author, 8 - editor and 8 - co-author) in the field of International Law, 55 chapters in books, studies in volumes of international conferences and more than 225 articles, studies, comments and book reviews published in foreign or Romanian journals, such as *Annuaire Français de Droit International* (CNRS Editions), *The International Journal of Marine and Coastal Law* (Brill | Nijhoff Publishers), *Helsinki Monitor. Security and Human Rights* (Brill | Nijhoff Publishers), *European Yearbook of Minority Issues* (Brill | Nijhoff Publishers), *Chinese Journal of International Law* (Oxford University Press), *Revue Hellenique de Droit International* (published by the Hellenic Institute of International and Foreign Law), *Romanian Journal of International Law*, *Annals of the University of Bucharest – Law Series* (C.H. Beck Publishing House)

#### **Other activities**

**Since 15 June 2023, Presidential Advisor for Foreign Policy, Presidential Administration of Romania**, Presidential Administration of Romania

**4 November 2019 – 15 June 2023, Minister of Foreign Affairs of Romania**, Romanian MFA

**July-December 2016**, Special (Honorary) Advisor to the Slovak Presidency of the EU Council for inter-institutional and legal affairs

**6 May 2016 – 4 November 2019, Presidential Advisor for Foreign Policy**, Presidential Administration of Romania

**2015** (18 November) – **2016** (5 May), Ambassador at large, Romanian MFA

24 November **2014** – 17 November **2015, Minister of Foreign Affairs of Romania; ambassador**, Romanian MFA

**2012** (June) - **2014** (November), Secretary of State for Strategic Affairs, Co-chairman (for Romania) of the Romanian-Hungarian, Romanian-German, Romanian-Serbian Joint Commissions on National Minorities, minister- plenipotentiary, Romanian MFA

**2012** (February-June), Secretary of State for Global Affairs, Co-chairman (for Romania) of the Romanian-Hungarian; Romanian-German, Romanian-Serbian Joint Commissions on National Minorities, Romanian MFA

**2010-2012**, Secretary of State for European Affairs, Co- chairman (for Romania) of the Romanian-Hungarian; Romanian-German, Romanian-Serbian Joint Commissions on National Minorities, Romanian MFA

**2009-2010**, Secretary of State for Strategic Affairs, Co- chairman (for Romania) of the Romanian-Hungarian; Romanian-German, Romanian-Serbian Joint Commissions on National Minorities, Romanian MFA

**2004-2009, Agent of Romania before the International Court of Justice**, in the case *Maritime Delimitation in the Black Sea (Romania v. Ukraine)*, minister-counselor (since 2006)

**2004** (April) – **2005** (January), Secretary of State for European Affairs; coordinator of the General Directorate for Legal Affairs and of the Office for the Relations with the Parliament, Romanian MFA

**2003 (July) -2004 (April)**, Under Secretary of State, Government Agent for the European Court of Human Rights and coordinator of the General Department for Legal Affairs, Romanian MFA

**2001-2003**, Director General for Legal Affairs (and Legal Advisor of the Romanian MFA), 1<sup>st</sup> Secretary

**2000-2001**, Director, International Law and Treaties Directorate, 2<sup>nd</sup> Secretary, Romanian MFA

**1999-2000**, Director, Cabinet of the Minister, Romanian MFA

**2000-2014**, Alternate representative of Romania to the Danube Commission (Budapest)

**1999**, Deputy Director, International Law and Treaties Directorate, 3<sup>rd</sup> Secretary, Romanian MFA

**1998-1999**, Adviser to the Minister, Cabinet of the Minister, Romanian MFA

**1998-1999**, Member of the Coordination Committee of the Center for Diplomatic Training and International Relations (Diplomatic Academy), Romanian MFA

**1997-1998**, Attaché, International Law and Treaties Department, Romanian MFA

**1996-1997**, Desk Officer, International Law and Treaties Department, Romanian MFA

Member/head of Romanian delegations of negotiations for certain bilateral treaties of good neighborliness (Republic of Moldova, Russian Federation, Macedonia - head of delegation), on border regime (Ukraine – deputy head and head of delegation), on maritime delimitation issues (Ukraine – deputy head and head of delegation), on minorities' issues (Hungary), for multilateral documents and treaties in the framework of international organizations (Black Sea Economic Co-operation Organization, Danube Commission, International Commission for the Protection of the Danube River).

Head of Romanian delegation participating to the sessions of the UNGA Sixth Committee and the Committee of Legal Advisers on Public International Law of the Council of Europe (CAHDI) (2000-2003).

Coordinator of the Romanian legal team for the issue of the Law on Hungarians Living in Neighboring Countries (2001- 2003), and of the Romanian legal team for the Ukrainian “Bystroe” canal issue (2002-2004).

Signatory on behalf of Romania of Protocols 14 and 15 to the European Convention on Human Rights (2004 and 2013), both regarding the ECtHR reform, as well as of other international treaties.

Head of the Romanian delegation to the Review Conference of the Rome Statute of Kampala (Uganda, 2010).

Head of the Romanian delegation to the Conferences of the Council of Europe for the Reform of the European Court of Human Rights of Interlaken (2010), Brighton (2012) and Brussels (2015).

**Rapporteur (or co-rapporteur) of the Venice Commission** (as Substitute Member/independent legal expert, on behalf of Romania) for:

1. The Opinion on the draft law on national minorities of Montenegro – 2004;
2. The Opinion on the draft law on property restitution and compensation on the territory of Georgia for the victims of conflict in former South Ossetia district – 2006;

3. The Report on the effectiveness of national remedies in respect of excessive length of proceedings – 2006;
4. The Opinion on the law on the freedom of assembly of Azerbaijan – 2006;
5. The Study on non-citizens and minority protection – 2006;
6. The 2nd Opinion on the law on the freedom of assembly of Azerbaijan – 2007;
7. The Study on the democratic control of armed forces – 2008;
8. The Opinion on the Georgian Law on the occupied territories – 2009;
9. The Opinion on the Kyrgyz Law on freedom of assembly – 2009;
10. The Opinion on the Bulgarian Law on freedom of assembly – 2009;
11. The Opinion on amendments to the Georgian Law on freedom of assembly – 2009;
12. The Interim Opinion on amendments to the Georgian Law on the occupied territories – 2009;
13. The 2nd Opinion on amendments to the Georgian Law on the occupied territories – 2009;
14. The 2nd Interim Opinion on amendments to the Georgian Law on freedom of assembly – 2010;
15. Joint Guidelines of ODIHR/OSCE and Venice Commission on freedom of assembly – 2010;
16. The Opinion on the Serbian Law on freedom of assembly – 2010;
17. The Opinion on the Armenian Law on freedom of assembly – 2010;
18. The 2nd Opinion on the Kyrgyz Law on freedom of assembly – 2010;
19. The Final Opinion on the amendments to the Georgian Law on freedom of assembly – 2011;
20. The Opinion on the Belarusian Law on freedom of assembly – 2012;
21. The 3rd Opinion on amendments to the Georgian Law on the occupied territories – 2013;
22. The Opinion (informal) on the Georgian Law on State language – 2014;
23. The Opinion on the amendments to the Montenegrin Law on national minorities – 2015;
24. The Interim Opinion on the Amendments to the Constitutional Law on the Constitutional Court of the Russian Federation (implementation of findings of international bodies on protection of human rights and freedoms) – 2016;
25. The Final Opinion on the Amendments to the Constitutional Law on the Constitutional Court of the Russian Federation (implementation of findings of international bodies on protection of human rights and freedoms) – 2016;
26. Amicus Curiae for the Constitutional Court of Albania on the restitution of properties – 2016;
27. The Opinion on the Constitutional Law of Armenia on the Human Rights Defender – 2016;
28. The Opinion on the FYROM Law regarding the fight against discrimination – 2018;

29. Guidelines on the Role of Majority and Opposition in a Democratic Society – 2019;
30. Report on the Criminal Liability for Peaceful Calls for Radical Constitutional Change from the Standpoint of the European Convention on Human Rights – 2020.

**Government Agent of Romania for the European Court of Human Rights (2003-2004)**

**Agent of Romania before the International Court of Justice (2004-2009), in the case *Maritime Delimitation in the Black Sea (Romania v. Ukraine)*.** Romania was granted, by the Judgment of 3 February 2009 (Judgment no. 100 of ICJ), adopted with unanimity, 79.34% of the disputed area (about 12 200 km<sup>2</sup>), that is 9700 km<sup>2</sup> of continental shelf and EEZ

Chief negotiator on behalf of Romania of the Romanian/US Agreement on the Deployment of the US Ballistic Missile Defense System in Romania, and of the Joint Declaration on the Strategic Partnership for the 21st Century between Romania and USA, both done in Washington, on 13 September 2011 (2010-2011).

Active promoter of the acceptance by Romania of the compulsory jurisdiction of the International Court of Justice, finalized in June 2015 during his mandate as Minister of Foreign Affairs of Romania

Initiator, as a Minister of Foreign Affairs of Romania, in February 2015, of the proposal of establishing an International Court against Terrorism, as an International Law tool to prevent, deter and punish the crime of terrorism.

Initiator, as a Minister of Foreign Affairs of Romania, in 2020-2021, of the initiative to promote the universal acceptance of the compulsory jurisdiction of the International Court of Justice.

## Professional Bodies

**Member of the International Law Commission of the United Nations, first mandate (2017-2022), second mandate (2023-2027),** position in which he introduced the topic of “*Sea-level rise in relation to international law*” on the current agenda of the ILC Commission, acting as co-chair of the ILC Study Group on this issue. Together with another co-chair, he authored the **First Issues Paper** (2020) and the **Additional Paper** to the First Issues Paper (2023) on law of the sea aspects related to sea-level rise.

**Member** (independent legal expert, on behalf of Romania) of the **European Commission for Democracy through Law** (the Venice Commission) of the Council of Europe – since 2022

**Substitute Member** (independent legal expert, on behalf of Romania) of the **European Commission for Democracy through Law** (the Venice Commission) of the Council of Europe (2002-2022)

**Member of the Permanent Court of Arbitration** (Romanian national group) (2002-2023)

**Arbitrator designated by Romania according to article 2 of Annex VII to the UN Convention of the Law of the Sea** – since 2009

President of the International Law Section of the Romanian Association for International Law and International Relations and of the Romanian Branch of the International Law Association (London) – since 2003

Member (on behalf of Romania) of the High Council of the European University Institute of Florence (2010-2016)

President of the Scientific Board of the BISMUN Association (Bucharest International Student Model United Nations), currently the Romanian UN Youth Association – since 2010

Member of the Senate of the Diplomatic Academy of the Romanian Ministry of Foreign Affairs (2002-2005)

Member of the Centre for Euro-Atlantic Studies of the University of Bucharest (1997)

Member Romanian Association for International Law and International Relations – since 1996

**Awards**

“Diploma of merits for outstanding contribution to the diplomatic activity of Romania” (2002) conferred by the Minister of Foreign Affairs of Romania

“Diploma of excellence for outstanding contribution to the diplomatic activity of Romania and for the contribution in the case *Maritime Delimitation in the Black Sea*” (2009), conferred by the Minister of Foreign Affairs of Romania

**Decorations**

The National Order “*Faithful Service*” (“*Serviciul Credincios*”) in the rank of “Knight” (2002),

The National Order “*Diplomatic Merit*” (“*Meritul Diplomatic*”) in the rank of “Knight” (2007),

The National Order “*The Star of Romania*” (“*Steaua României*”) (2009), in the rank of “Knight”,

The *Commander’s Cross of the Order of Merit* of the Republic of Poland (2009),

The National Order “*The Star of Romania*” (“*Steaua României*”) in the rank of “Officer” (2013),

The “Emblem of Honor of the Romanian General Staff” (2013),

The “Gold Medal of the Polish Armed Forces” (2013),

The National Order “*The Legion of Honor*” of the French Republic (2016),

The National Order “*For Merit*” of the Italian Republic in the rank of “High Officer” (2018),

The *Commander’s Cross with Star of the Order of Merit* of the Republic of Poland (2019),

The Order of the *Cross Terra Mariana* 2<sup>nd</sup> class of the Republic of Estonia (2021),

The *Order of Merit* in the rank of “Grand Cross” of the Federal Republic of Germany (2023).

The *Order of Honour* of the Republic of Moldova (2023).

**Foreign Languages**

English, French



## **Beyani, Chaloka (Zambia)**

### **PROFESSOR CHALOKA BEYANI (D.Phil, Oxon 1992) LONDON SCHOOL OF ECONOMICS, LSE LAW SCHOOL**

**Birth:** 13/4/59, Zambia

#### **EXPERTISE AND SPECIALISM:**

Chaloka Beyani is a distinguished and experienced international lawyer with over 36 years' standing in the standard account of Public International Law. He has multilateral and diplomatic experience in international law as well as field legal practice of Public International law, directly engaging states and international organisations. His expertise resides in standard Public International Law; International Humanitarian Law; International Human Rights; Actual Comparative Constitution Making and the Reconfiguration of States; International Criminal Justice; Refugees, Migration, Internally Displaced Persons; Self-determination, Democracy, Elections, Anti-Corruption; International Legal Aspects of Post-conflict Reconstruction; Settlement of the delimitation of Territorial and Maritime Disputes; Law of the Sea; Mediation; peace processes; Multilateral Treaty Making, including actual practice in drafting and negotiation of treaties; and the Evaluation of International Organisations. He has taught Public International Law in the highest ranked Universities at the London School of Economics (1996 to present); University of Oxford 1992-1995); and the University of Zambia (1983-1988).

#### **Qualifications:**

**D.Phil.** (University of Oxford Faculty of Law & Wolfson College) 1988-1991.

M.A.-status (Wolfson College and Faculty of Law, Oxon) 1992-1995; 1999 to 2002 (Granted by the Hebdomadal Council of the University of Oxford for Membership of the Faculty of Law, Congregation, and Convocation).

**LL.M** (University of Zambia) 1983-84.

**LL.B** (University of Zambia) 1978-1982.

#### **Formal Employment**

2013 to Present: Professor (Associate) of international Law at the London School of Economics and Political Science (with 5 years of leave of absence from 2013 in order to serve as UN Special Rapporteur) and other international engagements listed below.

Served as Chair of the Advisory Board of the Centre for the Study of Human Rights at LSE, 2007-2012.

Served as Director of Ph.D. programme responsible for the management of the Law Department's Research and Doctoral Students 1999-2000.

2002-2012: Senior Lecturer in International Law and Human Rights at the London School of Economics.

2002-2010: Visiting Professor of International Law and Human Rights, University of Toronto, Canada.

2010-2013: Co-Director of the Brookings-LSE Project on Internal Displacement.

2007-2012: Chair of the Advisory Board of the Centre for the Study of Human Rights at the London School of Economics.

1998-2009: Visiting Professor of International Law, Santa Clara University, California.

1992-2004: Member of the Faculty of Law of the University of Oxford.

1991-1995: Full Research Fellow in International Law, Wolfson College, Oxford.

1993-1995: Crown Prince Hassan Research Officer in International Law, Human Rights and Forced Migration, Queen Elizabeth House, Refugee Studies Programme.

1993-1995: Lecturer in Law, Exeter College, Oxford.

1995-1996: Lecturer in Law, St Catherine's College, Oxford.

1983-1988: Lecturer in Law, University of Zambia.

1982-83: Teaching Assistant in Law, University of Zambia.

1982: Council of Law Reporting for Zambia, Assistant Editor. Edited the 1984 and 1985 volumes of the Zambia Law Reports.

#### **INTERNATIONAL LEGAL STANDING AND EXPERIENCE**

- Highly qualified publicist with experience in international law since 1983.
- Appointed by the Ministry of Justice of the Government of Ethiopia and the African Union as a member of the Experts Group on options for transition in Ethiopia 2023.
- Member of the Commonwealth Elections Observer Group to observe the Kenyan elections in August 2022.
- Member of the International Protection Expert Group, with missions to Burkina Faso 2021, South Sudan 2022, and Honduras 2022.
- Appointed as a member of the UN Fact Finding Mission to Libya 2020-2023.
- Appointed member of Tanzania Election Watch Panel of Eminent Persons 2020.
- Appointed by the United Nations Secretary General as member of the United Nations Expert Advisory Group to the United Nations High Level Panel on internal displacement 2019-2021.
- Appointed member of the Board of the Academy of the Ministry of Foreign Affairs of Kenya 2019.
- Appointed member of the University Council of the United States International University Africa 2019.
- Appointed by the President of Mozambique as a mediator to the peace process in Mozambique 2017-2018. The mediation was successful, resulted in the signing of a Peace Accord between the Government and the Renamo rebel opposition party. I redrafted the Constitution of Mozambique to incorporate the peace agreement on devolution.
- Nominated in recognition of qualification and expertise by the then President of the Republic of Zambia to the constitutional court of Zambia as Judge, 2016, (declined).
- Chair, Ceremony of deposition of ratification instrument of the Kampala Convention by the Republic of South Sudan, 14 June 2019.
- Drafted the Legal Framework for the Protection and Assistance to Internally Displaced Persons for South Sudan, technical assistance provided by UNHCR 2018-2019.
- Drafted the Legal Framework on Protection and Assistance to Internally Displaced Persons for Ethiopia, technical assistance provided by UNHCR 2019.
- Drafted the Nairobi Declaration and Plan of Action on Durable Solutions for Somali Refugees in the IGAD region, which was adopted by the IGAD Heads of State and Government, 25 March 2017.
- Participant in the retreat of the Executive Office of the UN Secretary General 10-12 March on 2017 regarding the UN Secretary General's vision of prevention of conflict.
- Served as United Nations Special Rapporteur on human rights of internally displaced persons 2010 to 2016 with missions to over 36 countries.
- Served as Principal (standing invitee) of the United Nations Inter-Agency Standing Committee 2010-2016.
- Chairperson of the Special Procedures of the Human Rights Council 2014-2015.
- Member of the United Nations' Secretary General's Senior Group of Experts on Human Rights Upfront since 2014.

- Member of the UK Foreign and Commonwealth Secretary's Advisory Group on Human Rights 2010 to present.
- Member of the Steering Board of the UK Prime Minister's Special Envoy on sexual and gender-based violence in armed conflict 2010 to present.
- Member of the committee of experts on constitutional review that prepared the new Constitution of Kenya 2010, 2009-2010.
- Legal Advisor to the African Union on treaty making: drafted and negotiated the adoption of the African Union Convention for the protection and assistance of internally displaced persons 2005-2009.
- Legal Advisor to the African Union on Universal Jurisdiction and Indictment of Senior African officials 2008-2009.
- Member of the African Union and European Union Expert ad hoc group on universal jurisdiction 2008-2009.
- Legal Advisor to the African Union on draft model law on universal jurisdiction 2009.
- Member of the High-Level Panel of Eminent Persons of the African Union on the creation of an African Union Government 2008-2009.
- Legal Counsel, Heads of State Summit, International Conference on the Great Lakes Region 2006.
- International Legal Advisor on the making of a Peace Treaty by the International Conference on the Great Lakes Region: drafted and negotiated the adoption of the Great Lakes Pact (Peace Treaty and 11 Protocols) on Security, Stability and Development 2003-2006.
- Elected Madison Who is Who Man (personality) of the year 2008-2009.

#### **Recent Key Note Speaker Addresses at High Level Events**

- Addressed the International Refugee Law Judges in The Hague on Climate Change, Disasters, and the Movement of Persons 2023.
- Invited Keynote Speaker at Cambridge University Conference on International Law, 22 April 2020 (disrupted by Covid).
- Key note Panelist, 10<sup>th</sup> Anniversary of the African Union Convention for the Protection and Assistance of Internally Displaced Persons (Kampala Convention), Kampala 5-6 December 2019.
- Chair and Key Note Speaker, Equality and Justice High Level Panel Commonwealth Asia Regional Dialogue on Strengthening Equality and Equal Protection of the Law -Reforming Laws that Discriminate, Chair of Discussion forum, Kuala Lumpur, Malaysia 20/11/2019.
- London Conference of International Law, Chair of Panel on Climate Change, 3 October 2019.
- African Union, UNHCR Roundtable on Causes and Solutions for forced displacement in Africa, Addis Ababa, 10 February 2019.
- Office of the UN Special Advisor for Africa, African Dialogue Series 2019, 'Towards Durable Solutions for Forcibly Displaced Persons in Africa', New York, USA, 21-23 May 2019.
- Red Cross Commonwealth International Humanitarian Conference, Kigali, Rwanda, 10 June 2019.
- Economic Association of West African States (ECOWAS) Regional Exchange on the implementation of the Kampala Convention, Dakar, Senegal, 2019.

- Socio-economic rights and forcible displacement under the Sarajevo Declaration, Council of Europe, Sarajevo, Bosnia, 27-29 June 2017.
- Best practices in Constitution making, national stake holders' meeting on Justice and Human Rights, Banjul, The Gambia 25-27 May 2017.
- Sixth African Union Forum on International Law, Malabo, Equatorial Guinea, 4 December 2017.

### **Experience in Law Making with states**

#### **Constitution Making and mediation in conflict prevention**

Member of Committee of Experts on Constitutional Review, Republic of Kenya, 3<sup>rd</sup> March 2009-15<sup>th</sup> October 2010. International Expert preparing a harmonised draft Constitution for the Republic of Kenya with Kenyan National Experts and two International Experts. Lead responsibility for working out the system of government. Member of the Technical Mediation Team on Decentralization, Mozambique 2017-2018. Successfully mediated the peace agreement on Decentralization between the Government of Mozambique and the Rebel Group RENAMO and personally was entrusted to make amendments to the Constitution of Mozambique to incorporate the agreement on Decentralization.

Advisor to the Constitutional Review Commission of South Sudan on making a new constitution for South Sudan 2016-2018.

Commonwealth legal advisor on the drafting the Constitution of Swaziland, 2000.

Member of mediation expert group on the constitutional establishment of a common state in Moldova 1996-1998.

Member of the Advisory Committee for the research project commissioned by the Government of Sri-Lanka on a future Federal Constitution for Sri-Lanka, based on Comparative Federalism, Sri-Lanka, Colombo 1995.

Member of the Constitutional Review Task Force nominated by the Government of of Zambia to review the Constitution in 1990.

#### **Treaty making in conflict prevention**

International Conference on the Great Lakes Region - Served as Legal Counsel, Heads of State Conference, Nairobi 2006 and Legal Advisor, Secretariat of Great Lakes Region, International Conference on Peace and Security in the Great Lakes 2005-2008 (Angola, Burundi, Democratic Republic of the Congo, Central African Republic, Kenya, Republic of Congo, Rwanda, Sudan, Tanzania, Uganda, and Zambia) with regard to the legal and constitutional framework for the prevention of conflict and genocide to attain peace, security, political and economic stability, and human security, in post conflict reconstruction in the Great Lakes Region.

Drafted and negotiated the Constitutional framework for the Great Lakes Region for adoption by the Summit of the Heads of State and Government of the Summit core 11 Member States, a peace treaty called the Pact on Security, Stability, and Development 2006 and the following Protocols under the Pact covering, Non-Aggression, Mutual Defence, and Peaceful Resolution of Conflicts in the Great Lakes Region; the Suppression and Elimination of Sexual Violence Against Women in the Great Lakes Region; Protection and Assistance to Internally Displaced Persons in the Great Lakes Region; and Information and Communication; Property Rights of Returning Populations in the Great Lakes Region. Redrafted the Protocols on Democracy and Good Governance, Illegal Exploitation of Natural Resources, Prevention and Punishment of Genocide, Crimes Against Humanity, and War Crimes; Judicial Cooperation; and Development and Reconstruction. International legal advisor to the International Conference on the Implementation of these Agreements 2006-2009. Formulation of the Republic of Rwanda's national implementation plan on the Pact on Peace, Security, Stability and Development in the Great Lakes Region 2009.

## **United Nations experience**

### **Security Council**

- Addressed the United Nations Security Council in 2014 formal session on sexual violence against women in armed conflict.
- Addressed the United Nations Security Council 2013 (Arria-Formular on peace keeping and the protection of civilians).

### **General Assembly**

- Addressed the United Nations General Assembly (Third Committee) once each year respectively from 2011 to October 2016 and held an interactive dialogue with Member States on presenting reports as Special Rapporteur on the human rights of internally displaced persons.
- Addressed the Roundtable at the General Assembly on the occasion of the New York Declaration on Refugees and Migrants in 2016.

### **Economic and Social Council**

- Addressed the United Nations Economic and Social Council segment on forced displacement 2016 and a side event on climate change in 2014.

### **Peace Building Commission**

- Addressed the Peace Building Commission and the Ambassadors to the UN with His Excellency President Felipe Nyusi of Mozambique on the peace making and peace building process in Mozambique, as an international advisor to the peace process, in 2023.

### **Office of the Secretary General**

- Appointed by the United Nations Secretary General as member of the United Nations Expert Advisory Group to the United Nations High Level Panel on internal displacement 2019-2021.
- Member of the retreat of the Executive Office of the UN Secretary General 10-12 March on 2017 regarding the UN Secretary General's vision of prevention of conflict.
- Member of the United Nations' Secretary General's Senior Group of Experts on Human Rights Upfront since 2014.

### **World Humanitarian Summit:**

- Addressed the World Humanitarian Summit 2016 and preparatory meetings in Cote d'Ivoire, Guatemala, Nairobi, Jordan, and Geneva.
- Addressed the World Humanitarian Summit in Istanbul, 2016.
- Addressed the African Union Common Position on humanitarian action 2014.

### **International Organisations:**

- Distinguished Member of the High-Level United Nations Fact Finding Mission to Libya 2020-2023.
- Distinguished United Nations Special Rapporteur on human rights of internally displaced persons 2010 to 2016 (Conducted more than 31 missions and visited more than 40 states, including to Afghanistan x 2, Burundi, Central African Republic, Democratic Republic of the Congo, El-Salvador, Georgia x 2; Honduras x 2, Iraqi, Ivory Coast x 2, Kenya x 2, Mexico, Nigeria Philippines, Sri-Lanka, South Sudan x 2, Sudan, and Syria. I was the first Special Procedures mandate holder to successfully negotiate an official mission to Syria. Exceptionally, I was also invited specifically by the General Assembly to submit to it a special report on Syria.
- Served as Chairperson of the Special Procedures of the Human Rights Council 2014-2015. Longest serving Chairperson for over year, chairing two rounds of dialogue with Member States and Civil Society because my tenure coincided with the reform of the timing of the meetings. Had overview over the entire Special Procedures of the Human Rights Council, liaising with the Chair of the Council, Member States, the Office of the High Commissioner for Human Rights, Civil Society, and oversight of the Mandate

Holders' Code of Conduct. Special focus on reprisals against human rights defenders. Addressed special sessions of the Human Rights Council.

- Principal of the United Nations Inter-Agency Committee, standing invitation as UN Special Rapporteur on the human rights of IDPS 2010-2016.
- Expert on international law and protection to the United High Commissioner for Human Rights, United Nations High Commissioner for Refugees, World Health Organisation, UN Women (UNIFEM), United Nations Population Fund.

#### **Commonwealth:**

- Member of the Commonwealth elections Observer Mission to Kenya 2022, served as an expert and advisor to the Commonwealth Secretariat on training Government officials in international law and human rights (Government of The Maldives), international legal advisor to Commonwealth Law Ministers of Small Commonwealth Jurisdictions on Problems of Compliance with International Legal Obligations, expert advisor on political parties, parliament and the democratic process, mainstreaming human rights in development, survey of Anti-Corruption measures in the Commonwealth, evaluation of the Role of the Commonwealth Secretariat in the Promotion of Human Rights (including gender mainstreaming).

#### **African Union:**

- International legal expert on policy options for transitional justice in Ethiopia (African Union and Ministry of Justice of the Federal Republic of Ethiopia and the African Union), senior international legal advisor on humanitarian issues, including the African Union Common Position on humanitarian action, implementation of the Road Map of the 2022 Malabo Summit, the African Union Annual Humanitarian Symposium.
- International legal advisor to the African Union on Universal Jurisdiction and Indictment of Senior African officials by third states. Prepared an expert international law monograph for the African Union on universal jurisdiction, which was approved by the AU Assembly of Heads of State 2008-2009.
- International legal advisor to the African Union on draft model law on universal jurisdiction 2009.
- Member of the High-Level Panel of Eminent Persons of the African Union examining the creation of a Union Government for Africa 2008-2009. Established the constitutional conceptual framework for a Union Government in Africa.
- Expert to the High-Level Panel of the African Union on the evaluation, audit, and review of the African Union, in relation to the legal, administrative, and functional framework for political and economic integration in Africa 2007-2008.
- Legal Advisor to the African Union on treaty making 2005-2009: designed, drafted and negotiated adoption of the AU Convention on the Protection of Internally Displaced Persons, 2006-2009, the first treaty of its type in the world.

#### **European Union:**

European Community Humanitarian Office joint mission to the Central African Republic 2016, international legal advisor on international legal aspects of humanitarian assistance 1996.

#### **Council of Europe:**

Address to the European Parliamentary Sub-Committee on human rights, key note speaker on socio-economic rights and forcible displacement under the Sarajevo Declaration, Council of Europe, Sarajevo, Bosnia, 27-29 June 2017.

Official mission and dialogue with the Deputy Secretary General following missions to Ukraine and Georgia in 2016.

Dialogue with the unit for the enforcement of the decisions of the European Court of Justice.

#### **Inter-American**

Dialogue with Ambassadors of the OAS, Washington DC 2015.

Joint event with Commissioners of the Inter-American Commission on Human Rights 2015.

Keynote address to OAS States, Costa Rica, 2015.

**Conference on Security and Cooperation in Europe**

Dialogue on the involvement of the OSCE human dimension committee in human rights and displacement in Europe, keynote address on climate change 2014, jointly prepared a protection check list as a field monitoring tool for human rights and displacement 2015.

**Constitution making and mediation**

Member of the Government Committee of Experts of the Republic of Kenya on Constitutional Review that negotiated and drafted the 2010 Constitution of Kenya.

International Legal Advisor to the official mediation process in Mozambique and drafted one off amendments to the Constitution of Mozambique to constitutionalise the peace agreement in 2019.

**Governments of Norway and Switzerland:**

Expert Lecture on ‘Transitional Justice and Reconciliation’, on the occasion of the visit of the King of Norway to Switzerland in 2007.

**Some Publications**

*Collected Essays on the Use of International Law*, (Cameron Publishers, 2013)

*The Right to Seek Asylum under the African Charter on Human and Peoples’ Rights* (Nijhoff Martinus, 2013)

*Human Rights Standards and the Free Movement of People within States* (Clarendon Press, Oxford 2000).

*Blackstone’s Guide to the Asylum and Immigration Act 1996* (Blackstone Press, 1996), with Professor Leonard Leigh.

**Publications In preparation:**

Attribution of Responsibility.

Territorial and Maritime Delimitation.

International Law and the Forcible Displacement of Populations.

International Law and the Movement of Persons within and between States.

Accountability for Human Rights.

## Charlesworth, Hilary (Australia)

### Hilary Charlesworth

Born 28 February 1955, Leuven, Belgium

#### Education

1986 Doctor of Juridical Science, Harvard Law School

1980 B.A. (Hons); LL.B. (Hons), University of Melbourne

#### Professional Qualifications

Barrister and Solicitor of the High Court of Australia and the Supreme Court of Victoria (admitted 1981)

#### Current Positions

Judge of the International Court of Justice (2021-)

#### Previous Positions

- |           |  |
|-----------|--|
| 2021      | Harrison Moore Chair in Law, Melbourne Law School, University of Melbourne   |
| 2019-2021 | Judge <i>ad hoc</i> of the International Court of Justice in the Arbitral Award of 3 October 1899 (Guyana v Venezuela) case  |
| 2016-2021 | Melbourne Laureate Professor, Melbourne Law School, University of Melbourne  |
| 2010-2021 | Distinguished Professor, College of Asia and the Pacific, Australian National University   |
| 2010-2015 | Australian Research Council Laureate Fellow, College of Asia and the Pacific, Australian National University   |
| 2011-2014 | Judge <i>ad hoc</i> of the International Court of Justice in the Whaling in the Antarctic (Australia v Japan) case   |
| 2008-2010 | Director, School of Regulation, Justice and Diplomacy, Australian National University  |
| 2005-2019 | Director, Centre for International Governance and Justice, Australian National University  |
| 2005-2010 | Australian Research Council Federation Fellow, Research School of Social Sciences, Australian National University  |
| 2004-2016 | Professor, Regulatory Institutions Network, College of Asia and the Pacific and Professor of International Law and Human Rights, College of Law Australian National University |
| 1998-2004 | Professor and Director of the Centre for International and Public Law, Faculty of Law, Australian National University  |
| 1994-1999 | Hearing Commissioner, Australian Human Rights and Equal Opportunity Commission   |
| 1993-1996 | John Bray Professor, Law School, University of Adelaide  |
| 1993-1994 | Commissioner (part-time), Australian Law Reform Commission   |
| 1990-1992 | Senior Lecturer, Law School, University of Melbourne   |
| 1987-1990 | Lecturer, Law School, University of Melbourne  |



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1985-1986	Associate, Sullivan & Cromwell, New York
1983	Human Rights Fellow, United Nations High Commissioner for Refugees, Geneva (June to September)
1981-1982	Associate to Justice Ninian Stephen, High Court of Australia
1980	Articled Clerk, Gillotts, Melbourne
1976	Teacher, Mayo College, Ajmer, India

**Visiting Appointments**

2017	JC Smith Distinguished Visitor, University of Nottingham Law Faculty (March)
2014	Shimizu Visiting Professor, London School of Economics (October)
2013	Kate Roseman Distinguished Professor, Albany Law School (April)
2012	James J. Coleman, Sr. Distinguished Visiting Professor of Law, Tulane Law School (October to November)
2009	Visiting Professor, UCLA Law School (January to February)
2007	Visiting Professor, Université de Paris (Paris I) (November)
2005	Sir Ninian Stephen Fellow, Asia-Pacific Centre for Military Law, University of Melbourne
2005	Wayne Morse Professor, University of Oregon (January to February)
2002	Member, Global Law Faculty, New York University
2001	Manley O Hudson Visiting Professor of International Law, Harvard Law School (August to December)
1999	Frances Lewis Scholar in Residence, Washington and Lee Law School, Lexington, Virginia
1984	Adjunct Professor, Northeastern University School of Law, Boston
1984	Lecturer, College of Law, University of Tennessee, Knoxville

**Visiting Lecturer**

July 2019	Hague Academy of International Law (General Course)
June 2015	Academy of European Law, European University Institute
May 2011	Institute for Global Law and Policy, Harvard Law School Summer School
August 2010	Hague Academy of International Law (Special Course)
June 2005	University of Otago, Dunedin, International Relations Winter School
September 004	Aristotle University of Thessaloniki, International Law Summer School
2003-2005	Defence and Strategic Studies Course, Centre for Defence and Strategic Studies, Australian Defence College
August 1999	University of Helsinki International Law Summer School

### **Selected Awards and Fellowships**

- 2021 Distinguished Scholar Award, International Law Section, International Studies Association
- 2016 Doctorate, Honoris Causa, Faculté de Droit et de Criminologie, Université Catholique de Louvain
- 2014 Life Membership, Australian and New Zealand Society of International Law
- 2011 Associate Member, Institut de Droit International
- 2011 Rockefeller Center Bellagio Residency
- 2010 Australian Research Council Laureate Fellowship (2010-2015)
- 2007 Member of the Order of Australia
- 2006 Goler T Butcher Medal awarded by the American Society of International Law for 'outstanding contributions to the development or effective realization of international human rights law' (with CM Chinkin)
- 2005 Australian Research Council Federation Fellowship (2005-2010)
- 2002 Fellow, Academy of Social Sciences in Australia
- 2001 Annual Book Prize of the American Society of International Law for 'preeminent contribution to creative scholarship' for *The Boundaries of International Law* (with CM Chinkin)
- 1992 Francis Déak Prize, American Society of International Law (co-winner)
- 1982-1985 Fulbright Scholarship, Frank Knox Memorial Harvard Scholarship, R.G. Menzies Scholarship to Harvard
- 1983 Harvard Human Rights Fellowship
- 1972 Italian Government Scholarship, Università per Stranieri, Perugia, Italy

### **Current Editorial Positions**

- Honorary Editor, *American Journal of International Law* (2021-)
- Member, Editorial Board, *Law and Practice of International Courts & Tribunals* (2021-)
- Member, Advisory Board, *Third World Approaches to International Law Review* (2019-)
- Member, Advisory Board, *Australian Year Book of International Law* (2017-)
- Advisory Editor, *London Review of International Law* (2013-)
- Member, Editorial Board, *Humanity* (2012-)
- Member, Editorial Board, *Asian Journal of International Law* (2010-)
- Member, International Board of Advisers, *City University of Hong Kong Law Review* (2009-)
- Member, Advisory Board, *New Zealand Journal of Public and International Law* (2003-)
- Advisory Editor, *Leiden Journal of International Law* (2000-)
- Member, Honorary Advisory Board, *Melbourne Journal of International Law* (2000-)
- Member, Editorial Board, *Cambridge Studies in International and Comparative Law* (Cambridge University Press) (1994-)
- Member, Advisory Board, *Australian Feminist Law Journal* (1993-)

### **Selected Professional and Community Activities**

- Member, International Advisory Panel, Centre for International Law, National University of Singapore (2022-)
- Chair, Awards Committee, Asian Society of International Law (2018-)
- Member, Curatorium, Hague Academy of International Law (2018-)
- Co-ordinating Lead Author on International Institutions, International Panel on Social Progress (2015-2018)
- Member, Australian-American Fulbright Commission Board (2012-2014)
- Member, Academic Council, Institute for Global Law and Policy, Harvard Law School (2009-)
- Member, Australian Group, Permanent Court of Arbitration (2009-2020)
- Member, Executive Council, Asian Society of International Law (2009-2011, 2015-2017)
- Member, Advisory Council, Center on Law and Globalization, American Bar Foundation and University of Illinois College of Law (2008-2015)
- Member, Gender Justice Advisory Council, The Hague (2003-)
- Member, International Advisory Board, MIT Program on Human Rights and Justice (2002-) Counsellor, American Society of International Law (2000-2005)
- Member, International Law Association Committee on Gender and International Law (1993- 2011)
- President, Australian and New Zealand Society of International Law (1998-2002)

### **Selected Publications**

#### **Books and Monographs**

- Charlesworth, H. 2015, *Democracy in International Law* The Hague: Hague Academy of International Law (371 *Recueil des Cours* pp. 53-152)
- Charlesworth, H. 2013, *Sexe, Genre et Droit International* Paris: A. Pedone (French translation of a series of articles published 1993-2009), with introduction by Stephanie Hennette-Vauchez
- Braithwaite, J., Charlesworth, H. & Soares A. 2012, *Networked Governance of Freedom and Tyranny: Peace in Timor-Leste* Canberra: ANU E Press
- Braithwaite, J., Dinnen, S., Allen, M., Braithwaite, V. & Charlesworth, H. 2010, *Pillars and Shadows: Statebuilding as Peacebuilding in Solomon Islands* Canberra: ANU E Press
- Braithwaite, J., Charlesworth, H., Reddy, P. & Dunn, L. 2010, *Reconciliation and Architectures of Commitment: Sequencing Peace in Bougainville* Canberra: ANU E Press
- Weston, B., Falk, R.A., Charlesworth, H. & Strauss, A.L. 2006, *International Law and World Order* 4th edn, Minneapolis: West Publishing Co.
- Charlesworth H. & Chinkin C. 2000, *The Boundaries of International Law* Manchester: Manchester University Press (Winner, American Society of International Law Certificate of Merit 2001 for 'preeminent contribution to creative scholarship'; translated into Japanese 2005); republished with a new introduction (2022)
- Weston, B., Falk, R.A. & Charlesworth, H. 1997, *International Law and World Order* 3rd edn, Minneapolis: West Publishing Co.

#### **Edited Books**

- Farrall J. & Charlesworth, H. eds 2016, *Strengthening the Rule of Law through the UN Security Council* Oxford & New York: Routledge

Charlesworth, H. & Larking E. eds 2014, *Human Rights and the Universal Periodic Review: Rituals and Ritualism* Cambridge: Cambridge University Press

Charlesworth, H. & Coicaud, J. eds 2010, *Fault Lines of International Legitimacy* New York: Cambridge University Press

Bowden, B., Charlesworth H., & Farrall, J. eds 2009, *The Role of International Law in Rebuilding Societies after Conflict: Great Expectations* Cambridge: Cambridge University Press

Charlesworth, H., & Donovan, D.F. eds 2006, *Proceedings of the 100<sup>th</sup> Annual Meeting of the American Society of International Law: A Just World Under Law* Washington DC: ASIL

Charlesworth, H., Chiam, M., Hovell, D. & Williams, G. eds 2005, *The Fluid State: International Law and National Legal Systems* Sydney: Federation Press

### Articles

Charlesworth, H. & Young, M. 2021, 'Australian Encounters with the Advisory Jurisdiction of the International Court of Justice' *Melbourne Journal of International Law* vol 21, pp 698-725

Charlesworth, H. 2017, 'International Legal Encounters with Democracy' *Global Policy* vol. 8, pp. 34-43

Authers, B. & Charlesworth, H. 2014, 'The Crisis and the Quotidian in International Human Rights Law' *Netherlands Yearbook of International Law* 2013, pp. 19-38

Charlesworth, H. 2010, 'The Woman Question in International Law' *Asian Journal of International Law* vol. 1, pp. 1-6

Chinkin, C. & Charlesworth, H. 2006, 'Building Women into Peace: The International Legal Framework' *Third World Quarterly* vol. 27, pp. 937-957

Charlesworth H. 2005, 'Feminist Ambivalence about International Law' *International Legal Theory* vol.11, pp. 1-8

Charlesworth, H. 2003, 'The Constitution of East Timor' *International Journal of Constitutional Law* vol. 2, pp. 325-334

Charlesworth, H. 2003, 'Why Obey International Law? Managing Conflicts with Municipal Law' *Proceedings of the 97th Annual Meeting of the American Society of International Law* pp. 120-123

Charlesworth, H. 2003, 'Feminist Approaches to Human Rights' *Feminist Perspectives on the New Global Order* Ewha Women's University, Seoul, pp. 97-116

Charlesworth, H. 2002, 'Author! Author! A Response to David Kennedy' *Harvard Human Rights Law Journal* vol. 15, pp. 127-132

Charlesworth, H. 2002, 'International Law: A Discipline of Crisis' *Modern Law Review* vol. 65, pp. 377-392

Charlesworth, H. 2002, 'The Hidden Gender of International Law' *Temple International and Comparative Law Journal* vol. 16, pp. 93-102

Charlesworth, H. 2000, 'The Inadequacy of "Collective Security"' *Finnish Yearbook of International Law* vol. IX, pp. 39-46

Charlesworth, H. 2000, 'The Project of Reconfiguration: How can International Law be Reconstituted?' *Proceedings of the 94th Annual Meeting of the American Society of International Law* pp. 74-75

Charlesworth, H. 1999, 'Feminist Methods in International Law' *American Journal of International Law* vol. 93, pp. 379-394 (a revised version published in A. Ratner & M. Slaughter

eds. 2004, *The Methods of International Law, Studies in Transnational Legal Policy No 36*, ASIL, Washington DC, pp. 159-183)

Charlesworth, H. 1998, 'The Unbearable Lightness of Customary International Law' *Proceedings of the 92nd Annual Meeting of American Society of International Law* pp. 44-47

Charlesworth, H. 1996, 'The Significance of the Composition of the International Court of Justice' *Proceedings of the Fourth Annual Meeting of the Australian and New Zealand Society of International Law* pp. 317-325

Charlesworth, H. 1996, 'Cries and Whispers: Responses to Feminist Scholarship in International Law' *Nordic Journal of International Law* vol. 65, pp. 557-568

Charlesworth, H. & Chinkin, C. 1993, 'The Gender of Jus Cogens' *Human Rights Quarterly* vol. 15, pp. 63-76

Charlesworth, H. 1993, 'General Principles of Law as a Source of International Law' *Proceedings of the Second Joint Meeting of the American Society of International Law and the Netherlands International Law Society* pp. 421-424

Charlesworth, H. 1992, 'Subversive Trends in International Law Theory' *Proceedings of the American Society of International Law Annual Meeting*, pp. 125-130

Charlesworth, H. 1991, 'Customary International Law and the *Nicaragua* Case' *Australian Yearbook of International Law* vol. 11, pp. 1-30

Charlesworth, H., Chinkin, C. & Wright, S. 1991, 'Feminist Approaches to International Law' *American Journal of International Law* vol. 85, pp. 613-645 (awarded the Francis Déak Prize, American Society of International Law 1992)

Byrnes, A. & Charlesworth, H. 1985, 'Federalism and the International Legal Order' *American Journal of International Law* vol. 79, pp. 622-640

### Chapters in Books

Charlesworth, H. 2021, 'Feminist Futures in International Human Rights Law' in *Human Rights Futures* N. Bhuta ed., Oxford: Hart Publishing (in press)

Charlesworth, H. 2021, 'Culture and Tradition in the International Human Rights System' in *Justice and World Order: Reassessing Richard Falk's Scholarship and Advocacy* G. Andreopoulos & C. Carey eds, Oxford and New York: Routledge, pp. 45-63

Charlesworth, H. 2021, 'Rituals and Ritualism in the International Human Rights System' in *The Struggle for Human Rights – Law, Politics, Practice: Essays in Honour of Philip Alston* N. Bhuta & F. Mégret eds, Oxford: Oxford University Press, pp. 202-224

Charlesworth, H. 2019, 'Prefiguring Feminist Judgment in International Law' in *Feminist Judgments in International Law* L. Hobson & T. Lavers eds, Oxford: Hart Publishing, pp. 479-493

Charlesworth, H. 2019, 'Democracy' in *Concepts for International Law* J. D'Aspremont & S. Singh eds, Cheltenham: Edward Elgar, pp. 164-178

Charlesworth, H. & Farrall, J. 2016, 'Regulating the rule of law through the Security Council', in *Strengthening the Rule of Law through the UN Security Council* J. Farrall & H. Charlesworth eds, Oxford and New York: Routledge pp. 1-10

Charlesworth, H. 2013, 'International Human Rights Law: A Portmanteau for Feminist Norms?' in *Feminist Strategies in International Governance* G. Calgar, E. Pruegl & S. Zwingel eds, London: Routledge pp. 21-36

- Charlesworth, H. 2012, 'Conclusion: Centrality and Marginality in International Law' in *Non-State Actors, Soft Law and Protective Regimes: From the Margins* C. Bailliet ed., Cambridge: Cambridge University Press pp. 281-288
- Charlesworth, H. 2012, 'Conclusion' in *The ICJ and the Evolution of International Law: The Enduring Impact of the Corfu Channel Case* K. Bannelier, T. Christakis & S. Heathcote eds, London: Routledge pp. 357-362
- Charlesworth, H. 2011, 'The Conceptual Politics of Democracy in International Law' in *The Conceptual Politics of Democracy Promotion* C. Hobson & M. Kurki eds, London: Routledge pp. 189-200
- Charlesworth, H. 2010, 'The Legitimacies of International Law' in *Faultlines of International Legitimacy* H. Charlesworth & J. Coicaud eds, New York: Cambridge University Press pp. 389-398
- Charlesworth, H. 2009, "'Worlding Women" in International Law' in *Gender and Global Politics in the Asia Pacific* B. D'Costa & K. Lee-Koo eds, New York: Palgrave Macmillan pp. 19-37
- Bowden, B., Charlesworth, H., & Farrall, J., 2009, 'Introduction' in *The Role of International Law in Rebuilding Societies after Conflict: Great Expectations* B. Bowden, H. Charlesworth & J. Farrall eds, Cambridge: Cambridge University Press pp. 1-14
- Charlesworth, H. 2008, 'International law: a view from the Antipodes' in *Regards d'une Generation sur le Droit International* Emmanuelle Jouannet, Helene Ruiz Fabri, Jean-Marc Sorel eds, Paris: Editions Pedone pp. 161-167
- Charlesworth, H. 2007, 'Prospects and Problems for Feminist Theories in International Law' in *Multiculturalism and International Law* Kalliopi Koufa ed., Athens: Sakkoulas Publications pp. 177-222
- Charlesworth, H. 2006, 'Judge Ad Hoc of the International Court of Justice' in *A Remarkable Public Life: Essays in Honour of Sir Ninian Stephen* Tim McCormack & Cheryl Saunders eds, Melbourne: Melbourne University Press pp. 176-256
- Chinkin, C., Wright, S. & Charlesworth, H. 2005, 'Feminist Approaches to International Law: Reflections from Another Century' in *International Law: Modern Feminist Approaches* D. Buss & A. Manji eds, Portland: Hart Publishing pp. 17-45
- Charlesworth, H., Chiam, M., Hovell, D. & Williams, G. 2005, 'International Law and National Law: Fluid States' in *The Fluid State: International Law and National Legal Systems* H. Charlesworth, M. Chiam, D. Hovell & G. Williams eds, Sydney: Federation Press pp. 1-17
- Charlesworth, H. 2005, 'Current Trends in International Legal Theory' in *Public International Law: An Australian Perspective*, 2nd edn, S. Blay, R. Piotrowicz & M. Tsaymeni eds, Melbourne: Oxford University Press pp. 402-411
- Charlesworth, H. & Chinkin, C. 2004, 'Regulatory Frameworks in International Law' in *Regulating Law* C Parker, C Scott, N Lacey & J Braithwaite eds, Oxford: Oxford University Press pp. 246-268
- Charlesworth, H. 2002, 'Concepts of Equality in International Law' in *Litigating Rights: Perspectives from Domestic and International Law* G. Huscroft & P. Rishworth eds, Oxford: Hart Publishing pp. 137-147
- Charlesworth, H. 1998, 'The UN Treaty-Based Human Rights System: An Overview' in *Indigenous Peoples, the United Nations and Human Rights* S. Pritchard ed., London/Sydney: Zed Books/Federation Press pp. 66-73
- Charlesworth, H. 1998, 'Individual Complaints: An Overview and Admissibility Requirements' in *Indigenous Peoples, the United Nations and Human Rights* S. Pritchard ed., London/Sydney: Zed Books/Federation Press pp. 74-80

Charlesworth, H. 1997, 'Current Trends in International Legal Theory' in *Public International Law: An Australian Perspective* S. Blay, R. Piotrowicz & M. Tsaymeni eds, Melbourne: Oxford University Press pp. 408-418

Charlesworth, H. 1995, 'Worlds Apart: Public/Private Distinctions in International Law' in *Public and Private: Feminist Legal Debates* M. Thornton ed., Melbourne: Oxford University Press pp. 243-260

### **Encyclopaedias and Companions**

Charlesworth, H. 2019, 'Treaties on Women' in *Oxford Handbook of United Nations Treaties* S. Chesterman, D. Malone & S. Villalpando eds, Oxford: Oxford University Press, pp. 249-265

Charlesworth, H. 2018, 'International Law and International Justice' in *Oxford Handbook of International Political Theory* C. Brown & R. Eckersley eds, Oxford: Oxford University Press, pp. 143-152

Charlesworth, H. 2016, 'Gender and International Law' in *Handbook on Gender in World Politics* J. Steans & D. Tepe-Belfrage eds, Oxford: Edward Elgar, pp. 137-144

Charlesworth, H. 2012, 'Law-making and Sources' in *The Cambridge Companion to International Law* J. Crawford & M. Koskeniemi eds, Cambridge: Cambridge University Press, pp. 187-202

Charlesworth, H. 2008, 'The Universal Declaration of Human Rights' in *Max Planck Encyclopaedia of Public International Law* R. Wolfrum ed., Oxford: Oxford University Press (vol. X pp. 567-575 in printed version)

Charlesworth, H. 2008, 'International Covenant on Civil and Political Rights' in *The New Oxford Companion to Law* P. Cane & J. Conaghan eds, Oxford: Oxford University Press, p. 603

Charlesworth, H. 2008, 'International Covenant on Economic, Social and Cultural Rights' in *The New Oxford Companion to Law* P. Cane & J. Conaghan eds, Oxford: Oxford University Press, pp. 603-4

## Cleveland, Sarah Hull (United States of America)

### PROFESSOR SARAH H. CLEVELAND

*Born 4 September 1965, Washington D.C., United States of America.*

#### ACADEMIC AND TEACHING EXPERIENCE

Since 2007	<p><b>COLUMBIA LAW SCHOOL, COLUMBIA UNIVERSITY, New York, NY.</b> <b><i>Louis Henkin Professor of Human and Constitutional Rights; Faculty Co-Director, Human Rights Institute</i></b> Teaching and research in public international law, international and comparative human rights, international humanitarian law, national security law, constitutional law of U.S. foreign relations, and federal civil procedure.</p>
2012-2018	<p><b>AMERICAN LAW INSTITUTE</b> <b><i>Restatement (Fourth) of the Foreign Relations Law of the United States: Jurisdiction, Treaties, and Sovereign Immunity</i></b> Co-Coordinating Reporter overseeing preparation of major treatise on U.S. foreign relations law; Reporter on Status of Treaties in U.S. Domestic Law.</p>
2000-2007	<p><b>UNIVERSITY OF TEXAS SCHOOL OF LAW, Austin, TX.</b> <b><i>Marrs McLean Professor in Law (2001-2007); Assistant Professor (1997-2000); Professor of Law (2000-2001)</i></b></p> <p><b>VISITING PROFESSOR APPOINTMENTS:</b></p> <ul style="list-style-type: none"><li>• Sciences Po University, Paris, France (2016, 2019, 2020, 2021)</li><li>• Panthéon-Assas University (Paris II), Paris, France (2017), Senior Researcher 2017-18)</li><li>• Graduate Institute of International and Development Studies, Geneva, Switzerland (2017)</li><li>• University of Leiden, Summer Program, Leiden, Netherlands (2016)</li><li>• European University Institute, Fiesole, Italy (2008, 2012, 2015)</li><li>• George Washington-Oxford Summer Program in International Human Rights Law, Oxford, UK (2006-2007)</li><li>• Harvard Law School, Bemis Visiting Professor of International Law, Cambridge, MA (2006-2007)</li><li>• Columbia Law School, Samuel Rubin Visiting Professor of Law, New York, NY (2005-2006)</li><li>• University of Michigan Law School, Ann Arbor, MI (2004)</li></ul>

#### MULTILATERAL INSTITUTIONS EXPERIENCE

Since 2020	<p><b>AD HOC CONCILIATION COMMISSION, UN COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION, Geneva, Switzerland.</b> <b><i>Member in Qatar v. United Arab Emirates</i></b></p>
2019-2021	<p><b>HIGH LEVEL PANEL OF LEGAL EXPERTS ON MEDIA FREEDOM, London, UK.</b> <b><i>Member</i></b> Independent expert advisory body to the Joint UK-Canadian Global Campaign on Media Freedom.</p>



2015-2018	<p><b>UN HUMAN RIGHTS COMMITTEE</b>, Geneva, Switzerland.  <i>Vice Chairperson (2018); Special Rapporteur for New Communications and Interim Measures (2017-2018); Special Rapporteur for Follow-up to Concluding Observations (2015-2017)</i>            Elected as independent expert on UN treaty body monitoring State implementation of International Covenant on Civil and Political Rights.</p>
2010-2019	<p><b>EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW (VENICE COMMISSION)</b>, Venice, Italy.  <i>Member (2013-2019); Observer Member (2010-2013)</i>            Vice Chair of Sub-Commission on Rule of Law and Sub-Commission on Federal States (2013-2019); Member, Sub-Commission on Latin America (2015-19); Liaison Officer to U.S. Supreme Court (2018-2019).            Independent U.S. Member on Council of Europe’s expert advisory body on human rights and rule of law.</p>

**U.S. GOVERNMENT SERVICE**

Since 2011	<p><b>U.S. DEPARTMENT OF STATE</b>  <i>Member of the Secretary of State’s Advisory Committee on International Law</i></p>
2012-2013	<p><b>U.S.-CHINA LEGAL EXPERTS DIALOGUE</b>  <i>Expert member of U.S. delegation</i></p>
2009-2013	<p><b>U.S. DEPARTMENT OF STATE, OFFICE OF THE LEGAL ADVISER</b>            → <i>Attorney-Adviser International (Expert) (2011-2013):</i> Expert legal assistance to Office of the Legal Adviser on international law issues including treaty interpretation and implementation, human rights, international justice, armed conflict, counterterrorism, and U.S. domestic litigation.            → <i>Counselor on International Law to the Legal Adviser (2009-2011):</i></p> <ul style="list-style-type: none"> <li>• Supervising Deputy Legal Adviser for Office of Political/Military Affairs and Central and Southeast Asia.</li> <li>• Helped supervise legal work of State Department, including developing Department positions in the interagency and U.S. positions before UN and regional bodies. Helped oversee legal work relating to treaty interpretation and implementation, human rights, international justice, armed conflict, counterterrorism, and U.S. domestic litigation involving international law and foreign relations issues.</li> <li>• Assisted with numerous briefs at all levels of federal judiciary including U.S. Supreme Court; United States submissions before the ICJ in <i>Accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo</i>, and implementation of the ICJ judgment in <i>Avena and Other Mexican Nationals (Mexico v United States of America)</i>.</li> </ul>

**JUDICIAL CLERKSHIPS**

1993-1994	<p><b>SUPREME COURT OF THE UNITED STATES</b>, Washington, D.C.  <i>Law clerk to Associate Justice Harry A. Blackmun</i></p>
1992-1993	<p><b>UNITED STATES DISTRICT COURT</b>, Washington, D.C.  <i>Law clerk to Judge Louis F. Oberdorfer</i></p>

## PROFESSIONAL HONORS AND AWARDS

- *Doctorado Honoris Causa*, Instituto Universitario de Yucatán, Mexico (2020)
- Excellence in International Law Teaching Award, Columbia International Law Society (2014)
- Certificate of Appreciation, U.S. Department of State (2011)
- Excellence in Teaching Award, University of Texas School of Law (2000-2001)
- Harry A. Blackmun Fellow, Aspen Justice & Society Institute, Aspen, CO (2001)
- Stanford-Yale Junior Faculty Forum, Constitutional Law-Historical Foundations selection (2002)

## ACADEMIC JOURNAL AFFILIATIONS:

- *International Review of the Red Cross*, Board of Editors (2015-2020)
- *Journal of International Economic Law*, Board of Editors (2004-2015)
- *Columbia Journal of Transnational Law*, Board of Directors (Since 2007)

## EDUCATION

- |      |  |
|------|--|
| 1992 | <b>YALE LAW SCHOOL</b> , New Haven, CT.<br><b><i>Juris Doctor Degree</i></b><br>Senior Editor, <i>Yale Law &amp; Policy Review</i> .<br>Mary McCarthy Fellowship in Public Interest Law.<br>Charles G. Alborn Prize for Excellence in Appellate Advocacy (co-recipient).<br>Annual Human Rights Award, American Immigration Lawyers' Association (co-recipient). |
| 1989 | <b>UNIVERSITY OF OXFORD, LINCOLN COLLEGE</b> , Oxford, United Kingdom.<br><b><i>Master of Studies (M.St.) in British Imperial &amp; Commonwealth History</i></b><br>Rhodes Scholar 1987-89.  |
| 1987 | <b>BROWN UNIVERSITY</b> , Providence, RI.<br><b><i>Honors A.B., Magna Cum Laude</i></b><br>Independent Concentration in Law & Mental Health<br><i>Phi Beta Kappa</i>   |

## EXPERT BODIES & PROFESSIONAL MEMBERSHIPS

- Human Rights First, Board of Directors, New York, NY (Since 2021).
- Microsoft Technology and Human Rights Advisory Council (Since 2021).
- Geneva Human Rights Platform, Advisory Board, Geneva Academy of International Humanitarian Law and Human Rights, Geneva, Switzerland (Since 2020).
- Independent International Legal Advocates, Advisory Council, New York, NY (Since 2020).
- Centre for Civil and Political Rights, Advisory Board, Geneva, Switzerland (Since 2020).
- Clooney Foundation for Justice, TrialWatch Advisory Board, New York, NY (2019-2021).
- International Commission of Jurists, Commissioner, Geneva, Switzerland (Since 2018).
- International Bar Association Human Rights Institute, Council Member, London, UK (Since 2013).
- Institute of International Peace and Security Law, University of Cologne, Germany, Advisory Board (Since 2015).
- American Law Institute Member, Washington, D.C. (Since 2007).
- American Society of International Law (Since 1998). Executive Council Member (2014-2017).

## **BAR MEMBERSHIPS**

- International Bar Association (Since 2019); Human Rights Committee, Co-Vice Chair (2020), Advisory Board (2021).
- Supreme Court of the United States Bar Association (Since 2012).
- American Bar Association (Since 1998).

## **OTHER PROFESSIONAL EXPERIENCE**

Aspen Institute/NYU-Columbia Federal Judicial Training Seminars. Instructor in seminar for U.S. federal and state judges on international human rights and international humanitarian law (2007-2018).

Project on Harmonizing Standards for Armed Conflict. Co-director of transnational expert project on strengthening legal protection in non-international armed conflict (2012-2016).

Stimson Center, Ethics and Law Working Group, Task Force on U.S. Drone Policy, Washington, DC (2013- 2014).

Afghanistan Transitional Commercial Law Project Working Group. Expert on ABA-sponsored project drafting employment code for post-Taliban Afghanistan (2003).

Erlenborn Commission, Legal Services Corporation. Member of federal commission reviewing the provision of legal assistance to aliens in the United States (1999).

Florida Legal Services, Belle Glade, FL. Skadden Fellow. Conducted civil impact litigation on behalf of sugar cane guestworkers and other migrant farmworkers (1994-1996).

American Civil Liberties Union Foundation of Florida, West Palm Beach, FL. Cooperating attorney on broad constitutional civil rights litigation docket (1994-1996).

Schell Center for Human Rights Research Project in Namibia, Yale Law School. Comparative research on Namibia's constitutional transition in Namibia, South Africa and Zimbabwe (1990).

United Nations High Commissioner for Refugees, Geneva, Switzerland. Research on repatriation of South African refugees (1990).

Commission on the Skills of the American Workforce, National Center on Education & the Economy, Rochester, NY. Comparative European research in Denmark, Germany, Ireland, Sweden (1989-1990).

Telesis, Providence, RI. Research on adult education programs in Denmark, Germany, Ireland, Sweden (1989); Munich, Germany (1988).

## **SELECT PUBLICATIONS**

### **BOOKS**

PAUL STEPHEN AND SARAH CLEVELAND, EDS., *THE RESTATEMENT AND BEYOND: THE PAST, PRESENT, AND FUTURE OF U.S. FOREIGN RELATIONS LAW* (Oxford University Press, 2020).

HENKIN, CLEVELAND, ET AL., *HUMAN RIGHTS* (Foundation Press, 2<sup>nd</sup> ed., 2009), and *SUPPLEMENT* (2013).

### **ARTICLES, ESSAYS AND BOOK CHAPTERS**

*Human Rights Connectivity: The Future of the Treaty Body System*, in *THE FUTURE OF HUMAN RIGHTS* (N. Bhutal, ed., Oxford University Press) (forthcoming 2022).

*A Human Rights Agenda for the Biden Administration*, 115 *AJIL UNBOUND* 57 (Jan. 22, 2021), <https://www.cambridge.org/core/journals/american-journal-of-international-law/article/human-rights-agenda-for-the-biden-administration/1257834BB98BBD94D3605E89D7403448>.

- Prólogo* (co-author), in Fabián Salvioli, *Introducción a los Derechos Humanos: concepto, fundamentos, características, obligaciones del Estado, y criterios de interpretación jurídica* (IIRESODH 2019)
- Hate Speech at Home and Abroad*, in Lee Bollinger and Geoffrey Stone, eds., *THE FREE SPEECH CENTURY* (2018).
- Human Rights Treaty Bodies in the Age of Connectivity*, in *SYSTÈME DE PROTECTION DES DROITS DE L'HOMME DES NATIONS UNIES : PRÉSENT ET AVENIR* (University of Paris Panthéon-Assas, 2017).
- Outcomes Report, Review of the Human Rights Treaty Bodies System, Latin America Expert Regional Consultation*, San José, Costa Rica, Human Rights Institute (2017) (co-author).
- Defining and Punishing Offenses Under Treaties*, 124 *Yale L. J.* 2202 (2015) (with William Dodge).
- After Kiobel*, 12 *JOURNAL OF INTERNATIONAL CRIMINAL JUSTICE* 551 (2014).
- The United States and the Torture Convention, Part I: Extraterritoriality*, Just Security Blog (Nov. 2014), <http://justsecurity.org/17435/united-states-torture-convention-part-i-extraterritoriality/>.
- The United States and the Torture Convention, Part II: Armed Conflict*, Just Security Blog (Nov. 2014), <http://justsecurity.org/17581/united-states-torture-convention-armed-conflict/>.
- Principles to Guide Congressional Authorization of the Continued Use of Force Against ISIL* (co-author) (Nov. 2014) (co-author), <https://www.justsecurity.org/wp-content/uploads/2014/11/ISIS-AUMF-Statement-FINAL.pdf>.
- Harmonizing Standards in Armed Conflict*, *EJIL: Talk!* (Sept. 2014), <http://www.ejiltalk.org/harmonizing-standards-in-armed-conflict/>.
- The Kiobel Presumption and Extraterritoriality*, 52 *COLUMBIA JOURNAL OF TRANSNATIONAL LAW* 8 (2013).
- Book Review, Extraterritorial Application of Human Rights Treaties*, by Marko Milanovic, *OPINIO JURIS / EJIL: TALK!* (Dec. 2011).
- In Memoriam: Tribute to Louis Henkin*, 49 *COLUM. J. TRANSNATIONAL LAW* (2011).
- Embedded International Law and the Constitution Abroad*, 110 *COLUM. L. REV.* 101 (2010).
- The Legacy of Louis Henkin: Human Rights in the "Age of Terror", an Interview with Sarah H. Cleveland*, 38 *COLUM. HUM. RTS. L. REV.* (2007).
- Brief of Professors of Constitutional Law and Federal Jurisdiction as Amici Curiae in Support of Petitioners*, *Boumediene v. Bush and Al Odah v. United States* (Nos. 06-1195 and 06-1196) (U.S. 2007) (co-author) (habeas corpus jurisdiction over aliens detained as enemy combatants on Guantanamo).
- Foreign Authority, American Exceptionalism, and the Dred Scott Case*, 82 *CHICAGO-KENT L. REV.* 393 (2007).
- Our International Constitution*, 31 *YALE JOURNAL OF INTERNATIONAL LAW* 1 (Winter 2006).
- Is There Room for the World in Our Courts?* *WASHINGTON POST*, Mar. 20, 2005.
- International Decisions: Legal Status and Rights of Undocumented Workers*, 99 *AM. J. INT'L. L.* 460 (2005).
- Hamdi Meets Youngstown: Justice Jackson's Wartime Security Jurisprudence and the Detention of Enemy Combatants*, 68 *ALBANY L. REV.* 1127 (2005).
- President Not Above the Law*, *DALLAS MORNING NEWS*, June 30, 2004, at 19A.
- The Alien Tort Statute, Civil Society and Corporate Responsibility*, 56 *RUTGERS L. REV.* 971 (2004).
- Brief Amicus Curiae of Immigration and Labor Rights Organization in OC-18, Advisory Opinion on the Legal Status and Rights of Undocumented Workers, Inter-American Court of Human Rights* (2003) (co-author) (international law protections for migrant workers).

*Why International Labor Standards?*, in INTERNATIONAL LABOR STANDARDS: GLOBALIZATION, TRADE AND PUBLIC POLICY, Robert J. Flanagan and William J. Gould, IV, eds. (Stanford Univ. Press, 2003).

*Inter-American Court of Human Rights Amicus Curiae Brief: The United States Violates International Law When Labor Law Remedies Are Restricted Based on Workers' Migrant Status*, 1(3) SEATTLE JOURNAL FOR SOCIAL JUSTICE 795 (Spring/Summer 2003) (co-author).

*Powers Inherent in Sovereignty: Indians, Aliens, Territories, and the Nineteenth-Century Origins of Plenary Power over Foreign Relations*, 81 TEXAS L. REV. 1 (2002).

*Human Rights Sanctions and International Trade: A Theory of Compatibility*, 2002 JOURNAL OF INTERNATIONAL ECONOMIC LAW 133.

*Norm Internalization and U.S. Economic Sanctions*, 26 YALE JOURNAL OF INTERNATIONAL LAW 1 (Winter 2001).

*Crosby and the "One Voice" Myth in U.S. Foreign Relations*, 46 VILLANOVA L. REV. 975 (2001).

*Human Rights Sanctions and the World Trade Organization*, in HUMAN RIGHTS, THE ENVIRONMENT, AND THE LIBERALIZATION OF INTERNATIONAL TRADE (F. Francioni, ed.) (Hart Publishing, UK 2001).

*The Plenary Power Background of Curtiss-Wright*, 70 U. COL. L. REV. 1127 (1999).

*Global Labor Rights and the Alien Tort Claims Act*, 76 TEXAS L. REV. 1533 (1998).

*Aliens and the Duty of Nonrefoulement: Haitian Centers Council v. McNary*, 6 HARV. HUM. RTS. J. 1 (1993) (co-author).

*USA and UK Government Policy in Youth Training for the New International Economy: Lessons from Abroad*, in SOMETHING BORROWED, SOMETHING BLUE? A STUDY OF THE THATCHER GOVERNMENT'S APPROPRIATION OF AMERICAN EDUCATION AND TRAINING POLICY. OXFORD STUDIES IN COMPARATIVE EDUCATION, Vol. 2 (2) 1992.

AMERICA'S CHOICE, HIGH SKILLS OR LOW WAGES! SUPPORTING WORKS (EUROPE). COMMISSION ON THE SKILLS OF THE AMERICAN WORK FORCE, NATIONAL CENTER ON EDUCATION & THE ECONOMY, 1991.

*Do Dangerousness-Oriented Commitment Laws Restrict Hospitalization of Patients Who Need Treatment? A Test*, HOSP. & COMM. PSYCH., Vol. 40, No. 3, 1989 (co-authors P. Applebaum & E. Muntze).

### **SELECT PRESENTATIONS**

Commentator, *Expert Meeting on the Right to Participate in Public Life, Article 25 ICCPR*, Centre for Civil & Political Rights, Geneva (Nov. 2020).

Panelist, *Access to Justice and State of Emergency in Turkey: Current State and Way ahead*, International Commission of Jurists, Istanbul (Nov. 2020).

Panelist, Expert Workshop: *The Oxford Process on International Law Protections in Cyberspace: Protecting Elections from Foreign Cyber-Interference*, Oxford, UK. Produced *The Oxford Statement on International Law Protections Against Foreign Electoral Interference through Digital Means* (Oct. 2020).

Panelist, *Complaints handling by regional and global human rights mechanisms*, 2020 Annual Conference of the Geneva Academy for Human Rights, Geneva (Oct 2020).

Panelist, Expert Workshop: *The Oxford Process on International Law Protections in Cyberspace: Safeguarding the COVID-19 Vaccine Research*, Oxford, UK. Produced *The Oxford Statement on the International Law Protections Against Cyber Operations Targeting the Health Care Sector* (July 2020).

Co-Organizer and Presenter, *Workshop on Indirect Discrimination and Religious Freedom*, Harvard Law School, Cambridge MA (April 2020).

Panelist, *The Use of Sanctions to Protect Journalists, Report of the High Level Panel on Global Media Freedom*, Chatham House, London (Feb. 2020).

Presentation, *Extraterritorial Human Rights Obligations*, Committee on the Rights of the Child, Geneva (Jan. 2020).

Expert Workshop, *Simulation of a clustered Treaty Body Review*, Geneva Academy, Geneva (Dec. 2019)

Expert meeting, “*Global Human Rights Architecture Reform Initiatives: Lessons Learned and Challenges Ahead*,” Open Society Foundations, Washington, D.C. (Nov. 2019).

Expert workshop, “*Freedom of Religion or Belief and Gender Equality*,” with UN Special Rapporteur on Religious Freedom, New York (Oct. 2019).

Panelist, *Guidelines on Investigating Violations of IHL*, Permanent Mission of Switzerland to the United Nations, UN Headquarters, NY (Oct. 2019).

Expert workshop, *Perspectives on the 2020 UN Treaty Body Review*, Geneva Academy, UN Headquarters, NY (Oct. 2019).

*Contemporary Challenges in Human Rights*, co-discussant with Amal Clooney and UK Supreme Court Justice Lady Arden, The London Conference on International Law, London (Oct. 2019).

Panelist, “*Attacks on Civilians and Civilian Infrastructure in North-West Syria: What Does International Humanitarian Law Say?*” UK Permanent Mission to the UN. UN Headquarters, NYC (Sept. 2019).

Co-organizer and participant, *Challenges in the Design and Implementation of the Colombian Peace Agreement with the FARC*, four-day workshop of high-level legal experts, Bogota, Colombia (August 2019).

Moderator, *Current issues and common challenges for the protection of human rights in Europe, Africa and the Americas*, Bingham Centre for the Rule of Law, London, UK (June 2019).

Keynote Speaker and Panelist, Annual Conference of the Geneva Academy Human Rights Platform, on “*Connectivity of Human Rights Mechanisms*.” Geneva, Switzerland (June 2019).

*Expert Group Meeting on assessing criminal law from a gender equality and human rights perspective*, UN Office of the High Commissioner for Human Rights, Geneva (March 2019).

*Expert Workshop Creation of Registry for Treaty Bodies*, Academy of International Humanitarian Law and Human Rights Law, University of Paris Panthéon-Assas (Paris II), Paris (Jan. 2019).

*Workshop on ILC proposal on draft articles on Crimes against Humanity*, Harvard Law School (Jan 2019).

*Human Rights and the Maintenance of International Peace and Security: Strengthening the Bridge between Geneva and New York*, UNGA side event New York (Sept. 2018) (panel).

*Individualization of War* conference, European University Institute, Florence, Italy (June 2018).

*A Global Pact for the Environment?* Invited Lecture followed by panel discussion, University of Sciences-Po School of Law (April 2018).

*Workshop on the Future of the UN System for the Protection of Human Rights*, Academy of International Humanitarian Law and Human Rights Law, University of Paris Panthéon-Assas, Paris (Feb. 2018).

*Strengthening Legal Protections in Modern Armed Conflict*, Second Annual Hans Kelsen Memorial Lecture on International Peace and Security Law, University of Cologne, Germany (Nov. 2017).

*International Organizations and Customary International Law: Expert Workshop for International Law Commission*, Michigan Law School (Nov. 2017).

*Technical Expert Meeting to Review Treaty Body Reform Proposals*, Geneva Academy, Berlin (Oct. 2017).

*Expert Meeting on Follow-up to Treaty Body Recommendations*, CCPR Centre and Geneva Academy, Geneva (Oct. 2017).

*Conference on the Global Pact for the Environment*, Panelist, Columbia University Earth Institute and Center on Sustainable Development, New York (Sept. 2017).

*Expert Meeting, USIP Project on Legal Justifications for Humanitarian Intervention*, Washington, DC (Sept. 2017).

*Expert Workshop on Trends and Developments in UN Human Rights Treaty Bodies Case Law*, Koç University Istanbul (June 2017).

*Expert Seminar: Current Challenges to Human Rights: Policing of Assemblies: Use of force and Accountability*, Geneva Academy, Geneva (May 2017).

*Panel Presentation on Draft General Comment No. 36 on the Right to Life: Recent Developments*, Geneva Academy, Geneva (March 2017).

*Human Rights in the Trump Era*, invited lecture at Paris II (Panthéon-Assass) University, Paris (Jan. 2017).

*Follow-up and Implementation of HRC Recommendations to States*, Workshop between the UN Human Rights Committee and the Inter-American Court of Human Rights, San Jose, Costa Rica (Nov. 2016).

*Connectivity and the Human Rights Treaty Body System*, invited presenter at panel on “The Treaty Body System: 2020 and Beyond”, conference on “The United Nations Human Rights System: Present and Future”, University Panthéon-Assas (Paris II), Paris (Nov. 2016).

*Family Reunification in the Human Rights Committee*, invited presenter at Expert Seminar on Refugee Family Unity and Reunification, organized by UNHCR and the Council of Europe, Copenhagen (Oct. 2016).

*Reform of the International and Regional Human Rights Systems*, invited plenary speaker at conference on “Interaction between human rights: 50 years of the Covenants,” Dept. of Law, Aarhus University, Denmark (Sept. 2016).

*The Human Rights Committee’s Approach to Economic, Social and Cultural Rights*, presentation for Joint Meeting between the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, honoring the 50<sup>th</sup> Anniversary of the two Covenants, Geneva (July 2016).

*Oxford Debate: Should There be a World Court of Human Rights?* Invited debater, with Prof. Martin Scheinin, The Oxford Martin School, Oxford University, UK (May 2016).

Commentator, *Is Compliance an Indicator for the State of International Law? Exploring the Compliance Trilemma*, at conference on The International Rule of Law – Rise or Decline?, Humboldt University, Berlin (April 2016).

*Gross Human Rights Violations and the Impact in Domestic Legal Orders*, invited panelist for conference on “History and Perspectives of the Inter-American Court of Human Rights in a Global World,” Opening Ceremony of the Judicial Year of the Inter-American Court of Human Rights, San Jose, Costa Rica (Feb. 2016).

*Human Rights Connectivity and the Future of the Human Rights System*, Columbia University Annual University Lecture, N.Y. (Feb. 2016).

*Judicial Development of International Humanitarian Law*, invited presenter, conference on “International Humanitarian Law and Modern Warfare,” Italian Ministry of Defense, Rome, Italy (Oct. 2015).

*Chairman’s Legal Symposium on Hybrid Conflicts*, invited participant, closed expert meeting organized by the Legal Counsel to the Chairman of the Joint Chiefs of Staff, The Pentagon, Washington, D.C. (Sept. 2015).

*The Role of Parliaments in the Protection and Realisation of the Rule of Law and Human Rights*, “Panel on Substance: Principles and Guidelines,” invited presenter, UK Arts and Humanities Research Council & Joint Committee on Human Rights, UK Parliament, London, UK (Sept. 2015).

*Harmonizing Standards in Armed Conflict*, invited presenter, XXXVIII Round Table on Current Issues of International Humanitarian Law, on “The Distinction between International and Non-International Armed Conflict: Challenges for IHL?,” Institute of International Humanitarian Law, San Remo, Italy (Sept. 2015).

*Comparative Approaches to War Powers*, commentator, conference on Comparative Foreign Relations Law, Geneva, Switzerland (July 2015).

*Intersectionality between the Convention on the Rights of Persons with Disabilities and the International Covenant on Human Rights in relation to Persons with Disabilities: Linkages to the Post-2015 Development Agenda*, UN Permanent Mission of Uganda, NY (June 2015).

UN Human Rights Council, *Panel Discussion on the Promotion and Protection of the Right to Privacy in the Digital Age*, invited independent expert panelist, Geneva, Switzerland (Sept. 2014).

*The Use of Chemical Weapons as a Criminal Offense: Constitutional/International Law Interaction*, presenter at “A World Free of Chemical Weapons, and Beyond,” University of Rome, Rome, Italy (March 2014).

*Luxembourg Forum*, meeting of U.S. Supreme Court and European Court of Justice, academic participant, Luxembourg (Feb. 2014).

Kiobel, *Universal Civil Jurisdiction and the Liability of Corporations in International Law*, roundtable presenter, European University Institute, Fiesole, Italy (June 2013).

House of Lords House of Commons Joint Committee on Human Rights. Written evidence on the state secrets doctrine, *Report on The Justice and Security Green Paper*, HL Paper 286 HC 1777 (24<sup>th</sup> Report of Session 2010–12) (2012), List of Written Evidence, JS-29 (2012).

Expert Meeting on the Future of the International Criminal Court, invited participant, The Hague, Netherlands (Sept. 2012).

*Convergence and Conflicts of Human Rights and International Humanitarian Law in Military Operations: The U.S. Perspective*, panelist, University of Pretoria, South Africa (Aug. 2012).

*Consular Notification Reform and the ICJ’s Avena Judgment*, presentation to the U.S. State Department Office of the Legal Adviser, Washington, D.C. (Sept. 2011).

“The United States and the Vienna Convention on Consular Relations,” presented at a symposium on “The Death Penalty and Mexico-U.S. Relations,” University of Texas at Austin (April 14, 2004).

“EU and US Trade Sanctions for Human Rights Purposes,” paper delivered at conference on “The European Union in the World Economy,” University of Siena, Italy (June 23, 2001).

“Human Rights Sanctions and the World Trade Organization,” Oxford University (June 13, 2000).

“The Role of Human Rights Law in Protecting Civil Liberties in Latin America,” panel presentation for symposium on “Challenges to Fragile Democracies in the Americas: Legitimacy and Accountability,” The University of Texas School of Law - Austin (Feb. 25, 2000).



**Fathalla, Ahmed Amin (Egypt)**

[Original: Arabic and English]

**H.E. MR. AHMED AMIN FATHALLA  
(EGYPT)**

\* \* \*

**DATE AND PLACE OF BIRTH:** 25 November 1952, Cairo, Egypt

**WORKING LANGUAGES:** Arabic, French, English

**CURRENT POSITION:** Member of the UN International Law Commission (ILC)

\* \*

**BRIEF OVERVIEW OF KEY LEGAL, DIPLOMATIC, AND ACADEMIC EXPERIENCES:**

- Chair and Member and of the Human Rights Committee (HRC) in Geneva.
- Permanent Observer of the League of Arab States (LAS) to the UN in New York.
- Assumed several roles at the Ministry of Foreign Affairs, including First Under-Secretary of the Ministry of Foreign Affairs, Assistant Minister for Multilateral Affairs and International Organizations, Acting Assistant Minister for Legal Affairs, Assistant Minister for European Affairs, Assistant Minister for Asian Affairs.
- Ambassador of Egypt to the Netherlands and Representative to the Permanent Court of Arbitration (PCA), Ambassador of Egypt to Turkey, Ambassador of Egypt to Morocco.
- Represented Egypt and the League of Arab States at the UN General Assembly and Security Council.
- Headed the Egyptian Delegation and represented Egypt in several international conferences in the fields of disarmament, human rights, law of the sea, environment, counter-corruption, and the drafting of the ICC Rome Statue, etc.
- Chaired a number of National Committees, including the National Committee on the International Criminal Court, and the National Committee on the Law of the Sea.
- Legal advisor to the Secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.
- Member of the Egyptian legal defense team in the Taba arbitration (Egypt/Israel), for which he received the Order of Merit of the first class from the Arab Republic of Egypt.
- Lectured on International Law at a number of universities, including the University of St. Thomas (Miami) in the United States.
- LLB from Cairo University, and Diploma in International Relations from the “*Institut International d’Administration Public*” (Paris).

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**LEGAL EXPERIENCE:**

- Member of the UN International Law Commission (ILC) (2023-2027).
- Chair of the UN Human Rights Committee (HRC) (2018-2019).
- Member of the UN Human Rights Committee (HRC) (2008-2019).
  - o Participated in examining more than 1,000 individual complaints.
- Permanent Observer of the League of Arab States to the UN, New York (2011-2015).
- Ambassador of Egypt to the Netherlands, represented Egypt in the Permanent Court of Arbitration (PCA), and followed the work of the International Court of Justice (ICJ) and International Criminal Court (ICC).
- Assistant Foreign Minister for International Organisations (2004-2005).
  - o Head of the Egyptian Delegation to the 5th NPT Review Conference (2005).
- Member of the Legislative Committee of the Egyptian National Council for Motherhood and Childhood (2001-2005).
- Acting Assistant Foreign Minister for International Legal Affairs and Treaties (2001-03).
  - o Head of the Egyptian delegation in the maritime delimitation of the Exclusive Economic Zone between Egypt and Cyprus.
  - o Chair of the open-ended Group on the mechanism for implementation of the UN Convention against Corruption, Vienna (2002-2003).
  - o Chair of Egypt's National Committee on the ICC (2001-03).
  - o Chair of Egypt's National Committee on the Law of the Sea.
- Deputy Assistant Foreign Minister for International Legal Affairs (1996-1997).
  - o Member of the Egyptian delegation to the Rome Conference on the Establishment of the International Criminal Court (ICC).
- Legal Counsel at the Permanent Mission of Egypt to the UN in Geneva (1987-1989).
  - o Member of the Working Group of Legal and Technical experts preparing a Global Convention on the Control of Transboundary Movements of Hazardous Wastes, Geneva, Luxembourg, and Basel (1988-1989), and member of Egypt's delegation to the Basel Conference that adopted the Convention.
  - o Represented Egypt in the Commission on Human Rights (1988-89).
  - o Represented Egypt in the Meetings of the International Labour Organisation (1988) and the World Health Organisation (WHO).
  - o Represented Egypt in the meetings of the Economic and Social Council (ECOSOC), Geneva (1988-1989).
- Represented Egypt in the negotiations related to the Convention on the Rights of the Child and Chaired a number of sub-working groups (1987-1997)
  - o Working Group on the Rights of the Child, Geneva and New York (1988-89).
- Member of the Egyptian legal defense team in the Taba Arbitration (Egypt/Israel) (1984-1989).
- Legal Officer in the Legal Department at the Foreign Ministry of Egypt (1984-1985).

- Member of the Permanent Mission of Egypt to the UN in New York (1979-83).
  - o Egypt's delegate to the General Assembly Sixth Committee (1979-1983).
  - o Vice-Chair and Member of the UN Special Committee on the Non-Use of Force, New York (1979-1985).
  - o Member of the UN Special Committee on the Charter of the United Nations and Strengthening the Role of the Organization, New York (1981-1984).
  - o Egypt's representative at the UN Conference on the Law of the Sea (1979-81).
- Legal Counsel, Cabinet of the State Minister of Foreign Affairs, Cairo (1978-79).
- Represented Egypt in the Afro-Asian Legal Consultative Committee (AALCC).

\* \*

**OTHER DIPLOMATIC EXPERIENCES AT THE FOREIGN MINISTRY OF EGYPT:**

- First Under-Secretary at the Foreign Ministry of Egypt (2011-2012).
- Assistant Foreign Minister for European Affairs (2010-2011).
- Assistant Foreign Minister for Asian Affairs (2009-2010).
- Ambassador of Egypt to the Netherlands (2005-2009).
- Ambassador of Egypt to Turkey (2003-2004).
- Ambassador of Egypt to the Kingdom of Morocco (1997-2001).
- First Secretary at the Egyptian Embassy in India (1985-1987).

\* \*

**REPRESENTATIVE OF THE LEAGUE OF ARAB STATES (LAS) IN SEVERAL MEETINGS:**

- Member of the LAS delegation to the 67th, 68th, 69th and 70th Sessions of the United Nations General Assembly, New York (after the High-level segment) (2011-2015).
- Meetings of the UN Security Council and other meetings held under the auspices of the United Nations (2011-2015).
- Head of the LAS delegation to the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, New York (2015), and the Preparatory Committee (2014).

\* \*

**OTHER HIGH-LEVEL INTERNATIONAL MEETINGS AND CONFERENCES (SELECTED):**

- Chair, First Arab Media Forum: The Role of Media in Combatting Terrorism (2015).
- Chair of the International Forum on "Gender and Conflict Platform" (2015).
- Deputy Head of Egypt's Delegation to the Ministerial Conference of the Organisation of Islamic Cooperation, Sanaa (2005).
- International Labor Conference (1988).

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**REPRESENTED UNEP IN A NUMBER OF INTERNATIONAL MEETINGS (SELECTED):**

- Standing Committee on Liability for Nuclear Damage, IAEA, Vienna (1990, 1991).

- Working Group on Code of Practice for Trans-boundary Movement of Radioactive Waste, IAEA, Vienna (1990).
- Consultative meetings of the London Dumping Convention, IMO, London, (1990-91).
- Legal Working Group on Dumping, IMO, London (1990-1991).
- Executive Committee and Assembly of the International Oil Pollution Compensation Fund, London (1991).

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**LEGAL EXPERIENCE WITHIN THE BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES:**

- Legal advisor to the Secretariat of the Basel Convention (1990-1996).
  - o Drafted the Protocol on liability and compensation for damage resulting from transboundary movements and disposal of hazardous wastes and other wastes, Geneva (1990) and Nairobi (1991), which was later adopted by Member States, and served as secretary of the meeting.
  - o Drafted mechanisms for implementation of the Basel Convention, Geneva (1992) and served as Secretary for the Working Group of Legal and Technical Experts.
  - o Drafted the Model National Legislation on the management of hazardous wastes in accordance with the Basel convention, and provided States party with legal advice in order to align their national legislation with the draft.
  - o Secretary for the Meeting of Senior Advisors of the Executive Director of UNEP on establishing an international fund for immediate response action and compensation for damage resulting from the transboundary movements of hazardous wastes and their disposal, Nairobi (1992).

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**KEY ACADEMIC EXPERIENCES IN INTERNATIONAL LAW (SELECTED)**

- Lecturer of Human Rights Law at the University of St. Thomas, USA (2017-present).
- Lecturer of International Law at the Institute of Diplomatic Studies, Cairo.
- Delivered numerous presentations on legal issues in various legal fora and universities inside and outside Egypt.
- Lecturer in Law, Faculty of Law, Ain Shams University.

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**OTHER RELEVANT INFORMATION**

- Recipient of the Order of Merit of the first class from the Arab Republic of Egypt (2014) for his role in the Taba arbitration (Egypt/Israel).
- Recipient of the Grand Cordon of the Wissam Al Alaoui from the Kingdom of Morocco.
- Recognized in the *Who is Who in Public International Law* directory which includes public international lawyers of standing and prominence in the judicial, academic and professional fields (2007-present).
- Served as a Prosecutor in the Ministry of Justice of Egypt (1975-1976).

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**EDUCATION**

- B.A. in Law, Cairo University, Egypt (1974).
- Diploma in International Relations from the “*Institut International d’Administration Public*”, France (1978).

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## **Gevorgian, Kirill (Russian Federation)**

### **JUDGE KIRILL GEVORGIAN**

Born 8 April 1953 in Moscow, USSR

#### **Education**

- 1970-1975** Studies in Moscow Institute of International Relations majoring in International Law
- 1975-1978** Post-graduate studies  
Diplomatic Academy, Ministry of Foreign Affairs of the USSR (MFA of the USSR)

#### **Brief career resume**

- 2015-present** Vice-President (since 8 February 2021), Judge of the International Court of Justice (since 6 February 2015)
- Member of the Permanent Court of Arbitration (since 2011)
- 2009-2015** Member of the Collegium, Director of the Legal Department, Ministry of Foreign Affairs of the Russian Federation
- Member of the United Nations International Law Commission (elected 2011), Chairman of the Commission during its 66<sup>th</sup> session (2014)
- 2003-2009** Ambassador Extraordinary and Plenipotentiary of the Russian Federation to the Kingdom of the Netherlands
- Permanent Representative of the Russian Federation to the Organisation for the Prohibition of Chemical Weapons (OPCW)
- 1997-2003** Deputy Director  
Legal Department, Ministry of Foreign Affairs of the Russian Federation
- 1993-1997** Counsellor  
Embassy of the Russian Federation to the French Republic
- 1992-1993** Deputy Director  
Legal Department, Ministry of Foreign Affairs of the Russian Federation

**1987-1992** Head of Division (Legal aspects of multilateral relations)  
International Law Department,  
Ministry of Foreign Affairs of the USSR

**1975-1987** Attaché, Third, Second, First secretary,  
Head of Sector (Human rights)  
Treaties and Law Division,  
Ministry of Foreign Affairs of the USSR

**Participation in major international forums and negotiations**

**2010-2013** Alternate Representative of the Russian Federation to the 65<sup>th</sup>, 66<sup>th</sup>, 67<sup>th</sup>, 68<sup>th</sup>  
sessions of the UN General Assembly, Representative to the Sixth Committee

Head of delegation of the Russian Federation to the Review Conference of the  
Rome Statute of the International Criminal Court in Kampala, Uganda

**2008-2011** Agent of the Russian Federation before the International Court of Justice in the  
case Application of the International Convention on the Elimination of *All*  
*Forms of Racial Discrimination (Georgia v. Russia)*

**2009** Representative of the Russian Federation before the International Court of  
Justice in the case *Accordance with International Law of the Unilateral*  
*Declaration of Independence in Respect of Kosovo (Request for Advisory*  
*Opinion)*

Member of the Russian delegation to the Ministerial Conference on Afghanistan  
in The Hague

**2003-2009** Member of the Administrative Council of the Permanent Court of Arbitration

Delegate to the meetings of the Assembly of States Parties of the Rome Statute

Representative at various meetings of the Hague Conference of Private  
International Law

Representative of the Russian Federation in the Executive Council of OPCW

Deputy Head of the Delegation of the Russian Federation at the meetings of the  
States Parties of the Convention on Prohibition of the Development, Production,  
Stockpiling and Use of Chemical Weapons and on their Destruction (Convention  
on Prohibition of Chemical Weapons)

**2008** Deputy Head of the Delegation of the Russian Federation at the Second Review  
Conference of the Convention on Prohibition of Chemical Weapons

**2004** Member of the Russian delegation at the EU-Russia summit in the Hague

- 2003** Member of the Russian delegation at the Ministerial meeting of the Organisation for Security and Cooperation in Europe (OSCE) in Maastricht, The Netherlands
- 1998-2003** Representative of the Russian Federation in the European Committee on Legal Cooperation (CDCJ) of the Council of Europe
- 2002** Head of the delegation of the Russian Federation at the First session of the Assembly of States Parties to the Rome Statute
- 1999-2002** Member of the Committee of Experts on Nationality of the Council of Europe (CJ-NA GT)
- 1999-2002** Head of the delegation of the Russian Federation to the Preparatory Commission for the International Criminal Court
- 2000** Member of the Russian delegation at the High-level Conference on the United Nations Convention on Transnational Organised Crime
- 2000** Panelist at the meeting on the crime of aggression in the context of ICC at Santorini, Greece
- 1995-2000** Delegate of the Russian Federation to the Ad Hoc Committee of Legal Advisers on Public International Law (CAHDI) of the Council of Europe
- 1999** Member of the delegation and co-Rapporteur on questions of peaceful settlement of disputes at the International Conference “Centennial of the Russian Initiative: From the First Peace Conference, 1899, to the Third, 1999” in Saint-Petersburg
- 1998** Head of the delegation of the Russian Federation at the UN Conference of Plenipotentiaries on the Statute of the International Criminal Court
- 1997-1998** Head of the delegation the Russian Federation to the Preparatory Committee on the Establishment of an International Criminal Court
- 1997** Member of the delegation of the Russian Federation to the meeting of the Council of Heads of States of the Commonwealth of Independent States in Chisinau, Moldova
- 1991-1995** Member of the Working Group on reservations to international treaties of the Ad Hoc Committee of legal advisers on Public International Law (CAHDI) of the Council of Europe
- 1992** Member of the delegation of the Russian Federation to the Ministerial Council of the Conference on Security and Cooperation in Europe (CSCE) in Stockholm
- 1992** Head of the delegation of the Russian Federation to the CSCE meeting on peaceful settlement of disputes in Geneva



- 1992** Member of the delegation of the Russian Federation to the preparatory meeting of 1992 Summit of the CSCE in Helsinki
- 1992** Participant in the Council of Europe study “Succession of states on the territory of the former USSR”
- 1991** Deputy head of delegation of the USSR to the La Valetta Meeting of Experts on peaceful settlement of disputes
- 1991** Member of the delegation of the USSR to the Conference on the human dimension of the CSCE in Moscow
- 1985-1991** Member of the delegation of the USSR to the Sixth Committee of the United Nations General Assembly (40-46<sup>th</sup> sessions)
- 1990** Member of the USSR delegation for the preparation of the meeting of the Heads of States or Governments of the CSCE (adopted Charter of Paris for a New Europe) in Vienna
- 1980-1985** Member of the delegation of the USSR to the sessions of the United Nations Commission on Human Rights
- Observer delegate to the sessions of the UN Sub-commission on Prevention of Discrimination and Protection of Minorities
- 1978-1979** Member of the delegation of the USSR to the Third Committee of the General Assembly
- 1977-1978** Observer delegate of the USSR to the sessions of the Human Rights Committee
- 1977** Observer delegate of the USSR to the session of the International Law Commission
- 1976-1977** Observer delegate of the USSR to the session of the Committee on the Elimination of Racial Discrimination
- 1976** Member of the USSR delegation to the ICRC Conference of government experts on the use of certain conventional weapons in Lugano, Switzerland

### **Scholarly Research and Expert Activities**

Member of the Executive Committee of the Russian Association of International Law

Author of a number of publications on International Law

Directly participated in the drafting of numerous multilateral treaties and agreements:

Rome Statute of the International Criminal Court, 1998 (along with the Rules of Procedure and Evidence, The Elements of Crime, The Agreement on the Privileges and Immunities of the International Criminal Court)

Statute of the International Criminal Tribunal for the Former Yugoslavia, 1993

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities, adopted by General Assembly Resolution A/Res/47/135 of 3 February 1993

Final document of the 1992 Summit of the CSCE – “The challenges of change”

Convention on Conciliation and Arbitration within the CSCE, 1992

The Valetta Mechanism for the Peaceful Settlement of International Disputes, 1991

Document of the Moscow meeting of the Conference on the human dimension of the Conference on Security and Co-operation in Europe (CSCE), 1991

Charter of Paris for a New Europe, 1990

Convention on the Rights of the Child, 1989

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990

Convention on the Elimination of All Forms of Discrimination against Women, 1979

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984

Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, adopted by GA Resolution A/Res/36/55 of 25 November 1981

United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, 1980

Code of Conduct for Law Enforcement Officials, adopted by GA Resolution A/Res/34/169 of 17 December 1979

**1978-present** Lecturer on different topics of International Law and international protection of human rights at the Moscow Institute of International Relations (University) and Diplomatic Academy of the MFA of Russia

**2010** Participant in the Conference “The condition of international law”, organised by the Ditchley Foundation (UK)

**2004** Member of the working party of experts on the participation of the EU in the international treaties in the field of Private International Law

**2000** Participant in the International Conference “Entering the XXI Century: Primacy of Law in International Relations”

- 2000** Participant in the Research Project of the International Institute of Humanitarian Law in San Remo, Italy
- 1999** Participant and Co-Rapporteur on the topic of the peaceful settlement of disputes in the Conference dedicated to the Centennial of the First International Peace Conference in St.Petersburg

#### **Ranks and decorations**

Diplomatic rank of Ambassador Extraordinary and Plenipotentiary

Order of Merit of the Russian Federation

Order of Friendship of the Russian Federation

Decree of Commendation by the President of the Russian Federation

#### **Languages**

Russian (native), English, French

## **Gómez Robledo Verduzco, Juan Manuel (Mexico)**

[Original: English, French and Spanish]

### **Juan Manuel Gómez Robledo Verduzco**

Born in Mexico City, Mexico, on 5 March 1959.

Ph.D., Facultad de Derecho (*Law School*), Universidad Nacional Autónoma de México (UNAM), 2018.

LL.M. (*Maîtrise en Droit Public*), Université de Paris X (Nanterre), 1982.

Master in International Relations, Institut d'Etudes Politiques de Paris (Sciences Po), 1982.

*Licence en Droit*, Université de Paris I (Panthéon-Sorbonne), 1980

Former member of the United Nations International Law Commission (2012-2016 and 2016-2022) in which he acted as Special Rapporteur on the Provisional Application of Treaties.

Foreign languages at proficiency levels: English, French, Italian.

### **DIPLOMATIC CAREER**

2001: Promoted by Presidential Decree to the rank of Ambassador of Mexico.

1998: Minister Plenipotentiary, through competitive examination.

1993: Counsellor, through competitive examination.

1991: First Secretary, through competitive examination.

1990: Promoted to Second Secretary.

1989: Promoted to Third Secretary.

1988: Entered the Mexican Foreign Service as Diplomatic Attaché.

### **DIPLOMATIC FUNCTIONS**

Since 2021 Ambassador, Deputy Permanent Representative of Mexico to the United Nations.

2016-2021 Ambassador of Mexico to France and Monaco.

2006-2015 Deputy Foreign Minister for Multilateral Affairs and Human Rights, Ministry of Foreign Affairs.

2004-2006 Deputy Permanent Representative, Permanent Mission of Mexico to the United Nations, New York.

2000-2004 Legal Counsel, Ministry of Foreign Affairs.

1998-2000 Minister, Deputy Permanent Representative, Permanent Mission to the Organization of American States, Washington, D.C.

1995-1998 Counsellor (humanitarian and disarmament affairs), Permanent Mission to the International Organizations, Geneva.

1994 Chef de Cabinet, Office of the Minister of Foreign Affairs, Ministry of Foreign Affairs.

1993-1994 Chief of Staff, Office of the Deputy Minister of Foreign Affairs, Ministry of Foreign Affairs.

- 1992-1993 Special Assistant to the Minister of Foreign Affairs, Ministry of Foreign Affairs.
- 1991-1992 Deputy Director for Western Europe, European Division, Ministry of Foreign Affairs.
- 1990-1991 Adviser to the Deputy Minister of Foreign Affairs, Ministry of Foreign Affairs.
- 1983-1986 Head of the Political and Disarmament Desk, United Nations Division, Ministry of Foreign Affairs.
- 1982-1983 Officer at the United Nations Division, Ministry of Foreign Affairs.

### **LEGAL FUNCTIONS**

- 2016-2022 Re-elected as member of the International Law Commission (2016-2022). In his capacity as Special Rapporteur on the Provisional Application of Treaties, he submitted six reports that led to the drafting of a Guide on the practice of the provisional application of treaties, which was adopted, on second reading, by the Commission in 2021. During its 76th session, the UN General Assembly adopted, without a vote, resolution 76/113 by which it took note of the **Guide on the Provisional Application of Treaties**, decided to bring it to the attention of States, and called for its widest dissemination.
- 2011 Elected as member of the United Nations International Law Commission. The Commission appointed him as Special Rapporteur on the provisional application of treaties.
- 2008-2009 Agent of Mexico before the International Court of Justice in the request for interpretation of the judgment of 31 March 2004 in the case *Avena and Other Mexican Nationals (Mexico v. United States of America)*, The Hague.
- 2003-2004 Agent of Mexico before the International Court of Justice in the case *Avena and Other Mexican Nationals (Mexico v. United States of America)*, The Hague.
- 2002-2003 Agent of Mexico before the Inter-American Court of Human Rights on the request of an Advisory Opinion on the *Juridical Status and Rights of Undocumented Migrant Workers (OC-18/03)* San José, Costa Rica.
- 1998 Adviser, Delegation before the Inter-American Court of Human Rights on the request of an Advisory Opinion on the *Right of Consular Notification (OC-16/99)*, San José, Costa Rica.
- 1995 Adviser, Delegation before the International Court of Justice on the request of an Advisory Opinion on the *Legality of the Threat or Use of Nuclear Weapons*, The Hague.
- 1988-1990 Associate Legal Officer, Codification Division, Office of Legal Affairs, United Nations Secretariat, New York (through national competitive examination).
- 1986-1988 Associate Attorney, *Noriega y Escobedo, A.C.* (Law firm), Mexico City.

### **ACTIVITIES AT INTERNATIONAL CONFERENCES AND MEETINGS**

- Since 2021 **Chairman of the Working Group on Amendments, Assembly of States Parties of the International Criminal Court.**

- 2013 **Chairman of the Drafting Committee of the Diplomatic Conference on the Arms Trade Treaty (ATT), New York.**
- 2009-2010 Coordinator of Mexico's negotiating team to the Sixteenth Conference of the Parties of the United Nations Framework Convention on Climate Change and the Sixth Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol.
- 2010 Chairman of the Fourth Global Forum on Migration and Development.
- 2006 **Chairman of the Sixth (Legal) Committee of the 61<sup>st</sup> Regular Session of the United Nations General Assembly.**
- Co-chairman of the Ad Hoc Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond national jurisdiction, New York.
- 2005 Chairman of the Working Group on the Trust Fund for Victims of the Fourth Assembly of States Parties of the International Criminal Court, The Hague.
- 2003 Chairman of the Working Group of the Sixth Committee on an International convention against the reproductive cloning of human beings, 58<sup>th</sup> session of the UN General Assembly
- 2001-2003 Alternate Representative to the 56<sup>th</sup>, 57<sup>th</sup>, and 58<sup>th</sup> sessions of the UN General Assembly (Sixth Committee).
- 2001 Deputy Head of Delegation, Preparatory Commission for the establishment of the International Criminal Court, New York.
- Head of Delegation, Second Review Conference of the Convention on Prohibitions or Restrictions of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, Geneva.
- 2000 Delegate to the regular session of the General Assembly of the Organization of American States, Windsor, Canada.
- Meeting of Governmental Experts on Destruction Techniques of Antipersonnel Landmines, Buenos Aires.
- 1999 Delegate to the regular session of the General Assembly of the Organization of American States, Guatemala City.
- 1998 Delegate to the regular session of the General Assembly of the Organization of American States, Caracas.
- 1997 Delegate, Diplomatic Conference for the Prohibition of the Use, Stockpiling, Transfer and on the Destruction of Antipersonnel Landmines, Oslo.
- Delegate to the 52<sup>nd</sup> session of the UN General Assembly (First Committee).
- Delegate, Review Conference of the Convention on the Prohibition of Biological Weapons, Geneva.
- 1996-1997 Governmental Expert to the Ottawa Process for the Total Ban of Antipersonnel Landmines, Geneva, Vienna, Bonn, and Brussels.
- 1996 Delegate to the 51<sup>st</sup> session of the UN General Assembly (First Committee).

- 1995 Delegate, First Review Conference of the Convention on Prohibitions or Restrictions of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, Vienna (and its resumed session held in 1996 at Geneva).
- Delegate, International Conference of the Red Cross and of the Red Crescent, Geneva.
- 1994 Delegate, Negotiations on the Agreement on the Implementation of Part XI of the United Nations Convention on the Law of the Sea, New York.
- 1993 Delegate, Negotiations between Canada, Mexico and the United States on Parallel Agreements to the North America Free Trade Agreement (NAFTA) on Labor and the Environment, Ottawa, Washington, D.C., and Cocoyoc (Mexico).
- 1992 Delegate to the 47<sup>th</sup> session of the UN General Assembly (Sixth Committee)
- 1990 Delegate, Preparatory Commission of the International Sea-Bed Authority and of the International Tribunal for the Law of the Sea, Kingston and New York.
- Delegate, Meeting of Governmental Experts for convening a Diplomatic Conference to negotiate a Convention on Biodiversity, Geneva.
- Delegate to the 45<sup>th</sup> session of the UN General Assembly (Sixth Committee)
- 1985 Head of Delegation, United Nations Council for Namibia, World Conference on Population, Mexico City.
- 1984 Delegate, United Nations Disarmament Commission, New York.

#### **ACADEMIC ACTIVITIES**

- Summer 2023** **Invited to teach at The Hague Academy of International Law a special course on the International Law of Disarmament.**
- Since 2022** **Adjunct Professor, Summer course, Washington College of Law, American University, Washington, DC.**
- 2013 Professor of International Relations, Universidad Iberoamericana.
- 2001 Director, Graduate Seminar on International Humanitarian Law, Universidad Iberoamericana (México City).
- 1999 Taught a course on International Law under the auspices of the Organization of American States at the Law School of the Universidad de Panamá, Panama City.
- 1992-1993 Professor of Public International Law, El Colegio de México (Mexico City).
- 1986-1988 Taught a course on International Strategic Problems in the context of the East-West Conflict at the Universidad Iberoamericana (Mexico City).
- 1984-1986 Professor of Public International Law, Universidad Panamericana (Mexico City).

### MAIN LECTURES

- 2023 « *Peut-on encore justifier la dissuasion nucléaire? Le point de vue du droit international* », L'Entretien d'Initiatives pour le désarmement nucléaire, 26 de enero de 2023.
- 2022 “New Nukes and new risks”, Fordham University, New York (26 October 2022)  
“The Guide to provisional application of treaties”, Lecture for the United Nations Audiovisual Library of International Law, <http://www.un.org/law/avl>.
- 2020 “*El estado del derecho internacional en el 75 aniversario de las Naciones Unidas*”, Universidad de Monterrey (México) y Universidad del Rosario (Bogotá)
- 2019 Intervención en el coloquio *Communication médiatique de l'Etat et droit international*, Actes du colloque de Nanterre, 14 de junio de 2019, *Centre de droit international de Nanterre (CEDIN), Editions A. Pédone (2021)*.
- 2015 “*¿Cómo se hace el derecho internacional?: La labor de la Comisión de Derecho Internacional de las Naciones Unidas*”, XXII Taller de Derecho Internacional, Universidad de Guadalajara, Guadalajara (Mexico).
- 2012 “*La resolución Radilla de la Suprema Corte de Justicia de la Nación: la recepción del derecho internacional de los derechos humanos en México*”, XIX Taller de Derecho Internacional, Facultad de Derecho, Universidad Autónoma del Estado de México, Toluca (Mexico).
- 2009 “El Consejo de Seguridad y el Estado de derecho internacional”, XVI Taller de Derecho Internacional, Universidad Nacional Autónoma de México.  
“Obligatoriedad de los tratados internacionales de derechos humanos, a nivel federal y local”, Congreso Nacional sobre el reconocimiento y protección de los derechos humanos en las constituciones locales, Querétaro (México).  
“*La instrumentación del derecho internacional de los derechos humanos en el derecho interno: una tarea pendiente*”, Instituto de Investigaciones Jurídicas, UNAM
- 2006 “La Corte Penal Internacional y el Consejo de Seguridad”, Seminario Parlamentario sobre el impacto del Estatuto de Roma de la Corte Penal Internacional en el orden jurídico de los Estados, Senado de la República (Ciudad de México)
- 2005 “La relación entre el Consejo de Seguridad y la Corte Penal Internacional”, Seminario Iberoamericano sobre la implementación del Estatuto de Roma, Universidad Iberoamericana (Ciudad de México)  
“Iberoamérica ante los retos del Derecho Internacional del siglo XXI: la perspectiva desde las Naciones Unidas”, Universidad de Salamanca (España)  
“The expansion of the Security Council and how it relates to the other UN organs, particularly the ICJ: strengthening the ICJ by allowing the Secretary-General to request advisory opinions”, St. John's University, New York City  
“La reforma de las Naciones Unidas”, El Colegio de México.



- “Latin America and the United States in the Organization of American States: from distrust to some level of cooperation”, OEA, Washington D.C. (EUA)
- 2004 “*El Caso Avena y Otros Nacionales Mexicanos (México v. Estados Unidos) ante la Corte Internacional de Justicia*”, School of Law, Universidad Nacional Autónoma de México.
- 2003 “*La responsabilidad de los grupos armados y la observancia del derecho internacional humanitario*”, Regional Expert Meeting on Improving Compliance on International Humanitarian Law, International Committee of the Red Cross (Mexico City).
- “*Las implicaciones jurídicas de la propuesta de reforma al artículo 21 de la Constitución Política y de la fórmula aprobada por el Senado de la República*”, at the International Conference on the Rome Statute and its Implications for Latin America, organized under the auspices of the Max Planck Institute (Mexico City)
- 2003 “*El procedimiento ante la Corte Penal Internacional*”, Instituto de la Judicatura Federal (Mexico City)
- 2002 “*El Estatuto de Roma y el orden jurídico mexicano*”, External Programme of The Hague Academy of International Law (Mexico City)
- “A Mexican Foreign Legal Policy: the pursuit of the national interest within the promotion of and respect for International Law”, Keynote Speaker at The American Bar Association, Annual Meeting, Washington, D.C.
- 1987 “Nuclear Deterrence under International Law”, International Conference on Nuclear Issues and International Law, The Lawyer’s Committee on Nuclear Policy, New York.
- 1986 “*México y el Acuerdo General sobre Aranceles y Comercio (GATT)*”, Instituto Panamericano de Alta Dirección de Empresa, Guadalajara.
- 1985 “The Third World and the Nuclear Arms Race”, Student Conference on International Affairs, Mount Holyoke College, Massachusetts.

### **PUBLICATIONS**

“*La Corte Internacional de Justicia*”, *Introducción al Estudio de los Organismos Internacionales. Perspectivas históricas, conceptuales y teóricas*. J. A. Schiavon Uriegas, M. Ruiz-Cabañas Izquierdo, & R. Velázquez Flores (Editors). Centro de Investigación y Docencia Económicas, Instituto Tecnológico y de Estudios Superiores de Monterrey, Universidad Autónoma de Baja California y Centro de Enseñanza y Análisis sobre la Política Exterior de México, *to be published*.

*Article 25 in The Vienna Conventions on the Law of Treaties, New edition of the Commentary*, Oxford University Press, *to be published*.

“**Aplicación provisional de los tratados**”, en *Tratado de Derecho Internacional Público, Tomo II*, Real Instituto Universitario de Estudios Europeos, Madrid, *to be published*.

“*L’application à titre provisoire des traités*”, en *Le droit des traités entre Etats- Pratique et mutations 1969-2019*, Editions Pédone, Paris, *to be published*.

*“L’élaboration et la diffusion de la communication médiatique: aspects stratégiques et juridiques”*, *Communication médiatique de l’Etat et droit international, Cahiers internationaux No.35, CEDIN, 2019, Editions Pédone, 2022, pp. 77-87.*

*La práctica del Consejo de Seguridad después de la guerra fría y la interpretación de la Carta de las Naciones Unidas*, Tirant Lo Blanch, Valencia (España) y Ciudad de México, 2018, 344 p.

**“El principio de no intervención en la política exterior de México”** en la serie “Los principios constitucionales de política exterior” Secretaría de Relaciones Exteriores. Ciudad de México, 2018, 94 p.

*“México y la ONU: vínculo perdurable”*, *Foreign Affairs Latinoamérica*, Vol. 15: Núm.4, 2015, p.46-54.

**“La aplicación provisional de los tratados”**, en *Centenario de la Constitución de 1917. Reflexiones del derecho internacional público* (Jorge A. Sánchez Cordero, Editor), *Instituto de Investigaciones Jurídicas de la UNAM y Secretaría de Relaciones Exteriores*, 2017, pp. 95-139.

**“El camino para la reforma constitucional de derechos humanos”**, en colaboración con **Stéphanie Black León**, en *El camino para la reforma constitucional de derechos humanos*, Suprema Corte de Justicia de la Nación y Universidad Nacional Autónoma de México, (Carlos Pérez Vázquez, Coordinador), 2013, pp.39-60.

**“Iniciativas mexicanas en apoyo a la Corte Penal Internacional”**, en *Nuevos diálogos sobre la justicia internacional*, (Bernardo Sepúlveda, Coordinador), *Facultad de Derecho de la UNAM, Senado de la República y Secretaría de Relaciones Exteriores*, 2012, pp. 187-196.

**“El Consejo de Seguridad en la Política Exterior Mexicana”**, en *México en el Consejo de Seguridad de la ONU. La historia tras bambalinas*. (Roberto Dondisch, Coordinador) p. 15-28, 2012.

**“Universalidad de los derechos humanos y asistencia humanitaria: la inexorable evolución del principio de no intervención”**, *Las Relaciones Internacionales. Los Grandes Problemas de México*, (Blanca Torres y Gustavo Vega, Coordinadores) 2010, p. 113-175.

**“México en el Consejo de Seguridad de las Naciones Unidas: un balance a la mitad del camino”**, in *Foreign Affairs en Español*, Vol.10, Núm. 2, 2010, p.56-63.

**“La implementación del derecho internacional de los derechos humanos en el derecho interno: una tarea pendiente”**, in *Recepción nacional del derecho internacional de los derechos humanos y admisión de la competencia contenciosa de la Corte Interamericana*, Instituto de Investigaciones Jurídicas, UNAM, Sergio García Ramírez y Mireya Castañeda Hernández (coord.), 2009, p.127-150.

**“México y el Consejo de Seguridad de la ONU en el siglo XXI”**, in *Foreign Affairs en Español*, Vol. 8, Núm. 1, 2008, p.56-64.

**“The unilateral declarations on security assurances in United Nations Security Council resolutions”**, in *El Tratado de Tlatelolco, Memoria de su cuarenta aniversario*, Secretaría de Relaciones Exteriores, México, D.F., 2008, p.121-127.

**“La vigilancia en la aplicación de la Convención sobre los derechos de las personas con discapacidad”**, in *Los derechos de las personas con discapacidad, Memoria del Seminario Internacional “Convención sobre los derechos de las personas con discapacidad: Por una cultura de la implementación”*, Secretaría de Relaciones Exteriores-Consejo Nacional para Prevenir la Discriminación, México, D.F., 2007, p.19-24

**“L’avis de la Cour Internationale de Justice sur les conséquences juridiques de l’édification d’un mur dans le territoire palestinien occupé: timidité ou prudence ?”**, in *Revue Générale de Droit International Public*, Tome 109/2005/3, Paris, p.521-537.

**“La Lucha por la Paz y la Seguridad Internacionales”**, in *Los siete principios básicos de la política exterior de México*, Emilio O. Rabasa (Editor), Instituto de Investigaciones Jurídicas, UNAM, 2005, p.227-248.

**“El Caso Avena y Otros Nacionales Mexicanos ante la Corte Internacional de Justicia (Mexico v. Estados Unidos)”**, in *Anuario Mexicano de Derecho Internacional*, Instituto de Investigaciones Jurídicas, UNAM, V-2005, p. 173-220.

**“The Vienna Convention on Consular Relations, 1963”**, contribution for the historical archives of the United Nations Audiovisual Library of International Law, <http://www.un.org/law/avl>.

**“La Carta democrática interamericana”**, en *Jornadas de Derecho Internacional*, Organización de los Estados Americanos, diciembre 2001, pp.-71-85.

**“La respuesta de México a los ataques terroristas del 11 de septiembre”**, en *Revista Mexicana de Política Exterior*, Instituto Matías Romero, México, D.F., núm.64, octubre 2001, pp.11-42.

**“La ratificación del Estatuto de Roma y el orden jurídico mexicano”**, in *La soberanía de los Estados y la Corte Penal Internacional*, Memoria del Foro Internacional, Comisión Nacional de los Derechos Humanos, México, D.F., 2002, p. 89-95.

**“Los conflictos armados internos en el Estatuto de Roma”**, in *La Corte Penal Internacional (Ensayos para la ratificación e implementación de su Estatuto)*, Universidad Iberoamericana-Secretaría de Relaciones Exteriores, México, D.F., 2002, p. 89-96.

**“La Corte Penal Internacional”**, in *El Foro, Barra Mexicana, Colegio de Abogados*, México, D.F., Tomo XIV, núm. 2, 2001, p. 95-114.

**“Consecuencias para la política exterior de México de la resolución del Secretario de Relaciones Exteriores por la que se concede la extradición de Miguel Angel Cavallo”**, in *El Foro, Barra Mexicana, Colegio de Abogados*, México, D.F., Tomo XIV, núm. 1, 2001, p. 217-224.

**“Alegato de México en la Corte Internacional de Justicia: Opinión consultiva sobre la ilegalidad de la amenaza o el uso de las armas nucleares”**, Introduction, Secretaría de Relaciones Exteriores, México, D.F., 1999, p. 9-21.

**“El derecho internacional humanitario: las nuevas exigencias del mantenimiento de la paz”**, in *Las Naciones Unidas en su 50 Aniversario*, Instituto Matías Romero de Estudios Diplomáticos, México, D.F., 1995, p.65-80.

**“El debate sobre el uso de la fuerza por parte de las Naciones Unidas”**, in *Las Naciones Unidas hoy: visión de México*, Fondo de Cultura Económica, México D.F., 1994, p. 124-149.

**“Handbook on the Peaceful Settlement of Disputes between States”**, United Nations, 1992, Chapters on Mediation and Conciliation, p. 40-54

**“La iniciativa de paz y de desarme de Nueva Delhi”**, in *Documentos, Centro Latinoamericano de Estudios Estratégicos*, Doc.-003-86, México D.F., 1986

#### **PROFESSIONAL ORGANIZATIONS**

- Member, Mexican Bar Association (*Barra Mexicana, Colegio de Abogados*).
- Member, The International Law Association (Mexican Branch).
- Member, American Society of International Law.

**AWARDS**

- Order of the Mexican Foreign Service
- *Ordre National de la Légion d'Honneur* (France), Commander.

## Mindua, Antoine Kesia-Mbe (Democratic Republic of the Congo)

[Original: English and French]

### **I. Personal data**

Date and place of birth: 31 December 1956 in Mushie

### **II. University education and qualifications**

- 1992-1995: Doctorate (PhD) in Public International Law (Geneva, Switzerland); Title of my doctoral thesis: “International Organisations, Armed Interventions and Human Rights”. Prize of the best thesis of the University of Geneva for 1996;
- 1990-1992: Diplôme d’Etudes Supérieures (Advanced University degree obtained after Master’s degree) in Public International Law (Geneva, Switzerland);
- 1989-1990: Diploma in International Law and Comparative Human Rights Law (Strasbourg France);
- 1988-1990: Diplôme d’Etudes Approfondies (Advanced University degree obtained after Master’s degree) in European Community Law (Nancy, France);
- 1988-1990: Diplôme d’Etudes Supérieures (Advanced University degree obtained after Master’s degree) in European Politics and Law (Nancy, France);
- 1976-1982: Graduat et Maitrise (Bachelor’s and Master’s degrees) in Law, Private and Criminal Law (Kinshasa, DRC).

### **III. Professional experience**

#### **A. Judicial and legal experience**

- Judge at the International Criminal Court (“ICC”), in The Hague, The Netherlands, since 2015 and Second Vice-President of the Court since 2021 ;
- Judge at the International Criminal Tribunal for the former Yugoslavia (“ICTY”), in The Hague, The Netherlands (2006-2018);
- Legal Officer and Chief of the Judicial Proceedings Support Unit of the International Criminal Tribunal for Rwanda (“ICTR”) and International Civil Servant of the United Nations, in Arusha, Tanzania (1997-2001);
- Assistant Representative and Legal Adviser to the Vice-Prime Minister and Minister of Citizens Rights and Freedoms, in Kinshasa, DRC (1985-1988);
- Legal Officer to the Police Headquarters (Garde Civile) and Assistant Legal Adviser at the Office of the President of the Republic, in Kinshasa, DRC (1983-1985);
- Trainee Military Magistrate, Assistant Military Prosecutor at the Court-Martial of the Garrison of Kinshasa-Gombe, DRC (1981-1982).

#### **B. Diplomatic experience as Ambassador Extraordinary and Plenipotentiary (2001-2006)**

- Ambassador Extraordinary and Plenipotentiary of the Democratic Republic of the Congo to the Swiss Confederation in Bern, Switzerland;
- Ambassador Extraordinary and Plenipotentiary, Permanent Representative of the Democratic Republic of the Congo to the United Nations Office and other International Organizations in Geneva, Switzerland and in Vienna, Austria;
- Governor of the Common Fund for Commodities (“CFC”) for the Democratic Republic of the Congo in Amsterdam, The Netherlands.

### **C. Experience in teaching and scientific research**

- Invited Lecturer at the Université Libre de Kinshasa (“ULK”) and the Université Protestante au Congo (“UPC”), in Kinshasa, DRC, since 2019.
- Invited Lecturer at the International Institute for Human Rights of the University of Strasbourg, in Strasbourg, France (2009- present);
- Professor of Public International Law and International Criminal Law at the “Geneva School of Diplomacy and International Relations, University Institute”, in Geneva, Switzerland (2004- present);
- Visiting Lecturer at the University of Geneva (Programme plurifacultaire ACTION HUMANITAIRE) for Public International Law, and International Humanitarian Law, in Geneva, Switzerland (1999-2006);
- Researcher at the Faculty of Law, University of Geneva, in Geneva, Switzerland (1995-1996);
- Professor for Civil and Commercial Law at the Kinshasa-Gombe University School of Commerce, in Kinshasa, DRC (1982-1988);
- Instructor for Human Rights and Freedoms courses at the Police (Garde Civile) Training Centre in Kinshasa-Maluku, DRC (1982-1983).

### **IV. Some Multilateral positions occupied**

- 2005-2006: Vice-Chairman of the Executive Committee of the United Nations High Commissioner for Refugees (“HCR”) in Geneva, Switzerland;
- 01 January-31 December 2005: Chairman (Ambassadorial level) of the Group of 77 and China (“G77 + China”), the then group of 132 States members of the Non-Aligned Movement, in Geneva, Switzerland;
- 01 October-31 January 2005: Coordinator (Ambassadorial level) of the Group of 21 (“G-21”), a group of 21 developing countries, at the United Nations Conference on Disarmament in Geneva, Switzerland.

### **V. Professional expertise and skills**

#### **A. Academic and scientific skills**

I have been teaching Law at the Kinshasa-Gombe University School of Commerce for several years and I was a Researcher at the University of Geneva, where I later taught International Law and Humanitarian Law. At present, I am still an invited Lecturer at the International Institute of Human Rights of Strasbourg as well as a Professor at the Geneva School of Diplomacy and International Relations, University Institute in Geneva.

My fields of research are: Public International Law, International Criminal Law, International Humanitarian Law, Human Rights, International Organisations, Use of armed force, Cooperation Europe-Developing countries, Child Rights, Gender, Environmental Law, etc.

#### **B. Judicial, legal and administrative expertise**

As a Trainee Military Magistrate to the Court-Martial in Kinshasa, I worked as a military Prosecutor and as a single Judge. I have been also a Legal Officer at the International Criminal Tribunal for Rwanda (“ICTR”), where I worked for the Chambers and for the Registry. I was responsible for inter alia the management of trials, hearings and appeals. I worked as a Trial Judge for 12 years at the International Criminal Tribunal for the former Yugoslavia (“ICTY”). Currently, I am a Pre-Trial and a Trial Judge at the International Criminal Court (“ICC”). I have participated in many trials, including what was perhaps the most complicated one in the history of these criminal courts, ICTY, *The Prosecutor v. Prlić et al.*, IT-04-T. I have mastered the organisation and the functioning of international Justice very well.

I worked as a Legal Adviser to the Vice-Prime Minister and Human Rights Minister in Kinshasa. I have studied administrative science and law. I was thus able to occupy and to easily discharge various administrative and management functions, such as Head of diplomatic Mission in Bern and Geneva for two successive terms. Since 2021, I am Second Vice-President of the ICC and in this capacity, I perform administrative functions on a daily basis in accordance with Article 38 (3) of the Rome Statute which provides that “[t]he President, together with the First and Second Vice-Presidents, shall constitute the Presidency, which shall be responsible for: (a) The proper administration of the Court, with the exception of the Office of the Prosecutor; and (b) The other functions conferred upon it in accordance with the Statute”. I

I have sound knowledge of personnel matters within the United Nations (“UN”) system. I attended UN workshops on such matters. At the UN, in my capacity of Officer-in-charge of “Court Management Section”, I dealt with administrative issues and with management matters as well.

### **C. Diplomatic skills and international expertise**

Thanks to my several internships within the UN and my long experience, I have acquired expertise in the workings of the mechanism of multilateral diplomacy and of the UN system itself. I am proficient in the resolution of human rights issues. For years, I have been Head of my governmental delegation to the United Nations Human Rights Commission/Council in Geneva. And I am of course familiar with international conferences.

In my capacity as Legal Officer to the Arusha Tribunal, I often travelled to foreign countries to represent this high international jurisdiction. My assignments consisted in serving judicial documents (warrants of arrest, order for transfers and other orders) on Governments (Ministers of Foreign Affairs, Ministers of Justice, Attorneys General, Principal Prosecutors, Supreme Police Commanding Officers), negotiating with States the transfer of the persons accused or suspected by the Tribunal, and bringing personally the detainees, on the special aircraft put at my disposal by the UN, to the Seat of the Tribunal in Arusha, Tanzania. In addition, I am familiar with the matters related to the headquarters agreements, in particular between the ICTR and the host Government of Tanzania, and also between the ICTY and ICC and the Government of The Netherlands. Of course, I am an excellent negotiator in international issues and I have acquired a great deal of experience in drafting correspondence related to all the above-mentioned matters.

In my capacity as former Ambassador Extraordinary and Plenipotentiary of my country to the Swiss Confederation in Bern, I engaged in bilateral diplomacy on a daily basis. My other previous functions as Head of diplomatic Mission and Permanent Representative to the United Nations Office and other International Organizations in Geneva and in Vienna have made me more than familiar with multilateral diplomacy. My proven skills as a leader and a consensual negotiator led my fellow Ambassadors to elect me successively as Coordinator of the Group of 21 developing countries (“G-21”) at the UN Conference on Disarmament in Geneva, Chairman of the Group of 77 and China (Group of 132 Non-Aligned States) in Geneva and finally, Vice-Chairman of the Executive Committee of the Program of the UN High Commissioner for Refugees (“HCR”). During my tenure as Head of diplomatic Mission, and as leader of regional groups or international conferences, I had the opportunity to demonstrate my commitment to multilateral diplomacy, which allows people to meet and to cooperate fruitfully. I really value the Rule of Law, especially international law and of course, I firmly believe in the richness of cultural, religious and ethnical diversity.

### **D. Proven drafting skills.**

My legal and political analyses, my correspondence as well as the reports that I write in both French and English show that my drafting skills are at a high level. As a Judge at the ICTY and presently, at the International Criminal Court, I am accustomed to drafting myself various opinions, decisions and judgements. Yet, at the International Criminal Tribunal for Rwanda, I participated in the drafting of decisions and judgements as well. Finally, in my capacity as Head of diplomatic

Missions, my drafting skills were proven on a daily basis and were of paramount importance in both Bern and Geneva as well as at several other international fora.

#### **E. Dedication to the rule of law and peaceful settlement of disputes**

I am a person devoted to the upliftment of values and dedicated to the rule of law. I deeply value the work of the ICJ in the maintenance of international peace and security, in full respect of the purposes and principles of the United Nations. I equally value the role of the ICJ in peaceful settlement of disputes in our globalized world. I have an extensive experience as international Judge and as a seasoned and accomplished diplomat in both bilateral and multilateral diplomacy. I am also a scholar, a professor of international law and an internationally renowned lecturer. All these skills and competence will help me to meaningfully contribute to the work of the ICJ.

#### **VI. Some lectures I have given**

Tokyo, Japan

United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (“UNAFEI”)

Program for the 41st Public Lecture on Criminal Justice Policy, 27 January 2023, on “Role of the International Criminal Court in providing accountability for the gravest crimes under international law, especially crimes against children”, organized by the Japan Criminal Policy Society (“JCPS”), the Asia Crime Prevention Foundation (“ACPF”) and the UNAFEI.

Session with participants of 180<sup>th</sup> International Senior Seminar, 31 January 2023, at Japan International Cooperation Agency (“JICA”) Tokyo.

Kinshasa, DRC

Université Protestante au Congo (“UPC”), Faculty of Law; 14 January 2023; on “International Institutions and Jurisdictions: The International Court of Justice and the International Criminal Court, powers, competences, and limitations.

Lucknow, India

23<sup>rd</sup> Conference of Chief Justices of the World, 16-22 November 2022, on International Court of Justice and International Criminal Court, jurisdictions, limitations, and proposals for reform.

Second Webinar and 22<sup>nd</sup> Conference of Chief Justices of the World, 19-22 November 2021, I spoke as a Key Speaker on “Global governance for a sustainable world order”.

First Webinar and 21<sup>st</sup> Conference of Chief Justices of the World. Kinshasa, DRC

Université Libre de Kinshasa (“ULK”), Faculty of Law, December 2019, on International Jurisdictions.

Lucknow, India

20th Conference of Chief Justices of the World, 6-12 November 2019, on “The UN Security Council and the international jurisdictions” and Global governance.

19th Conference of Chief Justices of the World, 14-20 November 2018

18th Conference of Chief Justices of the World, 11-13 November 2017, on “Jurisdictions and limitations of the ICJ and ICC, in the theme of Democracy, international law and global governance.

Kinshasa, DRC

Université Protestante au Congo (“UPC”), Faculty of Law, 14-25 August 2017, on “Main advances, challenges and lessons to be learned from the first cases”. Madrid, Spain

University Rey Juan Carlos, Fuenlabrada Campus, Friday 12 May 2017, on “New Proposals for the Prevention and Punishment of the Crime of Genocide”, Program Justice for Peace of The Global Embassy of Activists for Peace (“GEAP”), Friday 12 May 2017. Strasbourg, France

International Institute of Human Rights (“IIHR”), 50th Summer School René Cassin Foundation, 01-26 July 2019, on “International Criminal Jurisdictions”.

International Institute of Human Rights, 40th Session, 6-31 July 2009, on the “Sanction in International Law of breaches of the prohibition of racial discrimination”. Guatemala City, Guatemala



Integration for Peace Summit 2018, Monday 2 October-Saturday 6 October 2018, on “Justice and Democracy”.

Asunción, Paraguay

CUMIPAZ 2016, Sunday 2 October-Sunday 9 October 2016, on “Article 16 of Rome Statute and its impact on the independence and autonomy of the International Criminal Court” at CUMIPAZ 2016 in the Session” Justice and Democracy”, on 7 October 2016.

## **VII. Some international meetings**

12-16 April 2006:

Head of the Democratic Republic of the Congo (“DRC”) governmental delegation to the African Union Ministers of Trade Conference in Nairobi, Kenya; 13-18 December 2005:

Deputy Head of the DRC governmental delegation to the 6<sup>th</sup> Ministerial Conference of the World Trade Organization (“WTO”) in Hong Kong, China; 21-23 November 2005:

Head of the DRC governmental delegation to the Ministerial Conference of the Trade Ministers of the African Union on commodities in Arusha, Tanzania; 14 March-22 April 2005:

Head of the DRC governmental delegation to the 61<sup>st</sup> Session of the United Nations Commission of Human Rights, in Geneva, Switzerland:

18-22 January 2005:

Head of the DRC governmental delegation to the World Conference on Disaster Prevention, in Kobe, Japan;

29 November-03 December 2004:

Deputy Head of the DRC governmental delegation to the World Summit on a Mine Free World, in Nairobi, Kenya; 09-13 July 2004:

Head of the DRC governmental delegation to the Conference of the ACP and G-90 Trade Ministers, in Grand Baie, Mauritius; 13-18 June 2004:

Deputy Head of the DRC governmental delegation to the 11<sup>th</sup> UNCTAD Ministerial Conference in São Paulo, Brazil; 15-23 April 2004:

Head of the DRC governmental delegation to the 60<sup>th</sup> Session of the United Nations Commission of Human Rights, in Geneva, Switzerland; 10-14 September 2003:

Deputy Head of the DRC governmental delegation to the 5<sup>th</sup> Ministerial Conference of the World Trade Organization (“WTO”) in Cancun, Mexico; 17 March-25 April 2003:

Head of the DRC governmental delegation to the Fifty-ninth (59<sup>th</sup>) Session of the United Nations Commission on Human Rights, in Geneva, Switzerland:

04-05 November 2002:

Head of the DRC governmental delegation to the Ministerial Meeting on the Kimberley Process Certification Scheme for Rough Diamonds in Interlaken, Switzerland; 23 September-01 October 2002:

Head of the DRC governmental delegation to the Thirty-seventh (37<sup>th</sup>) Series of the Assemblies of the Member States of World International Property Organization (“WIPO”), in Geneva, Switzerland;

16-20 September 2002:

Head of the DRC governmental delegation to the Fourth (4<sup>th</sup>) Meeting of States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, in Geneva, Switzerland; 05-07 August 2002:

Head of the DRC governmental delegation to the Common Market for Eastern and Southern Africa (“COMESA”) / Southern African Development Community (“SADC”) Regional Workshop for Trade negotiators on the Doha Development Agenda, in Nairobi, Kenya; 30-31 May 2002:

Head of the DRC governmental delegation to the Joint Seminar AIF (Agence Internationale de la Francophonie), COMSEC (Commonwealth Secretariat) and ACP (African, Caribbean and Pacific Countries Secretariat) on “the Multilateral Aspects of the Cotonou Partnership Agreement”, in Brussels, Belgium; 28-29 May 2002:

Head of the DRC governmental delegation to the Seminar on the Work Program of Doha and priorities for the French-speaking World (Francophonie), in Paris, France; 13-17 May 2002:

Head of the DRC governmental delegation to the International Conference on the migration policies in Eastern Africa, the Horn of Africa and the Great Lakes Region, organized by the International Migration Policy Program (“IMP”) with the assistance of the UNFPA, UNITAR, IOM and ILO, in Nairobi, Kenya; 29 April- 02 May 2002:

Head of the DRC governmental delegation to the UNCTAD, Trade and Development Board, Nineteenth (19<sup>th</sup>) Special Session at UNCC-ESCAP, in Bangkok, Thailand; 18 March-26 April 2002:

Head of the DRC governmental delegation to the Fifty-eighth (58<sup>th</sup>) Session of the United Nations Commission on Human Rights, in Geneva, Switzerland.

#### **VIII. Participation in seminars, workshops and colloquiums**

03 May 2002:

Participation in the Inaugural Seminar of the International Institute for Trade and Development on “the International Economic Agenda and Coherence of Finance, Trade, Investment, Technology and Development” at the Chulalongkorn University, in Bangkok, Thailand; 19-22 October 1998:

Participation in the workshop organized by the UN Department of Management from New York, Office of Human Resources Management, on “Job classification”, in Arusha, Tanzania; 21-25 September 1998:

Participation in the workshop organized by the UN Department of Management from New York, Office of Human Resources Management, on “Job description”, in Arusha, Tanzania; 01-09 June 1998:

I attended the Fifth (5<sup>th</sup>) Plenary Session of the Judges of the ICTR, including those of the Appeals Chamber. During this plenary session, amendments to the principal legal texts regarding the organization, the functioning and the procedure of the Tribunal were discussed and adopted; 20-22 October 1997:

I participated in a Seminar on International Humanitarian Law organized by the International Committee of the Red Cross (“ICRC”) for Judges and Legal Officers of the ICTR, in Arusha, Tanzania;

01-05 June 1997:

I attended the Fourth (4<sup>th</sup>) Plenary Session of the Trial and Appeal Judges of the ICTR, in Arusha, Tanzania. During this plenary session, amendments to the principal legal texts on the organization, the functioning as well as the procedure of the Tribunal were discussed and adopted; 1995-1996:

Internship at the United Nations Centre for Human Rights, in Geneva, Switzerland; October 1995:

Participation in a Colloquium organized by the Law Faculty of the University of Geneva on “The United Nations and the International Humanitarian Law” on the occasion of the 50<sup>th</sup> anniversary of the United Nations, in Geneva, Switzerland; August, September and October 1989:

Internship in the field of human rights at the International Labor Organization (“ILO”), at the Centre for Human Rights of the United Nations and at the United Nations High Commission for Refugees, in Geneva, Switzerland; August 1989:

Internship at the International Committee of the Red Cross (“ICRC”) in the field of International Humanitarian Law and of Human Rights, in Geneva, Switzerland.

#### **IX. Other trainings received**

September 1996:

Advanced learning of English language at the Anglo World Centre, in Oxford, U.K.

February-October 1982:

Military special training (Brevet B Commando) at the Commando Training Centre (Centre d’Entraînement Commando) of Kota-Koli, Zairian Armed Forces, Kota-Koli City, DRC; October 1975-July 1976:

Ecclesiastical training at the Regional Major Seminary Saint Robert Bellarmine (Jesuit Fathers); Studies of Philosophy and Religion, in Mayidi, DRC.

## **X. Academic distinctions and awards**

### **A. Academic distinctions**

1. Bellot Prize 1996 in Geneva: Medal, certificate and funds for the best doctorate thesis of the University of Geneva in 1996, in Geneva, Switzerland;
2. Certificate of the Friends of Saint-Justin, 1993, Geneva, Switzerland;

### **B. Awards received**

1. Award of Ernest and Lucie SCHMIDEINY Foundation, for my research in the field of Public International Law, 1995, Geneva, Switzerland;
2. Fellowship of the “Oeuvre Saint-Justin” of Fribourg, for my studies and activities in the InterReligious Association, 1990-1994, Fribourg, Switzerland;
3. Hans WILSDORF (Rolex Watches)’s Grant, for my research in Public International Law, 1992, Geneva, Switzerland.

## **XI. Research**

### **A. Academic work**

1. Death penalty in Zairian Criminal Law, Bachelor’s degree paper, Kinshasa, 1979;
2. Parental authority in Zairian Civil and Customary Law, Master’s degree thesis, Kinshasa, 1982;
3. Human Rights in the relationship between the European Economic Community (ECC) and the African, Caribbean and Pacific Countries (ACP), Advanced University degree thesis, Nancy, 1990•,
4. Armed Interventions in Iraq, Somalia and Liberia, Advanced University degree thesis, Geneva, 1992•,
5. International Organisations, Armed Interventions and Human Rights, Doctorate thesis, Geneva, 1995.

### **B. Selected publications**

1. “The African Charter of Human and People’s Rights face to the Pluralist Democracy”, La Voix des Sans Voix, Le Trimestriel des Droits de l’Homme, avril-juin 1991, No. 1, Vol. 1, pp. 101-112, Paris;
2. “De la légalité de la “zone de sécurité française” au Rwanda”, Afrique2000, Revue Africaine de politique internationale, Trimestriel, No. 18, juillet-août-septembre 1994, pp. 19-26, Bruxelles;
3. “L’ONU face aux coups d’Etat militaires et aux Gouvernements non-démocratiques”, R.A.D.I.C., Tome 6, No.2, pp.209-234, London•,
4. “Intervention armée de la C.E.D.E.A.O. au Liberia; illégalité ou avancée juridique?” R.A.D.I.C., June 1995, Tome 7, No.2, pp.257-283, London•,
5. “Index analytique”, in Les Nations Unies et le Droit international humanitaire, édité par Luigi Condorelli, Anne-Marie La Rosa et Sylvie Scherrer, Faculté de Droit, Geneva, 1995 ;
6. “Normes péremptoires du Droit international et Etat de droit en Afrique”, R.A.D.I.C., Tome 10, No.2, 1998, pp. 216-243, London;
7. Tribunal Pénal International pour le Rwanda, Recueil des Ordonnances, Décisions et Arrêts, 1995-1997, édité par Eric David, Pierre Klein et Anne-Marie La Rosa avec la collaboration de Jean-Pelé Fomete et Antoine Kesia-Mbe Mindua et l’assistance de Catherine Denis et Véronique Parque, sous les auspices du Centre de droit international de l’Université libre de Bruxelles, Bruyland, Bruxelles, 2000;
8. Sanction in International Law of Breaches of the Prohibition of Racial Discrimination, 11HR, René Cassin Foundation, Strasbourg, 2009.
9. “The Immunity of Heads of State and Government in International Criminal Law”, Protecting Humanity, Essays in International Law and Policy in Honour of Navenethem Pillay, Edited by Chile Eboe-Osuji, Martinus Nijhoff Publishers, Leiden, Boston, 2010, pp. 729-748.
10. “Statehood of Palestine, the United Nations and the International Criminal Court”, L’Observateur des Nations Unies, Revue de l’Association française pour les Nations Unies, 2016-1, vol. 40, Presses Universitaires d’Aix-Marseilles, pp. 111-129.

11. Article 16 of the Rome Statute and its impact on the Independence and autonomy of the International Criminal Court, Justice and Democracy Session, CUMIPAZ 2016, Asunción, 10 July 2016, 22 pp.
12. “Universal Justice for a Globalized World”, Comparative Law Review, 13/2017, Faculty of Law and Administration, Nicolaus Copernicus University in Toruń, Poland, pp. 9-47; available at: [www.http//dx.doi.org/10.12775/CLR.2017.001](http://dx.doi.org/10.12775/CLR.2017.001)
13. Democracy a international law and global governance, 18<sup>th</sup> CCJW, CMS, July 2017, Lucknow,
14. The Role of the Judiciary in building a more secure and equitable world, CCJW, CMS, Lucknow, 9 November 2020, 8 pp.
15. Global Governance for a Sustainable World Order, Global Governance a Post-COVID Imperative, CCJW, CMS, Lucknow, 21 November 2021, 8 pp.
16. International Criminal Justice et Institutions, Procedure and Practice, Overview and Challenges, forthcoming book, 550 pp., to be published in December 2023. XII. Organizational affiliations and memberships 1981-1982:

Representative (Commissaire) of the Union of the Students of the University of Kinshasa; elected out of 9000 members of the Assembly, Kinshasa; 1990-1993:

President of the Inter-religious Association (Christians, Muslims, Jews, Buddhists, etc.) of Saint-Justin, Geneva; 1990-2002:

Member of the International Committee for the Respect and the Application of the African Charter of Human and Peoples’ Rights (ICRAC), Paris and Geneva; 1994-1998:

Member of the African Society of International and Comparative Law (ASICL), London; Since 1995:

Life Member of the Academic Society of Geneva (Société Académique de Geneve), Geneva; Since 1997:

Member and prominent citizen of the Association of Congolese of Arusha, Arusha; Since 2010:

Member of the General Assembly of the International Institute of Human Rights of Strasbourg, Strasbourg; 9 November 2019:

Citizen of Honour of the City of Lucknow, Uttar Pradesh, India, proclaimed by Mrs. Sanyukta Bhatia, Mayor of Lucknow.

Since July 2021:

Founding Member and Vice-President of the Congolese Society of International Law (“CSIL”).

Since 26 June 2022:

One of the seven members of the Board of Directors of the “Virunga Foundation”, an Charity organization registered in London, United Kingdom of Great Britain and Northern Ireland (Charity number 1111806, Charity Commission for England and Wales), which manages the Virunga National Park, DRC, the oldest park in Africa and one of the largest in the world, with the greatest biodiversity of the entire African continent.

### XIII. Knowledge of languages

#### A. Modern languages written and spoken

French, English, Lingala, Kikongo, Kinunu, Kiswahili, and Dutch (upper intermediate).

#### B. Dead language

Latin

The Hague, 23 February 2023

Dr. Antoine Kesia-Mbe MINDUA

### Abbreviated Curriculum Vitae of Judge MINDUA

Judge Antoine Kesia-Mbe MINDUA, Congolese, was born 01.31 December 1956, in Mushie, Democratic Republic of the Congo (“DRC”). He studied Private and Judicial Law in Kinshasa, DRC, Legal and Political Sciences in Nancy, France, International and Comparative Law of Human Rights in Strasbourg, France, and Public International Law in Geneva, Switzerland.

After receiving his doctorate in International Law from the University of Geneva in 1995, he served first as a Legal Officer and Chief of the Judicial Proceedings Support Unit at the International Criminal Tribunal for Rwanda (“ICTR”) in Arusha, Tanzania, from 1996 to 2001, and later as a Trial Judge at the International Criminal Tribunal for the former Yugoslavia (“ICTY”) in The Hague, The Netherlands, from 2006 to 2018. Since 2016, he is Judge at the International Criminal Court (“ICC”) at The Hague, The Netherlands, where he has been elected Second Vice-President of the Court in 2021.

Judge MINDUA is also a seasoned and accomplished diplomat. He was also Ambassador Extraordinary and Plenipotentiary of the DRC to the Swiss Confederation in Bern, Switzerland, and Permanent Representative of his country to the United Nations and Other International Organizations in Geneva, Switzerland, from 2001 to 2006.

During his tenure in Geneva, Dr MINDUA held a number of multilateral posts, including Vice-Chairman of the Executive Committee of the Program of the United Nations High Commissioner for Refugees, Chairman of the Group of 77 and China, and Coordinator of the Group of 21 at the United Nations Conference on Disarmament. Ardent defender of multilateralism, he often led his country’s delegations to several international conferences around the world.

Judge MINDUA is also Professor at the Universities in Kinshasa and Geneva. He mainly teaches Public International Law and International Criminal Law. He also gives lectures all over the world.

Dr MINDUA is also a researcher. His areas of research include Public International Law, International Human Rights Law, and International Environmental Law. He is thus the author of several writings in English and French.

Dr MINDUA naturally has several areas of interest including environment conservation and ecology. He is thus one of seven members of the Board of Directors of the “Virunga Foundation”, an organization registered in London (United Kingdom), which manages the Virunga National Park, DRC, the oldest park in Africa and one largest in the world, with the greatest biodiversity of the entire African continent.

The Hague, 23 February 2023

Dr. Antoine Kesia-Mbe MINDUA

## **Tladi, Dire (South Africa)**

### **Academic and Professional Qualifications**

Ph D (Law), Erasmus University Rotterdam (2007); LL.M., University of Connecticut (2000); LL.B. (*cum laude*), University of Pretoria (1999); B.L.C., University of Pretoria (1996)

### **Main Academic Awards and Scholarships**

- Fulbright Scholar Grant (1999 and 2018/19)
- Principal's Prize for Research, Unisa (2005)
- National Research Foundation (2003, 2004, 2019, 2020, 2021)
- Stichting Studie Fonds (Holland) (2003)

### **EXPERT POSITIONS**

UN International Law Commission, (2012-2022)

- Chair (2022); First-Vice Chair (2021); Chair of Drafting Committee (2013)
- Special Rapporteur Jus Cogens (2015-2022)

Co-Editor in Chief of the South African Yearbook of International Law, 2013-2018

President, South African Branch of the International Law Association, 2019-Present

Member of the *Institut de Droit International*, 2017-Present

Legal Expert in the Trilateral Negotiations between Egypt, Ethiopia and Sudan on the Great Ethiopia Renaissance Dam

Counsel for the African Union in the *Jordan Appeal* (ICC Appeals Chamber), 2018

Lead Counsel for South Africa in *South African non-Cooperation Matter* (ICC Appeals Chamber), 2017

International Law Expert in *Swissbourgh Diamond Mining v Lesotho* (Investor-State Arbitration under the ICSID rules)

Member of legal team for the Lake Malawi Dispute (Malawi/Tanzania) Mediation Team of former Presidents Chissano, Mbeki and Mogae, (March 2013-2015) (discontinued)

### **Main Positions Held**

#### **A. Government/Civil Society**

South African Department of International Relations and Cooperation, (March 2006 – 2014)

- Principal State Law Advisor (International Law)
- Legal Counsellor, South African Permanent Mission to the United Nations in New York, Jan 2009 – January 2013
- Special Adviser to the Minister of International Relations and Cooperation, 2014-2018

#### **B. Academic**

University of Pretoria, Professor of international Law (2014-Present)

- NRF/DST SARChI Chair of International Constitutional Law (2020-Present)
- Future Africa Chair in Global Equity in Africa (2023-Present)

Global Visiting Professor of Law, University of California Irvine, 2018; Visiting Scholar/Professor, Humboldt University Zu Berlin, 2015; Visiting Professor, Kobe University, 2015; University of Stellenbosch, Department of Public Law (extraordinary professor) (2008 – 2018)

University of South Africa, Department of Constitutional and International Law (senior lecturer, associated professor, head of department) (May 2002 – March 2006)

University of Pretoria, Department of Legal History, Comparative Law and Legal Philosophy, (junior lecturer, senior lecturer) (1997 – 2002)

### **Selected Publications List of Publications (total 105)**

“In Search of Solidarity in International Law”; Kassoti/Idriz (eds) *The Principle of Solidarity in International and European Law* (Springer, 2023)

“SDG 1: End Poverty in All Its Forms Everywhere”; in Hey/Ebbesson (eds) *The Cambridge Handbook on the Sustainable Development Goals and International Law* (Cambridge, 2022)

“Representation, Inequality, Marginalization, and International Law Making: The Case of the International Court of Justice and the International Law Commission” (2022) University of California Irvine Journal of International, Transnational and Comparative Law

The African Union’s Right to Intervene and the Right to Life: Tension or Concordance”; Viljoen/Tladi et al (eds.) *A Life Interrupted: Essays in Honour of Christof Heyns* (PULP, 2022)

*The Extraterritorial Use of Force against Non-State Actors* (Hague Academy Lectures, Brill, 2021)

*Peremptory Norms of General International Law (Jus Cogens): Disquisitions and Disputations* (Brill, 2021) (edited volume)

“Grotian Moments and Peremptory Norms of General International Law: Friendly Facilitation or Fatal Foes” (2021) 42 *Grotiana* 334

“A Constitution Made for Mandela, a Constitutional Jurisprudence Developed for Zuma The Erosion of Discretion of the Executive in Foreign Relations”; Aust/Kleinlein (eds) *Encounters Between Foreign Relations and international Law: Bridges and Boundaries* (Cambridge, 2021)

“The Duty Not to Intervene in Matters within Domestic Jurisdiction” in Jorge E Viñuales (ed) *The UN Friendly Relations Declaration at 50: An Assessment of the Fundamental Principles of International Law* (Cambridge, 2020)

“The International Criminal Court” *Max Planck Encyclopedia of Public International Law* (2020)

“The Constitutional Court’s Judgment in the SADC Tribunal Case: International Law Continues to Befuddle” (2020) 10 *Constitutional Court Review* 169

“Populism’s Attack on Multilateralism and International Law: Much Ado About Nothing” (2020) 19 *Chinese Journal of International Law* 369

“The International Law Commission’s Draft Conclusions on Peremptory Norms of General International Law (*Jus Cogens*): Making Wine from Water or More Water than Wine?” (2020) 89 *Nordic Journal of International Law* 244

*The Dialogues on War and Peace: Vol I Use of Force Against Non-State Actors* (with O’Connell/Tams) (Cambridge, 2019)

*Dugard’s International Law: A South African Perspective* (Juta, 2019) (with four others)

“The Use of Force against Syria in Response to Alleged Use of Chemical Weapons by Syria: A Return to Humanitarian Intervention?” (2019) 79 *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* 205 (Aniel de Beer)

“An Institutional Framework for Addressing Marine Genetic Resources under the Proposed Treaty for Marine Biological Diversity in Areas Beyond National Jurisdiction” (2019) 19 *International Environmental Agreements: Politics, Law and Economics* 485

“Article 46L: Promoting an Effective Cooperation Regime” and “Article 46 A Bis – Beyond Rhetoric”; Jalloh/Clarke/Nmehielle (eds) *The African Court of Justice and Human and Peoples’ Rights in Context: Development and Challenges* (2019)

“The International Law Commission’s Recent Work on Exceptions to Immunity: Charting the Course for a Brave New World in International Law?” (2019) *Leiden Journal of International Law* 169

D Tladi “The Proposed Implementing Agreement: Options for Coherence and Consistency in the Establishment of Protected Areas beyond National Jurisdiction” in David Freestone (ed.) *Conserving Biodiversity in Areas beyond National Jurisdiction* (2019)

“The Intervention in Côte d’Ivoire – 2011” ; Ruys/Corten (eds) *The Use of Force in International Law: A Case-Based Approach* (2018)

“Of Heroes and Villains, Angels and Demons: The ICC-AU Tension Revisited” (2017) *German Yearbook of International Law* 43

“The International Law Commission’s Draft Articles on the Protection of Persons in the Event of Disasters: Codification, Progressive Development or the Creation of Law from Thin Air?” (2017) 16 *Chinese Journal of International Law* 425

*The Pursuit of a Brave New World in International Law: Essays in Honour of John Dugard* (Brill, 2017) with Maluwa, du Plessis (eds)

“Interpretation and International Law in South African courts: The Supreme Court of Appeal and the Al Bashir Saga” (2016) 16 *African Human Rights Law Journal* 310

“The International Criminal Court and the Duty to Arrest and Surrender The Case of Omar Al-Bashir in South Africa” 2015 *Zeitschrift für Internationale Strafrechtsdogmatik*

“Immunity in the Era of ‘Criminalisation’: The African Union, the ICC and International Law” (2015) 58 *Japanese Yearbook of International Law* 17

“Progressively Developing and Codifying International Law: The Work of the International Law Commission in its Sixty-Seventh Session” (2015) *South African Yearbook of International Law* 205

‘National Commissioner of the South African Police Service v South African Human Rights Litigation Centre & Others 2015 (1) SA 315 (ZACC)’ (2014) *South African Yearbook of International Law* 137-143 (with Martie Bradley)

“The Common Heritage of Mankind And the Proposed Treaty on Areas Beyond National Jurisdiction” (2014) 25 *Yearbook of International Environmental Law* 113

“The Proposed Implementing Agreement: Options for Coherence and Consistency in the Establishment of Marine Protected Areas” (2015) *International Journal of Marine and Coastal Law* 654

“The Duty on South Africa to Arrest and Surrender President Al Bashir under the South African and International Law: A Perspective from International Law” (2015) 13 *Journal of International Criminal Justice* 1027



“The Immunity Provisions in the AU Amendment Protocol: Separating the (Doctrinal) Wheat from the Normative (Chaff)” (2015) 13 *Journal of International Criminal Justice* 3

“When Elephants Collide it is the Grass that Suffers: Cooperation and the Security Council in the Context of AU/ICC Dynamics” (2014) 7 *African Journal of Legal Studies* 381

“State Practice and the Making and (Re)Making of International Law: The Case of the Legal Rules Relating to Marine Biodiversity in Areas Beyond National Jurisdiction” (2014) 1 *Journal of State Practice and International Law* 97

“The Nonconsenting Innocent State: The Problem With Bethlehem’s Principle 12” (2013) 107 *American Journal of International Law* 570

“On the Al Qaida/Taliban Sanctions Regime: Due Process and Sun Sets” 2011 10 *Chinese Journal of International Law* 771

“Marine Genetic Resources on the Deep Seabed: The Continuing Search for a Legally Sound Interpretation of UNCLOS” *International Environmental Law-Making and Diplomacy* 2008 65

“Strict Positivism, Moral Arguments, Human Rights and the Security Council: South Africa and the Myanmar Vote” (2008) 1 *African Human Rights Law Journal* 23

“Reflections on the Rule of Law in International Law: The Security Council, International Law and the Limits of Power” (2006) *South African Yearbook of International Law* 231

“Sustainable Development, Integration and the Conflation of Values: The *Fuel Retailers case*” in Duncan French (Ed.) *Sustainable Development and Global Justice* (October 2010)

“Flexible Mechanisms” in V I Grover (Ed.) *Global Warming and Climate Change: Ten Years On Years After Kyoto and Still Counting* (2008)

*Sustainable Development in International Law: An Analysis of Key Enviro-Economic Instruments* (2007)