

**Twentieth session**

The Hague, 6-11 December 2021

**Designation of the members of the
Advisory Committee on Nominations****Note by the Secretariat**

1. Article 36, paragraph 4 (c), of the Rome Statute provides as follows:

“(c) The Assembly of States Parties may decide to establish, if appropriate, an Advisory Committee on nominations. In that event, the Committee’s composition and mandate shall be established by the Assembly of States Parties.”
2. By resolution ICC-ASP/10/Res.5, the Assembly established an Advisory Committee on the Nominations of Judges. The terms of reference¹ of the Advisory Committee provide that:

“The Committee should be composed of nine members, nationals of States Parties, designated by the Assembly of States Parties by consensus on recommendation made by the Bureau of the Assembly also made by consensus, reflecting the principal legal systems of the world and an equitable geographical representation, as well as a fair representation of both genders, based on the number of States Parties to the Rome Statute.”²
3. At its third meeting, on 12 May 2021, the Bureau fixed the nomination period to run for 12 weeks, from 7 June to 29 August 2021 (Central European Time). Nominating States were requested to include a statement as to how candidates fulfil the criteria established in the terms of reference of the Advisory Committee.
4. Since the number of candidates was less than the number of seats at the close of the nomination period, and since not all regional groups had nominated a candidate, the Bureau extended the nomination period until 12 September 2021 (Central European Time) respectively. At the close of the nomination period on 12 September 2021, nine candidates had been nominated for the nine seats on the Advisory Committee.
5. At its ninth meeting, the Bureau recommended that the Assembly elect the nine members by acclamation.
6. The nominations received by the Secretariat are contained in the annex to the present note.

¹ Report of the Bureau on the establishment of an Advisory Committee on nominations of judges of the International Criminal Court (ICC-ASP/10/36), annex, as amended by ICC-ASP/18/Res.4, annex II.

² ICC-ASP/10/36, annex, para. 1.

Annex

Alphabetical list of candidates (with statements of qualifications)

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1. Adjei, Dennis Dominic (Ghana)

[Original: English]

Note verbale

The Embassy of the Republic of Ghana in the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and has the honour to refer to the latter's Note Verbale No. ICC-ASP/20/SP/37 dated 20 May 2021 concerning the submission of nominations for members of the Advisory Committee on Nomination of Judges.

The Embassy wishes to inform the Secretariat that the Government of the Republic of Ghana has decided to nominate His Lordship Justice Dennis Dominic Adjei for election to the Advisory Committee on Nomination of Judges and forward, herewith the enclosed statement of qualifications and curriculum vitae of the nominee.

The Republic of Ghana is a founding member of the International Criminal Court and has since acknowledged the important role of the Court as a mechanism for punishing crimes of impunity, and also acting as a deterrent for potential perpetrators of such crimes. To this end, Ghana has consistently availed itself to participate in and support the activities of the International Criminal Court.

Justice Dominic Adjei is a Justice at the Court of Appeal of the Republic of Ghana since July 2010 and currently serves as Adjunct Associate Professor for the Faculty of Law, University of Cape Coast and Kwame Nkrumah University of Science and Technology, Kumasi. Justice Adjei is an eminent and astute jurist, an academic of repute and of high moral character with recognised competencies and experience in criminal law, criminal procedures, interpretation of law and international migration law. He has held several judicial positions in Ghana, Kenya, Mozambique and Sierra Leone and has many publications in criminal law and procedure to his credit.

Judge Adjei is independent, impartial and a person of integrity, and fully meets the requirements of the terms of reference of the Advisory Committee on Nominations of Judges of the International Criminal Court.

Statement of qualifications

I am a fifty-seven (57) year old Justice of the Court of Appeal, Ghana. I was appointed to the Court of Appeal on 7 July 2010. I hold a Master of Laws in Criminology and Criminal Justice, a Master of Judicial Studies, and an Executive Master in Public Administration. I lecture in criminal law and criminal procedure in various institutions in Ghana including the Judicial Training Institute of Ghana, University of Cape Coast Faculty of Law, and Kofi Annan Peace Keeping Centre. I also lecture International Migration Law in Masters in Justice and Security Administration in Kwame Nkrumah University of Science and Technology, Kumasi-Ghana.

I am one of the few persons who have published extensively in criminal law and criminal procedure in Ghana. I have published two reference books on criminal procedure and criminal law in Ghana and are used by the bench, bar, academia, students, criminal justice institutions, and criminal justice practitioners. The books are described in my curriculum vitae which is attached to the application.

I combine judgeship with academia and in 2018 when the deanship of the Law Faculty of Ghana Institute of Management and Public Administration (GIMPA), a public university became vacant and was finding it difficult to get a law professor to assume office until a substantive appointment was made, the University Council wrote to the then Chief Justice; Justice Sophia Abena Bofoa Akuffo of Ghana to request me to act as an Honorary Dean which I did for one year six months.

I have served on several committees set up by the State and other identifiable bodies to revise aspects of criminal law and procedure in Ghana. I am one of the five judges constituted by the then Chief Justice of Ghana; Justice Georgina Theodora Wood to develop Ghana Sentencing Guidelines in 2013. I also served as one of the five judges appointed in

2018 by the then Chief Justice of Ghana; Justice Sophia Abena Boafoa Akuffo to produce Practice Direction (Disclosures and Case Management in Criminal Proceedings) to regulate criminal trials in Ghana. The document came into force in October 2018 and it is being used by the courts in Ghana.

I chaired the Criminal Law Review Committee in 2015 constituted by the Attorney-General and Minister of Justice to review the laws on corruption in Ghana.

I have delivered several decisions in criminal law and procedure and some of them are reported in the Ghana Law Reports and other respectable law reports in Ghana which are frequently cited by the courts.

I am a person of integrity and have held several judicial positions in Ghana and beyond. I was elected the first chairperson of the Africa Judicial Network on Environmental Law headquartered in Kenya in Johannesburg. In 2019, I was re-elected in Maputo at the Maputo Symposium for another term and will handover in October 2021.

I was appointed by the Sierra Leone Judiciary as its consultant 2016 to help in reforming criminal and civil laws in the country. I also chaired the First Sierra Leone Judicial Conference to reform its laws in 2016.

I was elected the President of the Association of Magistrates and Judges in Ghana (AMJG) in 2012 for two consecutive terms.

I am of the candid opinion that I qualify to be nominated as a member of the Advisory Committee on Nominations of Judges of the International Criminal Court. I am independent, objective and a person of integrity and therefore competent to hold the office for which I have applied.

Curriculum vitae

Personal data

Date of birth: 25 March, 1964

Nationality: Ghanaian

Hometown: Asuoeyebo, Kumasi

Languages: Twi, English

Education

Fellow: Ghana Academy of Arts and Sciences, December 2019.

Master of Judicial Studies (MJS), Duke University School of Law, Durham, North Carolina, USA (2014).

Master of Laws (LLM) (Criminology and Criminal Justice), University of London, London, UK, (2010).

Executive Master of Public Administration (EMPA), Ghana Institute of Management and Public Administration, Accra, Ghana (2010).

Qualifying Certificate in Law, Ghana School of Law, Accra, Ghana (1993).

Bachelor of Arts (Law and Linguistics), University of Ghana, Legon, Accra, Ghana (1991).

Employment

2010 – present **Justice**, Court of Appeal, Ghana.

2019 -2020 **Honorable Dean**, Faculty of Law - Ghana Institute of Management and Public Administration (GIMPA)

2016- present **Adjunct Associate Professor**, Faculty of Law, University of Cape Coast.

2016-present **Adjunct Associate Professor**, Kwame Nkrumah University of Science and Technology, Kumasi.

2010 – present	Senior Lecturer , Ghana School of Law, Accra
2014– present	Member , University of Ghana School of Law Management Committee, Accra, Ghana.
2014 – 2019	Director , Judicial Training Institute, Ghana.
2015- 2019	Oversight Judge for the Courts in Ashanti, Brong-Ahafo, Northern, Upper West and Upper East Regions of Ghana.
2012 – 2015	Oversight Judge , Western and Central Regions of Ghana
2013 – 2014	Director , Public Complaints Unit and Courts Inspectorate Unit of the Judicial Service of Ghana.
1999 – 2010	Founder and Managing Partner , Holy Trinity Chambers, Kumasi, Ghana.
1993 – 1999	Associate , Owusu Bempah Law Chambers, Kumasi, Ghana.

National committees

1. Member- National Mechanism for Reporting Human Rights and Follow up, 2021.
2. Joint Chairperson with Attorney-General and Minister for Justice-Joint steering committee for the Legal and Justice Sector Reform Programme -2015-2017.
3. Chairman-Timber Validation Committee, Ghana, 2014 - 2016.
4. Chairperson-Criminal Law Review committee to review the Criminal Offences Act, 1960(Act 29) and the Evidence Act, 1975, N.R.C.D. 323 regarding laws on corruption.

Other professional activities (selected)

2017-present	Chairperson , Africa Judicial Network on Environmental Law.
2016	Consultant , Reform of Sierra Leone’s Judiciary to improve the efficient delivery of justice to the people of Sierra Leone.
2016	Chairman , First Sierra Leone Judicial Conference.
2012 – 2016	President , Association of Magistrates and Judges of Ghana (AMJG).
2010– present	Chairperson, Appeal Process Committee of the Judicial Service of Ghana.
2010– present	Chairman , Private Process Service Committee of the Judicial Service of Ghana.
2008 – 2010	President , Ghana Bar Association, Ashanti Region Branch.
2008 – 2010	Bar Council Member , Ghana Bar Association.

International workshops/ training and conferences attended and made presentations

1. Judicial Case Management, Trinidad and Tobago, 2018.
2. Greening the Judiciary, Maputo – Mozambique, 2018.
3. Human Rights and Transgender, Johannesburg, South Africa 2018.
4. Migration and Human Rights, Washington DC, United States of America, 2018.
5. Conference on Water, Brasilia – Brazil, 2017.
6. Environment and Green House effect, Johannesburg, South Africa, 2017.
7. Commonwealth Magistrates and Judges Association, Jersey Island – Case Management, 2011.

Local workshops/ training and conferences attended and made presentations

1. Inaugural Lecture as a Fellow of Ghana Academy of Arts and Sciences on the topic: “The Changing Trends in Land Law, Policy, Governance and Management under the Land Act, 2020 (Act 1036)” in Accra on 29th April, 2021.
2. The applicability of the Public Financial Management Act, 2016 (Act 921) to Management and Senior Staff Members of the Ghana Energy Commission- July, 2021.
3. Disclosures and Due Process: An examination of the right to silence in the Discovery Process and Case Management in Criminal Proceedings in Ghana- Ghana Bar Association-continuous Legal Education, Accra- April,2021.
4. The Role of the Members of the Judicial Committee of the National House of Chiefs in Kumasi- April, 2021.
5. Disclosures and Due Process: An Examination of the Right to Silence in the Discovery Process and Case Management in Criminal Proceedings in Ghana.- Bar-Bench - Faculty Lecture in Accra August, 2020.
6. Basic Training in Rules of Evidence for Public Utility Regulatory Authority in Koforidua, July, 2019.
7. The Role of a Mediator and Reasoning in Mediation Judgment Writing for Commissioners and Mediators of the Labour Commission, April, 2019.
8. Legal Education in Ghana and the Law Graduate; Challenges and prospects; University of Cape Coast Sixth Law Confab on 20th March 2019.
9. Interpretative Jurisdiction of the Supreme Court for Management and Senior Members of the Legal Aid Commission at Aburi, March, 2019.
10. The Anatomy of Trial from Commencing Action to Judgment- How do the changes made by C.I.87 fit in? Bar-Bench - Faculty Lecture, January 2019.
11. Case Management, Ethics and Human Trafficking, West Africa Regional Training Center – Accra, 2012, 2013, 2014, 2015, 2016, 2017, 2018 and 2019.
12. Enforcement of Fundamental Human Rights and Supervisory Powers of the Courts; Ghana Bar Association at its Annual General Conference at Koforidua on 12th September 2018.
13. Promoting Human Rights Awareness in Business and its Relevance to the Ghanaian community; Human Rights Conference at Ghana Institute of Management and Public Administration (GIMPA) on 27th August 2018.
14. Execution Process in respect of the Decisions of Court and Quasi-Judicial Bodies; Ghana Bar Association as part of its Continuous Legal Education on 27th March 2018.
15. Presentation on “Types of Applications that may be filed under the High Court Civil (Procedure) Rules, 2004 (C.I 47)”; Ghana Bar Association as part of its Continuous Legal Education on 26th March 2018.
16. Continuous legal education on 20th March 2018.
17. The Use of Applications and Pre-Trial Protocols to Shorten Trials; Ghana Bar Association, Sensitisation Workshop on “Adoption in Ghana for High Court Judges”, 8th February 2018.
18. Seminar for High Court Judges on “Causes or Matters Affecting Chieftaincy”. 18th January 2018.
19. Council of Europe on Electronic Evidence, 2017 and 2018.
20. The Role of Regulatory Bodies in Nation Building at the Wisconsin University College Law Students' Week, Accra on 25th October 2017.
21. The Future of Legal Education in Ghana; Reflection on the Case of Professor Stephen Kwaku Asare v Attorney - General and General Legal Council. Organized by Legal

Academics at the Kwame Nkrumah University of Science and Technology, Kumasi from 20th to 21st October 2017.

22. Rewarding Academic Excellence for a Higher Purpose - The Royal Bank- COHSS Awards at the Kwame Nkrumah University of Science and Technology; 3rd March 2017.

23. Shippers' Authority and Judicial Training Conferences on Maritime Law, 2011, 2012, 2013, 2014, 2015 and 2017.

24. Training on Minerals and Mining Laws, Ghana Chamber of Commerce – 2016 and 2017.

25. Accuracy and Error in the Criminal Justice Process; the role of the Bench, Bar and Faculty - the University of Cape Coast Law Faculty Second Law Confab, April 2015.

26. Judicial Training Institute in collaboration with the French Embassy On Human Trafficking, 2015.

27. Contempt of Court in Ghana- Association of Magistrates and Judges of Ghana Conference, October 2014.

28. Deference Theory and Unfair Termination in Ghana

29. Case Management under the High Court Civil Procedure Rules, 2004,

30. C.I. 47.

31. Association of Magistrates and Judges Conference (AMJG), 2011, 2012, 2013, 2014.

Positions held (non-legal)

2014 – 2016 **Pastoral Council Chairman**, Christ the King Church, Accra, Ghana.

2014 – 2016 **Supreme Trustee**, Knights of Saint. John International, World Wide (USA).

2012-2014 **President**, Knights of Saint John, Ghana.

2012-2013 **Council Member**, Saint Louis College of Education, Kumasi, Ghana.

2007 – 2009 **Board Chairman**, Amaniampong Secondary School, Mampong, Ashanti

2004-2014 **Board Chairman**, Denyaseman Catholic Senior High School, Poano, Ghana.

2002 – present **Board Chairman**, Saint. Patrick's Hospital, Offinso, Ghana.

2002 – 2006 **Grand President**, Knights Of Saint. John International, Ghana.

2000-2014 **Board Chairman**, Afia Kobi Girls' Senior High School Kumasi, Ghana.

2000-2009 **Board Chairman**, Saint. Patrick Midwifery Training School, Offinso.

2000 – 2008 **Chairman**, Archdiocesan Pastoral Council of the Catholic Archdiocese of Kumasi, Ghana.

2000 - 2008 **Chairman**, Saint Peter's Vocational School.

1996 – 2006 **President**, Saint Peter's Catholic Church, Asuoyebo, Kumasi, Ghana.

Honorary position

Knighted by His Holiness Pope Benedict XVI to The Order of St. Gregory, the Great on 18th October 2005.

Publications

Textbooks

1. Adjei, D.D. & Ackah- Yensu B.F. (2021) Alternative Dispute Resolution- A Ghanaian Perspective; Buck Press Limited Publisher, Ghana.

2. Adjei, D.D. (2021), Modern Approach to the Law of Interpretation in Ghana, 3rd Edition (Reprinted) Buck Press Limited Publisher, Ghana.

3. Book - Criminal Practice and Procedure in Ghana (G- PAK Limited, 2nd Edition 2019).
4. Book - Modern Approach to the Law of Interpretation in Ghana (G- PAK Limited, 3rd Edition 2019).
5. Book - Land Law, Practice and Conveyancing in Ghana (Adwinsa, 2nd Edition 2018).
6. Book- *Contemporary Criminal Law in Ghana* (G- PAK Limited, 2017).
7. Book Chapter -A Commitment to law, Development and Public Policy. "Progressive Chief", "Service Chiefs" and "Heads of Communities" in the Chieftaincy Institution of Ghana and their Legal Effect, pages 476 – 478. A Festschrift in Honour of Nana Dr SKB Asante edited by Richard Frimpong Oppong and Kissi Agyebeng published by Wildy, Sommonds & Hill Publishing 2016.

Articles

1. Is Consent a sine Qua Non in Seeking Medical Treatment?
2020- GIMPA Law Journal –Fifth Edition.
2. Non –Ghanaian Citizens Weep for Losing Their Lands Whiles Ghanaians Laugh, 21 August 2019: The Day of Reckoning. 2020- GIMPA Law Journal –Fifth Edition.
3. Rescuing Lessors and Lessees from Hardship Emanating From Rent Review and Renewal Clauses.
2019- Lancaster University Law Journal- 2019 Edition.
4. Deference Theory and Unfair Termination in Ghana.
2019- Judges and Magistrates Law Journal.
5. Case Management under the High Court Civil Procedure Rules. ,C.I 47
2019- Judges and Magistrates Law Journal.
6. *Building a Strong Judiciary: Discharging the Constitutional Mandate*, 2011- AMJG News Journal, Oct. 2011 Edition.
7. *Applications before the Court of Appeal*, 2012, at [www.ghanabar.org/ publications](http://www.ghanabar.org/publications).
8. *Systematic Violations of Prisoner's rights, Who is to blame?* CLE 2013, at www.ghanabar.org/publications.
9. *Contempt of Court in Ghana*, AMJG News Journal, October, 2015 Edition.

Referees

1. Archbishop Peter Kwasi Sarpong, Emeritus Archbishop of the Catholic Archdiocese of Kumasi
2. Paul Adu Gyamfi Esq. Africana Chambers, Kumasi. Former President of the Ghana Bar Association.
3. Justice Barbara Frances Ackah-Yensu Justice of the Court of Appeal, Ghana

2. Fernandez, Julian (France)

[Original: French]

Note verbale

The Embassy of France to the Netherlands presents its compliments to the International Criminal Court (Assembly of States Parties) and has the honour to inform it that the French authorities have decided to nominate Mr Julian Fernandez for election to the Advisory Committee on Nominations at the elections scheduled to take place at the twentieth session of the Assembly of States Parties.

Since the International Criminal Court was established, France has provided continued support and considers that the quality and effectiveness of the work of the Court are essential to combat impunity.

France's decision to nominate Mr Julian Fernandez forms part of this commitment to the Court. In addition to his in-depth knowledge of the ICC and its operation, Professor Fernandez has demonstrated great integrity and impartiality during the course of his career, as demonstrated by his qualifications and his *curriculum vitae*.

Statement of qualifications

France nominates Professor Julian Fernandez for election to the Advisory Committee on Nominations of judges of the International Criminal Court.

This statement is submitted pursuant to article 36(4)(c) of the Rome Statute, regarding the process of preparing for the election of members of the Advisory Committee on Nominations of judges of the International Criminal Court by the Assembly of States Parties.

Mr Julian Fernandez's nomination, which includes his *curriculum vitae* appended to this statement, fully meets the requirements of the terms of reference for the establishment of the Advisory Committee on Nominations, appended to resolution ICC-ASP/10/Res.5 adopted by the Assembly of States Parties to the Rome Statute of the International Criminal Court.

Paragraph 2 of the terms of reference provides that: "Members of the Committee should be drawn from eminent interested and willing persons of a high moral character, who have established competence and experience in criminal or international law." Mr Julian Fernandez's nomination fully meets the criteria for nominations in every respect.

Firstly, he has proven and particularly extensive knowledge and experience of international criminal law and of the International Criminal Court. Mr Fernandez is a professor of public law specialising in international criminal justice and defended his thesis on "The foreign legal policy of the United States vis-a-vis the International Criminal Court" ("La politique juridique extérieure des Etats-Unis à l'égard de la Cour pénale internationale"). For over ten years he has been lecturing on Human Rights both in France and abroad. He is currently the co-director of the Masters in "Human Rights and International Justice - international criminal justice major" at Université Paris 2 Panthéon-Assas.

The quality of Professor Julian Fernandez's scientific work sets him apart. He has established and co-directs one of the most important scientific events in the field of international criminal law for the French-speaking world, the "International Criminal Justice Days", an annual conference which brings together top academics and expert practitioners in this field. He is also the author of a number of legal publications on this topic and been involved in writing several works, including the French-language reference work on the International Criminal Court entitled "Article by article commentary on the Rome Statute of the International Criminal Court" ("Commentaire article par article du Statut de Rome de la Cour pénale internationale").

Since 2011 Mr Julian Fernandez has also been an Assessor at the National Court of Asylum, a court which has jurisdiction to rule on appeals submitted by asylum seekers whose initial application has been rejected. This role has given him the opportunity to familiarise himself with the qualifications required to be a judge.

In all his roles, Professor Julian Fernandez demonstrates great integrity, complete fairness and more generally his high moral character.

France is confident that the professional experience and qualifications of Mr Julian Fernandez will usefully continue to support the work of the Advisory Committee on Nominations of Judges of the International Criminal Court.

Curriculum vitae

1. Academic career

Employment

- 2015 – present: **Professor of Public Law at Université Paris II Panthéon-Assas**

Academic duties

- Director of **Centre Thucydide**, the university's interdisciplinary institute for analysis and research in International Relations, EA 3039 [www.afri-ct.org]
- Co-director of the master's program in Human Rights and International Justice, major in International Criminal Law [with Prof. Olivier de Frouville and Prof. Didier Rebut]
- Founder and Co-director of the Undergraduate Diploma (DU) in Asylum & Refugee Law [with Ms. Delphine Burriez]
- Co-director of the International Law Clinic at Assas [with Prof. Sébastien Touzé]
- Elected member of the Faculty Council for graduate and postgraduate studies in Law & Political Science
- Former Director of the master's program in International Relations (1st and 2nd year) (2015-2017)

Teaching

- International Relations (37h), Bachelor 1st year
- International Criminal Law (24h), Master 2nd year
- Introduction to International Relations Studies (25h), Master 1st year
- Advanced Public International Law (25h), Master 1st year
- Seminar on International Criminal Justice (20h), Master 2nd year
- International Affairs (30h), Bachelor of Law (LL.B., Mauritius)
- International Organizations (15h), Bachelor of Law (LL.B., Dubai)

Teaching in other institutions and abroad

- The United States and International Law (15h), Nanterre (France), EEDIN, 2019
- International Protection and Asylum Law (12h), Paris (France), Sciences Po, 2014-2019
- International Criminal Justice, Caen (France), 18th University for Peace, IIDHP, 2018
- War-Fleeing Exiles, Caen (France), 21st University for Peace, IIDHP, 2021
- Refugee Law, Bamako (Mali), René Cassin Foundation and the United Nations Mission in Mali, 2018
- International Criminal Law, Dakar (Senegal), René Cassin Foundation, 2017 and 2020
- Non-Refoulement, Strasbourg (France), 18th Session on Refugees, René Cassin Foundation and UNHCR, 2015

- International Criminal Law, Beirut (Lebanon), René Cassin Foundation and Francophone university network AUF, 2013

Training programmes

- Speaker in the International Criminal Justice training programme organized by the French National School for the Judiciary (ENM), Paris campus (2016, 2017), presentation on International Crimes
- Speaker at the 8th edition of Human rights and International Criminal Law intensive courses in Lubumbashi and Kinshasa (DRC), organized by the French public agency Campus France (2019, 2021)

➤ 2010-2014 **Professor of Public Law at Université Lille 2**

Academic duties

- Elected member of the Faculty Council
- Chair of the Examination Board for the 1st year of the Bachelor of Law
- Creation of the master's programme (2nd year) in International Criminal Justice

Teaching

- International Relations (37h), Bachelor 1st year
- Advanced Public International Law (36h), Master 1st year
- Administrative Institutions (37h), Master 1st year
- Human Rights (24h), Master 2nd year

International activities

- 2021 **Visiting Professor** at Universidad de Buenos Aires, Franco-Argentinian Centre, (Argentina)
- 2019 **Visiting Professor** at Galatasaray Üniversitesi (Turkey)
- 2018 **Visiting Professor** at Université Laval (Québec, Canada)
- 2016 **Visiting Professor** at the Federal University of Minas Gerais (UFMG - Brazil)

Participation in academic societies, associations and journals

Editorial Board of the *Annuaire français de droit international* (AFDI)

Academic Council of the Association française pour les Nations Unies (AFNU)

Scientific Council of *Questions internationales*, La documentation française

Scientific Council of the *Revue de droit international d'Assas* (RDIA)

Scientific Council of the Institut international des droits de l'homme et de la paix (IIDHP)

Editorial Board of the *Revue de Défense nationale* (RDN)

Review Committee of *Champs de Mars*, Presses de Science po

Editorial Board of the *University of Bologna Law Review*

Member of the Société française pour le droit international (SFDI), the International Law Association (francophone section), and the Société québécoise de droit international (SQDI)

Member of various **Selection Committees** for Lecturers and Senior Lecturers (Université de Rouen, Institut national des langues et civilisations orientales (INALCO), etc.)

Education

- 2010 **Admitted at the “Agrégation” in Public Law**, the French national competitive examination for the status and recruitment of Professors (first attempt, rank: 5th)
 - 2010 Listed by the National Universities Council (CNU) as **qualified for senior lecturer positions** in Public Law (and selected as first choice for positions opened in Université Paris II Panthéon-Assas, Saint-Cyr military academy, Université Paris XI)
- 2009 **PhD in Public Law, Université Paris II Panthéon-Assas**
 - Thesis on the foreign legal policy of the United States toward the International Criminal Court; Thesis defense on May 4th, 2009; composition of the committee: Prof. Serge Sur (Chair of the committee), Prof. Emmanuel Decaux (PhD supervisor), Prof. Hervé Ascensio and Prof. Gilles Cottreau (rapporteurs), and Amb. Jean-François Dobelle (voting member)
 - Summa cum laude*, recommended for publication and for a prize, received the University’s honors and 1st Prize of the Institut des hautes études de défense nationale (IHEDN, Prime Minister - France)
- 2003-2009 **PhD Candidate in Public Law, Université Paris II Panthéon-Assas**
 - Doctoral Fellow (2003-2006), then Graduate Assistant in Public Law (2006-2008) at Université Paris II Panthéon-Assas; Graduate Assistant in Public Law (2009-2010) at Université d’Orléans
 - Participation in the work of the Centre for Studies and Research in International Law and International Relations (“Terrorism and International Law”), francophone section, **The Hague Academy of International Law** (2006); Grant from the Academy
 - 3-Month Visiting Scholar at the **Fletcher School of Law and Diplomacy**, Tufts University, Medford (Massachusetts), United States, under the supervision of Prof. Michael J. Glennon; Grant from Université Paris II Panthéon-Assas
 - Doctoral Fellow, Université Panthéon-Assas, 2003-2006
- 2003 **Master’s in International Relations, Université Paris II Panthéon-Assas**
 - Major in International Politics, research-oriented, *magna cum laude* (valedictorian)
- 1996-2002 **Graduation in Law** (Bachelor and master’s in international law- Université Jean Moulin Lyon 3) and Political Science (International Studies at Sciences Po Lyon, Université Lyon 2), with honours.

Languages

- French (native)
- English (fluent, B2/C1)
- Spanish (basic)

2. Scientific responsibilities

- Since 2020 **Co-director of the *Annuaire français de relations internationales*** (AFRI) [with Prof. Jean-Vincent Holeindre]; Formerly Deputy Director and in charge of the section “Foreign Legal Policy” (2010-2018)
 - The AFRI is an academic yearbook of International Relations and focuses on all aspects of international affairs, including politics, strategy, economy, culture, technology, etc.; With its multidisciplinary approach, it brings together the scholarship of French and international practitioners, academics and researchers diplomats and experts. It is produced by an

Editorial and Review Committee. All papers now go through a double-blind peer-review process under the supervision of an interdisciplinary Editorial Board;

Institut de France award for 2008

- 2019-2023 **Coordinator of the “Refwar” research project on the protection of war-fleeing refugees in France**, funded by the French national agency for research (ANR, project code CES 41) – **Inequality, discrimination, migration**

The Refwar Project focuses on the protection, in France, of “war-fleeing refugees”, i.e. people forced into exile by an armed conflict in their country of nationality or usual residence. It aims to spotlight one of the main aspects of modern forced migrations by assessing applicable legal instruments (field investigation), by offering a continual analysis of the situation of war-fleeing refugees in France (publications, website with regular reports and news and a review of case-law), by improving the training of involved actors (creation of a specialised degree and a law “clinic”), and by suggesting changes to refugee law (establishing a new protective status based on humanitarian grounds)

In cooperation with Université de Reims (Prof. Alexis Marie), Université de Versailles (Prof. Thibault Fleury Graff) and the UNHCR Representation in France (Caroline Laly-Chevalier)

Duration: 42 months – Budget: € 250,000 – www.refwar.fr

- Since 2020 **Executive Editor** of Centre Thucydide series, Collection Biblis, CNRS Editions (over a dozen works published)
- Since 2016 **Founder and Co-Director of the “Journées de la justice pénale internationale”** [International Criminal Justice Days] (6 events)

An annual two-day conference held at Université Panthéon-Assas, which brings together the best academics and practitioners (judges, lawyers, legal experts, etc.) who specialise in international criminal justice. It is undoubtedly the largest scientific event in this field in the French-speaking world.

3. Expert missions and external activities

- **United Nations High Commissioner for Refugees**

Associate Justice at the Cour national du droit d’asile (CNDA), the French National Asylum Court which hears appeals on Asylum matters, since 2011. Appointed by the President of the court to sit in the 9-judge Chambers and in the working group on court hearings (2016-2017)

- **Agence nationale pour la Recherche (ANR)**, the French national research agency
 - Vice-President of the Scientific Assessment Committee for the Programme “Innovation – Labour” (CE 26) (2017), and Expert Member of the project’s halfway review committee
 - Member of the Scientific Assessment Committee for the Programme “Innovation – Labour” (CE 26) (2016)
 - Vice-President of the Scientific Assessment Committee for the Programme “Globalisation and Governance” (2012)
- **Haut conseil pour l’évaluation de la recherche et de l’enseignement supérieur (HCERES)**, independent administrative authority in charge of the assessment of French higher education and research structures
 - Expert Member of university research Assessment Committees, assessing CTAD (Nanterre) in 2018, and ISC-EPRED (Poitiers) in 2017

- **GOVERNMENT DEPARTMENTS**
 - Joint organization , with the French Embassy in the Netherlands and The Hague Academy of International Law, of the first **International Criminal Law Moot Court Competition**, in French, 1st edition planned for 2022
 - Joint organization, with Prof. Muriel Ubeda-Saillard, of the French Ministry of Europe and Foreign Affairs **Seminar on the Review Process of the International Criminal Court**, February 26th, 2021 [co-sponsored by Senegal]
- **Association pour les études sur la guerre et la stratégie (AEGES – interdisciplinary association focusing on war studies and strategic studies)**, [www.aeges.fr]
 - **Member of the Board** (2016-2020), **President** (2017-2019), Co-director of the working group on International Criminal Justice
- **Membership of Selection and Prize Committees**
 - For the **Albert Thibaudet Prize** (annual award for the best French book on International Relations), since 2014
 - For the **Jacques Mourgeon PhD Prize**, SFDI, 2018-2020
 - For the **International Criminal Justice PhD Prize**, Institut Universitaire Varenne, 2017-2018
 - For the final stage of the Lombois Moot Court Competition, 2017
 - President of the **bar examination committee**, IEJ Paris 2, 2016-2017
 - For the competitive examination for admission to the **École nationale d’Administration** (ENA), “International Issues” examination, 2014-2016
 - For the **recruitment examinations of the French Ministry of Foreign Affairs for the grades Conseiller des affaires étrangères (Middle East and Far East) and Secrétaire des affaires étrangères (Middle East and Far East)**, “Public Law” and “International Issues” examinations, 2015-2016
- **Public hearings**
 - Appearance before the **Conseil économique, social et environnemental** (Economic, Social and Environmental Council), European & Foreign Affairs section, on the reception and integration of asylum seekers in the European Union, January 30th, 2018
 - Appearance before the **Conseil d’État** (Council of State) for the assessment of the administrative jurisdictions, September 25th, 2018
 - Speaker at the *Battle Lab Rens*, organized by the **Ministère des Armées**, the French ministry of defence, Directorate of Military Intelligence, Intelligence Campus, November 25th, 2020

4. Post-doctoral and doctoral research supervision

HDR Dissertation Supervision – i.e. Senior-level dissertation for assistant professors, allowing candidates to supervise PhD candidates.

- Olivier Beauvallet, Nice, 25 March 2021
- Blandine Mallevaey, Douai, 28 August 2020
- Raphaëlle Nollez-Goldbach, École Normale Supérieure, 26 November 2018

PhD dissertations

- **3 PhD dissertations supervised and defended**
 - Isabelle Facon, *The Military Factor in the Security Policy of Russia Under Putin’s Rule (2000-2019)*, Université Paris II, defended in 2020, awarded the PhD Prize of the university

- Barbara Hild, DCM-Teaching Assistant Lille, *Freedom of Speech for Incarcerated Persons*, Université Lille 2, defended in 2018
 - Mohammed Bahou, *Al-Qaeda's Franchises in Africa*, Université Paris II, defended in 2017
- **18 PhD candidates under supervision**, including 13 grant beneficiaries (DC – *doctorant contractuel* (PhD students on a fixed-term contract employed by the state) , ATER- Teaching Assistants) and 8 being co-supervised
- Dima Alsajdeya (TA Collège de France), *The Involvement of a Regional Power in Political Conflict Resolution: The Case of Egypt and the Israeli-Palestinian Conflict* [with Prof. Henry Laurens], started in 2017
 - Louis-Marie Baille (Army Officer), *Tactical Nuclear Weapons*, started in 2018
 - Camille Bayet (DC Paris II Assas), *The Legitimacy of Peacekeeping Operations* [with Prof. Jean-Vincent Holeindre], started in 2020
 - Philippe Bou Nader, *The Legal Framework for the Use of Force Against Non-State Actors*, started in 2016
 - Rachid Chaker (DCM/TA Paris II Assas), *Rivalries of Influence in the Persian Gulf Since 2003* [with Prof. Jean-Vincent Holeindre], started in 2015
 - Charles-Emmanuel Detry (DC/TA Paris II Assas), *The Contribution of International Law to the International Order in the South China Sea*, started in 2016
 - Andréa Feuillâtre (DC Paris II Assas), *The Discretionary Power of the Prosecutor of the International Criminal Court*, started in 2020
 - Alexandra Grangien, *Criminal Procedure Rules in the International Criminal Court*, started in 2020
 - Joanne Kirkham (DCM/TA Paris II Assas), *The regulation of Lethal Autonomous Weapons* [with Prof. Olivier de Frouville], started in 2017
 - Léa Jardin (TA Paris 13), *The protection of Unaccompanied Minors in European and International Human Rights Law* [with Blandine Mallevaey], started in 2017
 - Mathilde Jeantil (DCM/TA Paris II Assas), *Economic Sanctions and Nuclear Proliferation*, started in 2016
 - Arnaud Mentré (diplomat), *Sanctions in Contemporary International Relations*, started in 2020
 - Carine Monteiro (DC Paris II Assas), *China and Lawfare* [with Paul Charon], started in 2020
 - Louis Perez (DC Paris II Assas), *Artificial Intelligence for Defence purposes*, started in 2019
 - Christophe Richer (DCM Paris II Assas), *France's Overseas Military Operations Since 2001*, started in 2019
 - Marie Roy (DC Paris II Assas), *Epidemics and Conflicts in International Relations* [with Prof. Jean-Vincent Holeindre], started in 2015
 - Sandrine de Sena, *The Application of the Rights of the Defence before the International Criminal Court* [with Prof. Fannie Lafontaine], started in 2018
 - Marie Wilmet (DC European University Institute), *Addressing the Harms of Victims of Sexual and Gender-Based Violence in International Criminal Procedure* [with Prof. Neha Jain]

5. Publications

Books

➤ Sole author

- 2022 ***Droit international penal***, Paris, LGDJ, collection Systèmes
- 2nd edition (2022): *to be published*
- 1st edition (2020): 232 p.
- 2021 ***Relations internationales***, Paris, Dalloz, collection Précis
- 3rd edition (2021), *in press*
- 2nd edition (2019), 792 p.
- 1st edition (2018), 732 p.
Awarded the Edouard Bonnefous Prize, Académie des Sciences morales et politiques, Institut de France, 2018
- 2019 ***Exilés de guerre. La France au défi de l'asile***, Paris, Armand Colin, collection Engagements, 192 p.
- 2010 ***La politique juridique extérieure des États-Unis à l'égard de la Cour pénale internationale***, Paris, Pedone, 650 p.
Awarded the Choucri Cardahi Grand Prize, Académie des Sciences morales et politiques, Institut de France, 2011

➤ Co-author or editor

- 2022 ***Les décisions de l'asile*** [with Prof. Thibaut Fleury Graff and Prof. Alexis Marie], Paris, PUF, collection Droits fondamentaux, "Case Law" series, *to be published*
- 2021 ***Nations désunies. La crise du multilatéralisme dans les relations internationales contemporaines*** [ed., with Prof. Jean-Vincent Holeindre], Paris, CNRS, Biblis, *in press*
- 2021 ***Universalité et complémentarité de la justice pénale internationale. Actes des cinquèmes journées de la justice pénale internationale*** [ed., with Prof. Olivier de Frouville], Paris, Pedone, 184 p.
- 2020 ***Les Opérations extérieures de la France*** [ed., with Jean-Baptiste Jeangène Vilmer], Paris, CNRS Éditions, Biblis, 335 p.
- 2020 ***L'hirondelle et la tortue. Actes des quatrièmes journées de la justice pénale internationale*** [ed., with Prof. Olivier de Frouville], Paris, Pedone, 184 p.
- 2019 ***Commentaire article par article du Statut de Rome de la Cour pénale internationale***, Paris, Pedone
- 2nd edition (2019) [ed., with Xavier Pacreau and Prof. Muriel Ubéda Saillard], 2 volumes, 2,980 p.
- 1st edition (2012) [ed., with Xavier Pacreau], 2 volumes, 2,459 p.
Awarded the Choucri Cardahi Grand Prize, Académie des Sciences morales et politiques, Institut de France, 2013
- 2018 ***Les mutations de la justice pénale internationale. Actes des troisièmes journées de la justice pénale internationale*** [ed., with Prof. O. de Frouville], Paris, Pedone, 192 p.
- 2016 ***Justice pénale internationale*** [ed.], Paris, CNRS Éditions, Biblis, 432 p.
- 2015 ***Droit d'asile. État des lieux et perspectives*** [ed., with Caroline Laly-Chevalier], Paris, Pedone, 424 p.

- 2014 **Liber Amicorum Serge Sur** [ed., with Prof. Nicolas Haupais], Paris, Pedone, 411 p.
- 2013 **Élections américaines. Un bilan** [ed.], Paris, Pedone, 191 p.
- 2008 **The United States and the European Union: Perceptions and Challenges** [ed., with Célia Belin and Leah Pizar], Paris, LGDJ, Global Understanding Series, 181 p.

Book chapters & academic papers

- 1-5 2013-21 Director of the biennial chronicle “**Juridictions pénales internationales**” in *Annuaire français de droit international* (AFDI) [with Prof. Muriel Ubeda Saillard and Anne-Laure Chaumette], *becomes an annual chronicle from 2021*
- 1 AFDI 2021, to be published
- 2 AFDI 2019, p. 439-490
- 3 AFDI 2017, p. 517-573
- 4 AFDI 2015, p. 543-612
- 5 AFDI 2013, p. 359-425
- 6 2021 “**L’adaptation de la Cour pénale internationale à la pandémie de Covid-19**” [avec Aude Brejon] in Raphael MAUREL (dir.), *L’éthique des procédures contentieuses en temps de pandémie. Approches de droits international et comparé*, Bruxelles, Bruylant, à paraître
- 7 2021 “**A Two-Faced Totem: The Nuremberg Principles and the Rocky Road to International Criminal Justice**”, in Viviane Dittrich (ed.), *70 years of the Nuremberg Principles*, The International Nuremberg Academy, *in press*
- 8 2021 “**France – opération Barkhane. Élimination de Bah Ag Moussa**”, *RGDIP*, Chronique des faits internationaux, 2021/1, p. 77-83
- 9 2021 “**Les réparations des violations du droit des conflits armés**”, in Jean Belin, Sébastien- Yves Laurent and Anne-Marie Tournepiche (eds.), *La conflictualité armée : enjeux interdisciplinaires*, Paris, Pedone, p. 213-228
- 10 2021 “**Cour pénale internationale**”, in Valère Ndior (ed.), *Dictionnaire de l’actualité internationale*, Paris, Pedone, p. 151-153
- 11 2021 “**Réfugiés**”, in Valère Ndior (ed.), *Dictionnaire de l’actualité internationale*, Paris, Pedone, p. 469-473
- 12 2021 “**Veto**”, in Valère Ndior (ed.), *Dictionnaire de l’actualité internationale*, Paris, Pedone, p. 536- 539
- 13 2020 “**La mer, zone de survie : conclusions**” in Hélène Raspail (ed.), *Les droits de l’homme et la mer*, Paris, Pedone, 346 p., p. 185-192
- 14 2020 “**Rapport introductif**” [with Jean-Baptiste Jeangène Vilmer] in *Les Opérations extérieures de la France* [ed., with Jean-Baptiste Jeangène Vilmer], Paris, CNRS Éditions, Biblis, p. 13-37
- 15 2020 “**Note de lecture sur B. Haddad, Le Paradis perdu. L’Amérique de Trump et la fin des illusions européennes**”, *AFRI*, issue XXI, p. 885-887
- 16 2020 “**Le confinement des garanties des demandeurs d’asile. À propos de l’ordonnanc^o 2020-558 du 13 mai 2020**” [with Prof. Thibaut Fleury Graff and Prof. Alexis Marie], *La semaine juridique*, Libres propos, n^o44-45, p. 1,108
- 17 2019 “**La politique juridique extérieure des États-Unis à l’égard de la Cour pénale internationale : ruptures et continuité**”, in Florian Couveinhes and Raphaëlle Nollez Goldbach (eds.), *Actes de la 1ere journée de droit international de l’ENS*, Paris, Pedone, 256 p., p. 123-142
- 18 2019 “**Lawfare : le droit comme continuation de la guerre par d’autres moyens ?**”, *La semaine juridique*, Libres propos, n^o44-45, p. 1,108

- 19 2019 “**Les États-Unis et la Cour pénale internationale**”, in *Commentaire article par article du Statut de Rome de la Cour pénale internationale* [ed., with Xavier Pacreau and Prof. Muriel Ubéda Saillard], Paris, Pedone, 2nd edition, 2 volumes, 2,800 p., p. 214-228
- 20 2019 “**Asile et risque sécuritaire : une déconnexion discutable entre la reconnaissance de la qualité de réfugié et l’octroi d’un statut** (CJUE, *M. c. Ministerstvo vnitra (C-391-16)*, et *X (C-77/17)*, *X (C-78/17) c. Commissaire général aux réfugiés et aux apatrides*, arrêt du 14 mai 2019)” [with Prof. Thibaut Fleury Graff and Prof. Alexis Marie], *AJDA*, p. 1,788-1,796
- 21 2019 “**L’essor de la corruption dans les relations internationales**”, *Revue française de finances publiques*, n°147, p. 101-109
- 22 2019 “**Note de lecture sur S. Schmitt, *La ruée vers l’Europe***”, *AFRI*, vol. XX, p. 1,039- 1,041
- 23 2019 “**La politique française de l’asile**”, in Gérard Cahin, Florence Poirat, Sandra Szurek (eds.), *La condition internationale des personnes et des biens*, Paris, Pedone, p. 303-324
- 24 2018 “**États-Unis – Statut de Rome. Déclarations de l’Administration Trump à l’encontre de la Cour pénale internationale**”, *RGDIP*, Chronique des faits internationaux, 2019/1
- 25 2018 “**Introduction à l’Atelier III**” [with Prof. Hélène Tigroudja], *Actes du colloque de la SFDI sur la souveraineté pénale*, Paris, Pedone, 519 p., p. 389-391.
- 26 2018 “**Le concept de « pays tiers sûr » en droit de l’asile**” [with Chloé Viel], *AJDA*, n°6, p. 322-328
- 27 2018 “**Commentaire de l’article 9 de la Déclaration des droits de l’Humanité**”, in Fabrice Picod (ed.), *La déclaration des droits de l’Humanité*, Brussels, Bruylant, 139 p., p. 79-83
- 28 2018 “**Deferral requested by the United Nations Security Council (ICC)**” in Hélène Ruiz- Fabri (ed.), *The Max Planck Encyclopedia of International Procedural Law (EiPro)*, Oxford University Press, www.mpi.lu/mpeipro/
- 29 2018 “**Note de lecture sur O. Schmitt, *Pourquoi Poutine est notre allié ?***”, *AFRI*, issue XVIII, p. 1023-1024
- 30 2017 “**La lutte internationale contre le terrorisme. Présentation introductive**”, in Sylvain Jacopin and Aurélie Tardieu (eds.), *La lutte contre le terrorisme*, Paris, Pedone, 312 p., p. 129- 132
- 31 2017 “**Droit et pratique de l’asile en France**”, *Diritto, Immigrazione e Cittadinanza*, n°1/2017, www.dirittoimmigrazionecittadinanza.it
- 32 2017 “**Entre stratégies de défausse et équilibre précaire : À propos de trois incertitudes du régime de la protection subsidiaire c)**”, in Catherine-Amélie Chassin (ed.), *La réforme de l’asile mise en œuvre*, Paris, Pedone, 216 p., p. 176-184
- 33 2017 “**L’interdiction des « robots-tueurs » au nom du désarmement humanitaire : quelques observations critiques**”, in *Mélanges Emmanuel Decaux*, Paris, Pedone, 1373 p., p. 175-188
- 34 2017 “**Statut de Rome : révision**”, in Olivier Beauvallet (ed.), *Dictionnaire encyclopédique de la justice pénale internationale*, Paris, Berger-Levrault, 1052 p., p. 863-865
- 35 2017 “**Justice pénale internationale**” in Frédéric Ramel, Jean-Baptiste Jeangène Vilmer and Benoit Durieux (eds.), *Dictionnaire de la guerre et de la paix*, Paris, PUF, 1513 p., p. 765-773
- 36 2016 “**Les étirements du droit de légitime défense (bis) : à propos de l’intervention française en Syrie**”, *Anuário Brasileiro de Direito Internacional*, issue XII, p. 73-98

- 37 2016 **“Rapport introductif”** in *Justice pénale internationale* [ed.], Paris, CNRS Éditions, Biblis, 432 p., p. 11-24
- 38 2016 **“Les systèmes d’armes létaux autonomes : en avoir (peur) ou pas”**, *Revue Défense Nationale*, June issue: “Espace et projection de puissance”, p. 133-141
- 39 2016 **“2015, Sauve qui peut !”**, Annual Report on International Relations, *AFRI*, vol. XVII, p. 1-23
- 40 2016 **“Note de lecture sur O. Zajec, Nicholas Spykman, l’invention de la géopolitique américaine”**, *AFRI*, vol. XVII, p. 971-973
- 41 2016 **“La protection incertaine des étrangers en provenance d’une zone de guerre”** [with Chloé VIEL], *AJDA*, n°35, p. 1961-1967
- 42 2015 **“La réforme du dispositif français d’accueil et d’examen des demandes de protection”**, *AFDI*, 2014, p. 787-816
- 43 2015 **“La prévention des violations des droits de l’homme dans le cadre du droit international pénal”**, in Emmanuel Decaux and Sébastien Touzé (eds.), *La prévention des violations des droits de l’homme*, Paris, Pedone, p. 185-203
- 44 2014 **“Le démembrement envisagé du contentieux de l’asile. Juger vite plutôt que juger mieux ?”**, *AJDA*, 2014, No. 17, p. 967-972
- 45 2014 **“Guerre (droit)”** in Francois Hervouet, Pascal Mbongo and Carlo Santulli (eds.), *Dictionnaire encyclopédique de l’État*, Paris, Berger-Levrault, 998 p., p. 493-498
- 46 2014 **“Paix (droit)”** in Francois Hervouet, Pascal Mbongo and Carlo Santulli (eds.), *Dictionnaire encyclopédique de l’État*, Paris, Berger-Levrault, 998 p., p. 699-703
- 47 2014 **“Puissance réelle et puissance fictive de la Cour pénale internationale : The Ghost Writer de Roman Polanski”**, in *Mélanges Serge Sur*, Paris, Pedone, 2014, p. 335-346
- 48 2013 **“À propos du côté sombre de la Cour pénale internationale : revenir à Carl Schmitt ?”**, *Aquilon*, n°10, June issue on Carl Schmitt, p. 42-47. See also in Serge Sur (ed.), *Carl Schmitt. Concepts et usages*, foreword by Olivier Beaud, CNRS, Biblis, 254 p., p. 155-171
- 49 2013 **“L’ingérence judiciaire au nom de la responsabilité de protéger. À propos de la situation en Libye”**, *Droits*, PUF, No.57, p. 141-160
- 50 2012 **“Les États-Unis, l’Europe et la Cour pénale internationale”** in *Commentaire article par article du Statut de Rome de la Cour pénale internationale* [ed., with Xavier Pacreau], Paris, Pedone, 2,459 p., p. 91-118
- 51 2011 **“À propos des conditions d’accession à l’indépendance du Groenland (Kalaallit Nunaat)”**, *AFDI*, p. 413-435
- 52 2011 **“Le droit international : enjeu et moyen de la diplomatie des États”**, *Questions Internationales*, No.49 (May-June), p. 12-21
- 53 2011 **“Private Military and Security Companies’ Activities in Violation of Jus ad Bellum”** [with Hélène Raspail and Charlotte Beaucillon], in Natalino Ronzitti & Francesco Francioni (eds.), *War By Contract, Human Rights, International Humanitarian Law and the Regulations of PMSCs*, Oxford University Press, p. 396-420
- 54 2010 **“Article 42”** (la procédure de conciliation), in Emmanuel Decaux (ed.), *Commentaire du Pacte international sur les droits civils et politiques*, Paris, Economica, 996 p., p. 737-746
- 55 2010 **“Article 43”** (facilités, immunités et privilèges), in Emmanuel Decaux (ed.), *Commentaire du Pacte international sur les droits civils et politiques*, Paris, Economica, 996 p., p. 747-752

- 56 2010 **Commentaire de la décision C.E.D.H. Willem c. France**, *Journal du droit international*, 2010/2
- 57 2009 **“Guantanamo : une fin programmée mais difficile à mettre en œuvre”**, *Questions internationales*, No.39 (September-October 2009)
- 58 2009 **Commentaire de la décision C.E.D.H. Coutant c. France**, *Journal du droit international*, 2009/2
- 59 2008 **“L’expérience mitigée des tribunaux pénaux internationaux. Les limites de la justice pénale internationale”**, *AFRI*, La documentation française, Bruylant 2008, , p. 223-241
- 60 2008 **“Lutte nationale contre le terrorisme et atteintes aux libertés publiques : variations sur le USA Patriot Act”**, (The Hague Academy of International Law) in Michael J. Glennon & Serge Sur (eds.), *Terrorisme et droit international*, Boston, Martinus Nijhoff Publishers, 813 p., p. 657-687
- 61 2007 **“La justice pénale internationale : entre promesses et impasses”**, *Questions Internationales*, No.27 (September-October), p. 102-108
- 62 2007 **“Un bilan des TPI”**, *Questions internationales*, No.23 (January-February 2007)
- 63 2006 **“Variations sur la victime et la justice pénale internationale”**, *Amnis*, 2006/6, special issue “La guerre et ses victimes”, <http://journals.openedition.org/amnis/890>
- 64 2006 **“Judicial Globalization. The Case of the International Criminal Court”**, *Le Courrier*, French American Chamber of Commerce, Fall 2006, p. 7

Opinion pieces and short papers

- 65 2021 **“Réfugiés afghans : une nécessaire mise au point sur le droit d’asile en France”**, [with Thibaut FLEURY GRAFF and Alexis MARIE], *The Conversation*, 24 aout 2021, <https://theconversation.com/refugies-afghans-une-necessaire-mise-au-point-sur-le-droit-dasile-en-france-166532>
- 66 2021 **“Emmanuel Macron, criminel de guerre ? A propos du sort réservé aux enfants français retenus en Syrie et de la « plainte » déposée à la Cour pénale internationale”** [with Prof. Muriel Ubéda Saillard], *Le Club des Juristes*, April 21st [[available online](#)]
- 67 2021 **“Ni asile, ni refuge : à statut dégradé, qualité ignorée ? À propos de deux ordonnances du Conseil d’État”** [with Prof. Thibaut Fleury Graff and Prof. Alexis Marie], *Le Club des Juristes*, April 8th 2021 [[available online](#)]
- 68 2020 **“Guerres et terrorisme : ne pas manipuler les faits”** [with Delphine Deschaux-Dutard, Prof. Béatrice Heuser, Prof. Jean-Vincent Holeindre, Jean-Baptiste Jeangène Vilmer, Prof. Jenny Raflik Grenouilleau and Bruno Tertrais], *L’Obs*, Idées, December 1st, 2020 (www.nouvelobs.com)
- 69 2020 **“Guerres et terrorisme : ne pas se tromper de cible”** [with Delphine Deschaux-Dutard, Prof. Béatrice Heuser, Prof. Jean-Vincent Holeindre, Jean-Baptiste Jeangène Vilmer, Prof. Jenny Raflik Grenouilleau and Bruno Tertrais], *L’Obs*, Idées, November 21st, 2020 (www.nouvelobs.com)
- 70 2020 **“Tout est fait pour empêcher le Parquet national financier d’exercer normalement son office”** [collective], *Le Monde*, Opinions, October 14th, 2020
- 71 2020 **“L’attaque de Donald Trump contre la Cour pénale internationale illustre la brutalité de sa diplomatie”**, *Le Monde*, Débats, June 27th, 2020, p. 32
- 72 2020 **“La crise sanitaire, prétexte à une fragilisation du droit d’asile”** [with Prof. Thibaut Fleury Graff and Prof. Alexis Marie], *Le Club des Juristes*, May 20th, 2020 [[available online](#)]
- 73 2020 **“Asile et Covid-19 : l’effet d’aubaine ?”** [with Prof. Thibaut Fleury Graff and Prof. Alexis Marie], *Libération*, May 18th, 2020 (www.liberation.fr/debats)

- 74 2020 “**Gulliver à la Cour pénale internationale ?**”, *Thucyblog* and *Libertés, Libertés chéries* blog, March 12th, 2020 [[available online](#)]
- 75 2019 “**Paix et justice pénale internationale – le rôle décisif des États**”, *Résonances*, No.1, p. 28- 31
- 76 2018 “**Lutte contre l’impunité des crimes de masse : un projet de loi préoccupant**” [with Prof. Olivier de Frouville], *Libération*, December 3rd, 2018 (www.liberations.fr/debats)
- 77 2018 “**Le projet de loi sur l’immigration n’est ni humain ni efficace**” [with Prof. Marie- Laure Basilien Gainche, Anne-Laure Chaumette, Prof. Thibaut Fleury Graff, Prof. Alexis Marie and Prof. Serge Slama], *Le Monde*, Débats, February 25th- 26th, 2018, p. 26
- 78 2016 “**Il faut traduire George W. Bush et Tony Blair devant la Cour pénale internationale**” [with Prof. Serge Sur], *Le Monde*, Débats, July 13th, 2016 p. 21 *La Matinale* selection
- 79 2014 “**La réforme du droit d’asile est imprécise et insuffisante**”, *Le Monde*, Débats, August 8th, 2014, p. 16
- 80 2014 “**La Russie au secours de l’Ukraine ? De l’ingérence sur invitation, par humanité ou en soutien du droit des peuples à disposer d’eux-mêmes**”, *Huffington Post*, March 7th, 2014 [[available online](#)]
- 81 2014 “**Ianoukovitch à la CPI ? Faux-semblants et vrais défis**”, *Libertés, Libertés chéries* blog, March 2nd, 2014 [[available online](#)]
- 82 2013 “**Syrie : prendre au sérieux l’option de la Cour pénale internationale**”, *Huffington Post*, September 2nd, 2013 [[available online](#)]
- 83 2013 “**Il n’y a aucun fondement juridique à une intervention. Explorons d’autres choix que celui de la force**”, *Le Monde*, Débats, August 31st, 2013, p. 16
- 84 2013 “**L’option militaire en Syrie : ni licite, ni légitime ?**”, *Huffington Post*, August 28th, 2013, [[available online](#)]
- 85 2012 “**De l’intervention humanitaire à la responsabilité de protéger : le passé d’une illusion**”, *La Croix*, Friday April 20th, p. 13
- 86 2004 “**Les États-Unis et la construction européenne : un comportement ambivalent**”, *Questions internationales*, No. 9 (September-October 2004)
- 87 2004 “**Les États-Unis et la justice internationale**”, *Questions internationales*, No.9 (September- October 2004)

Involved from 2004 to 2010 in the elaboration of the **Book Review** section of the *Annuaire français de relations internationales* (AFRI La documentation française, Bruylant) selecting books, writing reviews, organizing teamwork.

6. Distinctions

- 2019 **Chevalier** of the Order of **Academic Palms** (January session)
- 2019 Prime d’excellence scientifique, 4-year national reward given to highly active scholars
- 2016 Promoted to the “First Class” national academic grade
- 2011-2018 Three-times winner of a prize awarded by the Académie des Sciences morales et politiques

3. Kambuni, Lucy Muthoni (Kenya)

[Original: English]

Note verbale

The Embassy of the Republic of Kenya to the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of State Parties and has the honor to refer to the Note Ref. No. ICC-ASP/20/SP/37 dated 20th May 2021 regarding the election of members of the Advisory Committee on Nomination of Judges.

The Embassy submits the nomination of Ms. Lucy Muthoni Kambuni for re-election as a member of the Advisory Committee on Nomination of Judges at the elections scheduled to take place at the twentieth session of the Assembly of State Parties to the Rome Statute to be held from 6th -11th December 2021.

Enclosed is a statement pursuant to the terms of reference of the Advisory Committee, the curriculum vitae and Bio data of Ms. Kambuni.

The Embassy of the Republic of Kenya to the Kingdom of the Netherlands avails itself of this opportunity to renew to the Secretariat of the Assembly of State Parties the assurances of its highest consideration.

Statement of qualifications

LUCY MUTHONI KAMBUNI SC; the Nominee of the Republic of Kenya is an eminent legal practitioner of high moral character with established competence and experience in both criminal and international law.

Ms Kambuni has practised law for over thirty – five years, in addition to holding key positions of governance in the Private Sector and serving the Nation in delicate undertakings of great public interest.

In December 2018, she was elected as Member of the Advisory Committee on Nominations of Judges of the International Criminal Court for a term of three (3) years during the Seventeenth Session of the Assembly of States Parties and served diligently in that capacity.

In March 2019, Ms Kambuni was inducted to the Law Society of Kenya's Roll of Honour and in December 2019, she was awarded a state commendation; The Second Class; Elder of the Order of the Burning Spear (E.B.S) in recognition of exemplary service to the Republic of Kenya.

In June 2019, she was appointed by His Excellency the President of the Republic of Kenya as Member of the Tribunal investigating the Conduct of Honourable Justices Martin Mati Muya, Judge of the High Court of Kenya, Lucy Njoki Waithaka, Judge of the Environment and Land Court of Kenya, and Njagi Marete, Judge of the Employment and Labour Relations Court and is serving as Vice- Chairperson

Ms Kambuni has taught law at undergraduate level and at the Kenya School of Law, the Bar School for Kenya. She was also, in 2005, elected as the first woman Vice-Chairperson of the Law Society of Kenya. In 2012, Ms Kambuni was conferred the rank of **Senior Counsel (SC)** by His Excellency, the President of the Republic of Kenya pursuant to Section 17 (1) of the Advocates Act Chapter 16 of the Laws of Kenya; in recognition of exemplary service to the legal and public service.

Ms Kambuni has throughout her academic career exhibited a marked leaning and interest in international law. She has studied relevant course units at Masters Level at the University of Nairobi, including, International Criminal Law, International Litigation and Conflict Resolution, International Human Rights Law, International Humanitarian Law, International Environmental Law, International Air and Space Law and International Intellectual Property Law.

In 2012, the Honourable Attorney General of Kenya appointed Ms Kambuni as a member to the Working Committee to Advise the Government on the Case Before the

International Criminal Court involving Kenya Citizens. This presented an excellent opportunity to Ms Kambuni to study and understand the Case before the Court, appreciate the workings of the Court and advise the Government as appropriate.

Ms Kambuni has taught relevant courses, including Trial Advocacy and the Law of Evidence at the Kenyatta University School of Law. At the Kenya School of Law, Ms Kambuni, taught Professional Ethics and Practice, testimony to her commitment to contribute to the professionalism and ethical conduct of the Kenyan Bar.

Ms Kambuni has over her professional career undertaken criminal litigation. Of significant mention, however, is the role she played in 2012 when she was appointed, by His Excellency, the President of the Republic of Kenya, as Lead Assisting Counsel, to the Commission Investigating the Crash of Helicopter 5Y-CDT in the Kibiku Forest, Ngong on 10th June 2012, an accident that robbed Kenyans of all six passengers on board, including the then Interior Security Minister, Hon. George Saitoti and his Assistant Minister, Hon. Joshua Orwa Ojode. Ms Kambuni's role involved, alongside the State Counsel assigned to the Commission, the interviewing and preparation of numerous witness statements and the presentation of all relevant evidence to the Commission and finally, the preparation and presentation of Submissions on the Investigation.

In 2008, Ms Kambuni was appointed Commissioner to Independent Review Commission commonly known as '*the Kriegler Commission*' that looked into the General Elections held in Kenya on 27 December 2007 and in particular, the Presidential Elections that were gravely contested occasioning the Post-Election Violence of 2007-2008. The Commission was established pursuant to the settlement brokered by the Kofi Annan -led Panel of Eminent African Personalities, under the auspice of the African Union. The Report of the Kriegler Commission was an integral document in the review of the Constitution and in particular, the election laws.

In 2015, the President of the Republic of Kenya appointed Ms Kambuni as the Lead Assisting Counsel to the Commission of Inquiry into the Petition to Suspend the Makueni County Government, following numerous complaints by residents, including that both the County Executive and County Assembly had grossly misappropriated funds allocated for the development of the County. Ms Kambuni, alongside the State Counsel assigned to the Commission ensured that all relevant witnesses were interviewed, and their evidence adduced before the Commission. Ms Kambuni participated in the drafting of the Report of the Commission.

Ms Kambuni, as is evident from her Bio and Curriculum Vitae attached hereto, has vast experience as a legal professional and has variously served in the Public and Private Sectors. She continues to serve the community, including on pro bono basis and is committed to contributing to the promotion of ethical values in the Society. Her wealth of experience and understanding and appreciation of International Law is an invaluable asset to the Advisory Committee for which she has diligently served as member in the last nearly three (3) years.

Curriculum vitae

Name: Lucy Muthoni Kambuni sc

Date of birth: 17th January 1961

Nationality: Kenyan

Contact address: L.M.Kambuni & Associates, Advocates
Kodhek Maisonettes (No.2)
Opposite Yaya Centre, Off Ring Road, Kilimani
P.O.Box 43520-00100, GPO, Nairobi
Cell Phone: 0722719955
Email: lucy@kambuniadv.com

Marital status: Married with adult children aged 31, 33, and 35

Languages: English, Kiswahili and French

Membership of professional societies: Law Society of Kenya, East Africa Law Society, National Bar Association (U.S.A)

Career objectives

To undertake and enrich a broad range of experience in the practice of the law for service in private and public and international environments.

Educational background

2005 Master of Laws (LLM) in Public International Law (International Criminal Law, International Litigation and Conflict Resolution, International Air and Space Law and International Human Rights. Additional Units studied included Comparative Constitutional Law, International Intellectual Property Law, Law and Economics, International Environmental Law and International Humanitarian Law), University of Nairobi

16.9.85 Admitted as an Advocate of the High Court of Kenya

1985 Diploma Certificate at the Kenya School of Law, Nairobi

1984 – 1985 Kaplan & Stratton Advocates, Nairobi
Pupillage program in partial compliance of the award of a diploma by the Kenya School of Law

1980 – 1984 Faculty of Law Second Class Honors (Upper Division); University of Nairobi

1978 – 1979 Advanced Level Education (A-Level) (three principles and one subsidiary (16 Points) Alliance Girls' High School, Kenya

1974 – 1977 Secondary Education (O-level) Division 1 (13 points); Alliance Girls High School, Kenya

Employment record

5. 5. 06 - presently Founder; L.M. Kambuni & Associates Advocates, Nairobi

2007 to 2012 Lecturer, Kenya School of Law, Nairobi

2008 - 2011 Lecturer, Kenyatta University School of Law, Nairobi

1. 8. 91 - 4.5. 06 Partner, Kambuni & Githae Advocates, Nairobi

17.9. 85 - 31.7.91 Advocate (in the Litigation Department); Kaplan Stratton Advocates, Nairobi

Relevant key qualifications and achievements

- December 12, 2019: Awarded State Commendation; The Second Class; Elder of the Order of the Burning Spear (E.B.S) in recognition of exemplary service to the Republic of Kenya
- June 4, 2019: Appointed by His Excellency, the President of the Republic of Kenya as Member of the Tribunal investigating the Conduct of Honourable Justices Martin Mati Muya, Judge of the High Court of Kenya, Lucy Njoki Waithaka, Judge of the Environment and Land Court of Kenya, and Njagi Marete,

Judge of the Employment and Labour Relations Court and is serving as Vice-Chairperson

- March 30, 2019: Inducted to the Law Society of Kenya's Roll of Honour
- December 2018: Elected as Member of the Advisory Committee on Nominations of Judges of the International Criminal Court for a term of three (3) years during the Seventeenth Session of the Assembly of States Parties
- Legal Practitioner for over Thirty-five (35) years and has practised variously in law including in Corporate, Commercial, Constitutional, Elections and Criminal law
- Has on continued basis been retained as Consultant in Constitutional Law by Public Agencies
- October 2016-: Commissioner to the Commission for University Education
- March 2015: Appointed by His Excellency, the President of the Republic of Kenya as the Lead Assisting Counsel to the Commission of Inquiry into the Petition to Suspend the Makueni County Government
- October 2014: Trustee Certificated under the Trustee Development Program, Kenya
- August 2014: Appointed by the Honorable the Chief Justice of the Republic of Kenya as Member to the Employment and Labour Relations Rules Committee and currently serves as Vice Chairperson to the Committee
- 11th December 2012: Conferred the rank of Senior Counsel (SC) by His Excellency, the President of the Republic of Kenya pursuant to Section 17 (1) of the Advocates Act Chapter 16 of the Laws of Kenya; in recognition of exemplary service to the legal and public service
- November 2012-November 2013: Nairobi, Consultant for UN Women for '*Gender Analysis of the Devolution Process to Inform Medium Term Plan II*'
- 2012 – 2020: Chairperson of the Board of Trustees, Alexander Forbes Retirement Fund (currently known as Zamara Fanaka Retirement Fund)
- July 2012: Appointed by His Excellency, the President of the Republic of Kenya as Lead Assisting Counsel, Commission Investigating the Crash of Helicopter 5Y-CDT in the Kibiku Forest, Ngong on 10th June 2012
- May 2012 – December 2012: Resource Person for the Kenya National Integrated Civic Education Program Media Campaign, a sustainable program of civic education on the Constitution of Kenya, 2010 through television and radio
- January – March 2012: Member of the Working Committee (appointed by the Hon. Attorney General) to Advise the Government on the Case Before the International Criminal Court involving Kenya Citizens
- January – February 2012: Resource Person to the Public Sector Forum for Senior Public Officers Training of Trainers under the auspice of the '*Kenya National Integrated Civic Education Program*' and made presentations on '*Concept and Principles of Devolution*' and '*Governance of the Counties and Inter-Governmental Relations*', Nairobi
- January 2012: Carried out a peer comprehensive review of the '*Synopsis of the Constitution*' civic materials for the Kenya National Integrated Civic Education Program as a consultant for the Ministry of Justice, National Cohesion and Constitutional Affairs, Nairobi

- March 2010-July 2010: Consultant for *'The Provision of Technical Support and Advice on the Constitutional Reform Process Under the Ministry of Justice, National Cohesion and Constitutional Affairs'* and undertook a study and issued a report on *'Devolved Government under the Proposed Constitution of Kenya'*. Various presentations on the subject at the Ministry's *'Public Constitutional Dialogue with Experts on the Proposed Constitution of Kenya'*, a series of public meetings held around the country in the run-up to the Referendum
- October 2010- September 2011: Vice Chairperson, Task Force on Devolved Government
- May 2010: Convenor, Law Society Committee on Civic Education for the Proposed Constitution of Kenya; Nairobi
- March – September 2008: Commissioner, Independent Review Commission (IREC) (*Kriegler Commission*) that looked into the General Elections held in Kenya on 27 December 2007, and was established pursuant to the settlement brokered by the Kofi Annan led Panel of Eminent African Personalities
- December, 2007-January 2012: Acting Chairman, Tourism Trust Fund
- 2006-2010: Council Member, Masinde Muliro University of Science and Technology
- 2006: Member of the Multi-Sectoral Review Steering Committee, a joint initiative by the Government, Political Parties and Non-State Actors, tasked to review the Constitution of Kenya
- 2006: Member, Law Society Standing Committee on Constitutional Review (the outcome was a Draft Constitution for Kenya by the LSK)
- 2005- 2020: Trustee Alexander Forbes Retirement Fund (currently Zamara Fanaka Retirement Fund)
- 2005- 2009: Director Kenya Private Sector Alliance (KEPSA)
- 2005- 2012: Trustee Tourism Trust Fund (an initiative by the European Union and Government of Kenya)
- 2004 - October 2007: Member, Council of Legal Education
- February 2005: Member to the Task Force on the Development of Policy and Framework for Legal Education and Training in Kenya
- 2004-2005: Vice-Chairman, Law Society of Kenya
- 2003- 2009: Governing Council Member Mater Hospital
- 2003-2005: Ad hoc Panel Member of the Disciplinary Committee of the Law Society of Kenya
- 2003: Chairman, Law Society of Kenya Committee Investigating corruption in the Judiciary
- 2002-2003: Regulatory Committee Member of the NGO Council
- 1995: In Washington D.C. A Founder Member of the East Africa Law Society

Relevant unpublished works

- i) The Application of International Criminal Law in Kenya
- ii) The International Criminal Court and Non-International Armed Conflict with Reference to Darfur

iii) The International Court of Justice and Settlement of African Disputes: Trends and Prospects (A Thesis submitted in partial fulfillment of the Master of Laws (LLM) Degree, University of Nairobi, Faculty of Law, 2003-2005)

Recognition

2019: The Republic of Kenya

2006: Law Society of Kenya

2005: East Africa Law Society

4. Kolaković-Bojović, Milica (Serbia)

[Original: English]

Note verbale

The Embassy of the Republic of Serbia in The Hague presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and, with reference to the Secretariat's note verbale ICC-ASP/20/SP/53, dated 30 August 2021, has the honour to inform the Secretariat that the Government of the Republic of Serbia has decided to nominate Ms. Milica Kolaković-Bojović for election to the Advisory Committee on Nominations of Judges of the International Criminal Court, at the elections to be held during the twentieth session of the Assembly of States Parties.

The Embassy has the honour to enclose the statement of qualifications for Ms. Milica Kolaković-Bojović and her curriculum vitae.

Statement of qualifications

The Republic of Serbia presents the candidature of Prof. Dr. Milica Kolaković-Bojović for the election to the Advisory Committee on Nominations of Judges of the International Criminal Court (Advisory Committee).

This statement is submitted in accordance with article 36, para. 4 c) of the Rome Statute and resolution ICC-ASP/10/Res.5, adopted by the Assembly of States Parties, relating to the procedure for the election of the members of the Advisory Committee.

Professor Kolaković-Bojović meets the requirements set out in the terms of reference of the Advisory Committee. She is a person of high moral character, impartiality and integrity. She also has established competence in relevant areas of international law, namely international humanitarian law, law on human rights and criminal law, as well as extensive experience in a professional legal capacity which is of relevance to the judicial work of the Court.

In June 2017, Mrs. Kolaković-Bojović was elected to the membership of the United Nations Committee on Enforced Disappearances (UN CED). In September 2017, she was appointed to the position of the UN CED reprisal focal point. Since 2019 she is a Vice-President of the Committee. In the scope of her work within the Committee, she served as a Rapporteur on several occasions, and also worked on the development of the Guiding principles for search for disappeared persons adopted by the CED in 2019. Since 2020, she is a member of the Working group for urgent actions. Also in 2020, the Committee appointed her to work on the development of the Guidelines to prevent and address intimidation and reprisal against individuals and groups cooperating with the Committee on Enforced Disappearances.

She possesses extensive knowledge and comprehensive experience in international standards and the United Nations institutional framework dealing with the human rights protection, gained through her membership in the UN CED, but also working as an independent expert in the field of victim's rights and transitional justice.

In her professional career, Mrs. Kolaković-Bojović has been engaged as an expert in the numerous scientific research and donor-funded projects in the justice sector, both at the national and international level. She has also coordinated or participated in the development of more than 30 public policy analyses and strategic documents in the field of prosecution of war crimes, victims' rights, execution of penal sanctions and judicial reform.

She has, so far, published two books and more than 80 scientific papers and book chapters. She is editor-in-chief of the Journal of Criminology and Criminal Law and a member of the Serbian Association for Criminal Law Theory and Practice.

For all the above reasons, the Republic of Serbia is confident that Prof. Dr. Milica Kolaković-Bojović qualifies to become a member of the Advisory Committee on nomination of judges of the International Criminal Court, to whose work she can make a useful and meaningful contribution.

Curriculum vitae

Personal details

Name: Kolaković-Bojović, Milica

Date and place of birth: 17 February 1984, Belgrade, Serbia

Nationality: Serbian

United Nations working languages: English

Current position/function

1. Since 2019- Vice-President of the United Nations Committee on Enforced Disappearances
2. Since 2017- Member of the United Nations Committee on Enforced Disappearances; The Rapporteur of the Committee on the issue of reprisals
3. Since 2020- a member of the working group for urgent actions
4. Senior Research Fellow- Institute of Criminological and Sociological Research- Belgrade, Serbia
5. Asst. Professor of the Criminal law and procedure- PEM University, Sarajevo, Bosnia and Herzegovina
6. Independent legal and justice reform expert on the several OSCE, UNICEF, UNDP, EU and CoE justice reform projects

Educational background

2016- University of Belgrade, Faculty of Law- Ph.D. in criminal law and procedure (Efficiency of Criminal Justice)

2008- University of Belgrade, Faculty of Law- LL.M. Criminal Law (Juvenile Justice)

2007- University of Belgrade, Faculty of Law- B.A. Degree- Judicial Department

Main professional activities

Milica Kolaković-Bojović, PhD is criminal law professor, senior researcher in the scientific institute and an independent legal and human rights expert.

In June 2017 Mrs. Kolaković-Bojović was elected in the membership of the UN CED. In September 2017 she was appointed to the position of the UN CED reprisal focal point. Since 2019 she is a Vice-President of the Committee. In the scope of her work within the Committee, she served as a rapporteur on several occasions, but also worked on the development of the *Guiding Principles for Search for Disappeared Persons* adopted by the CED in 2019. Since 2020 she is a member of the working group for urgent actions. Also in 2020, the Committee appointed her to work on the development of the *Guidelines to prevent and address intimidation and reprisal against individuals and groups cooperating with the Committee on Enforced Disappearances*.

In her professional career she has been engaged as an expert in the numerous scientific research and donor-funded projects in the justice sector, supported or implemented by the OSCE, CoE, EU, World Bank, USAID, UNICEF, UNDP, German and Swiss governments, both- at the national and international level. She has also coordinated or participated in the development of more than 30 public policy analyses and strategic documents in the field of prosecution of war crimes, victims' rights, execution of penal sanctions and judicial reform.

She possesses extensive knowledge and comprehensive experience in international standards and the UN institutional framework dealing with the human rights protection,

gained through her membership in the UN CED, but also working as an independent expert in the field of victim's rights and transitional justice.

In addition to her academic work and the expert engagement in the justice sector reforms, Mrs. Kolaković-Bojović took part in the Negotiating Mechanism of the Republic of Serbia with the EU from 2013 to 2018 in the capacity the coordinator of the Action Plan for Chapter 23 and the President of the Council for the Implementation of the Action Plan for Chapter 23.

She has published two books and more than 80 scientific papers and book chapters, so far. She is Editor-in-chief of the Journal of Criminology and Criminal Law and a member of the Serbian Association for Criminal Law Theory and Practice.

Most recent publications

Books

- 1). Kolaković-Bojović, M., Petković M. Bojan (2020) *Judiciary in Serbia between the Rule of Law and Self-governance*, Institute of Criminological and Sociological Research, Belgrade
- 2). Kolaković-Bojović, M. (2018) *Organization of the judiciary in the Republic of Serbia-reform framework and EU standards*, Institute of Criminological and Sociological Research, Belgrade.

Articles, papers and book chapters

- 1) Kolaković-Bojović, M. (2021). Life Imprisonment and Parole in Serbia – (An) Intentionally Missed Opportunity, *Journal of Criminology and Criminal Law*, 59(1), ISSN 1820-2969
- 2) Kolaković-Bojović, M. (2020). Victims Directive (2012/29 / EU) and criminal legislation of the Republic of Serbia. In: C. Bejatović (ed.) *Victim of criminal offense and criminal law instruments of protection (international legal standards, regional criminal legislation, application and measures to improve protection)* (41-54). Belgrade: OSCE Mission to the Republic of Serbia, ISBN 978-86-6383-093-6.
- 3) Kolaković-Bojović, M, Grujić, Z. (2020) *Crime Victims and The Right to Human Dignity - Challenges and Attitudes In Serbia-* in Z. Pavlović, ed. *Yearbook Human Rights Protection, The Right To Human Dignity* (239-270) Novi Sad: Republic of Serbia Autonomous Province of Vojvodina Provincial Protector of Citizens – Ombudsman and Institute of Criminological and Sociological Research
- 4) Kolaković-Bojović, M. (2019). *Wrongful Removal of Children, Protection of the Rights of the Child “30 Years After the Adoption of the Convention on the Rights of the Child”*, No.2, 429-449.
- 5) Kolaković-Bojović, M. (2019). *The synergy between criminal law and medicine under the international convention for the protection of all persons from enforced disappearance.* In: I. Stevanović & N. Vujičić (Eds.) *Penal law and medicine - Collection of papers from international scientific thematic conference*, (pp. 387-398). Palić, 29-30.05.2019. Belgrade: Institute of criminological and sociological research. ISBN 978-86-80756-18-9.
- 6) Kolaković-Bojović, M. & Tilovska-Kechehi, E. (2019). *Regional cooperation in the prosecution of war crimes as an EU accession benchmark.* In: G. Ilik & A. Stanojoska (Eds.) *Towards a better future: democracy, EU integration and criminal justice*, (pp. 83-99). Bitola: Faculty of law, St. Climent Ohridski. ISBN 978-608-4670-04-9.
- 7) Kolaković-Bojović, M. (2019). *Limitations of the detention duration – between protection and violation of human rights.* In: S. Bejatović (Ed.) *Detention and other means of securing defendant's presence in criminal proceedings (international legal standards,*

regional legislation and implementation), (pp. 329-346). Belgrade: OSCE. ISBN 978-86-6383-087-5.

8) Kolaković-Bojović, M. & Tilovska-Kechehi, E. (2018). The Uniform Application of Law - EU Standards and Challenges in Serbia. In: Z. Pavlović (Ed.), Yearbook. No. 1, Human rights protection "From unlawfulness to legality", (pp. 115-136). Novi Sad: Provincial Protector of Citizens; Belgrade: Institute of Criminological and Sociological research &. ISBN: 978-86-89417-08-1

9) Tilovska-Kechehi, E., Rakitovan, D. & Kolaković-Bojović, M. (2018). Digital Diplomacy in the Changing World. In: S. Nikoloska & A. Stanojoska (Eds.) Security, Political and Legal Challenges of Modern World, (pp. 178-188). Bitola: University "St. Kliment Ohridski". ISBN 978-9989-870-79-8

10) Kolaković-Bojović, M. (2018). Independence of judiciary and efficiency of the judicial protection as international legal standard and precondition for the membership in the EU. Organization of Judiciary and Efficiency of Judicial Protection (pp. 95-116). Zlatibor/Belgrade: Serbian Association for Criminal Law Theory and Practice.

11) Turanjanin, V., Kolaković-Bojović, M. & Soković, S. (2018). The role of defence counsel in the Serbian criminal procedure code: The norm and practice. Annals of the Faculty of law in Zenica, 11(21), 41-58.

12) Kolaković-Bojović, M. (2018). Child victims in Serbia: Normative Framework, Reform Steps and EU Standards. In: I. Stevanović (Ed.) Thematic collection of papers of international significance / International scientific conference "Child friendly justice", (pp. 171-182). Palić 06-07 jun 2018. Belgrade: Institute of Criminological and Sociological research. ISBN: 978-86-80756-10-3

13) Tilovska-Kechehi, E., Kolaković-Bojović, M. & Turanjanin, V. (2018) Support to Victims of Crime: EU Standards and Challenges in Serbia. In: G. Ilik & A. Stanojoska (Eds.) Towards a Better Future: The Rule of Law, Democracy and Polycentric Development, (pp. 125-135). Bitola: University "St. Kliment Ohridski". ISBN: 978-608-4670-00-1

14) Tilovska-Kechehi, E., Kolaković-Bojović, M. & Turanjanin, V. (2018). EU New Strategic Policies Towards the Western Balkans: Hope for the Future or Endless Postponement. In: G. Ilik & A. Stanojoska (Eds.). Towards a Better Future: The Rule of Law, Democracy and Polycentric Development, (pp. 228-238). Bitola: University "St. Kliment Ohridski". ISBN: 978-608-4670-00-1

15) Kolaković-Bojović, M. & Turanjanin, V. (2018). Secret Detention Sites in the European Court of Human Rights Jurisprudence. In: Security System Reforms as Precondition For Euro-Atlantic Integrations, (pp. 152-164). Ohrid: Faculty of Security-Skopje.

16) Kolaković-Bojović, M. (2018). The Rule of Law Principle: The EU Concept vs. National Legal Identities. In: O. Vujović (Ed.) Universally and particularity at law, (pp. 137-160). Kosovska Mitrovica: Faculty of Law-University of Priština, Kosovska Mitrovica.

17) Kolaković-Bojović, M. (2018). The Rule of Law and Constitutional Changes in Serbia. In: M. Simović (Ed.) Criminal Legislation and Functioning of the Legal State, (pp. 277-392). Trebinje: Serbian Association for Criminal Law Theory and Practice.

18) Kolaković-Bojović, M. (2017). The Venice Commission Opinions as a Framework of Constitutional Changes in Part that Rules Judiciary. Journal of Institute of Criminological and Sociological research, 3/2017, 21-37. UDC: 347.97, ISSN: 0350-2694

19) Kolaković-Bojović, M. & Turanjanin, V. (2017). Autonomy of Public Prosecution Service - The Impact of the "Checks and Balances" Principle and International Standards. Journal of Eastern European Criminal Law, 4(2), 26-41. doi: 1450114

20) Kolaković-Bojović, M. & Turanjanin, V. (2017). Organization of the Judiciary in the Republic of Serbia in the Context of Constitutional Amendments. Belgrade: Rule of Law Academic Network.

21) Kolaković-Bojović, M. (2017). A Free Legal Aid as an International Standard. In: S. Bejatović. & M. Kolaković-Bojović (Eds.) A Free Legal Aid: Ratio legis, the scope and

conditions for application, (pp. 129-147). Belgrade: Serbian Association for Criminal Law Theory and Practice. ISBN: 978-86-88945-05-9

22) Kolaković-Bojović, M. (2017) Economic crimes and Chapter 23. In: I. Stevanović & V. Čolović (Eds.). *Economic Crimes*, (pp. 95-106). Belgrade: Institute of Criminological and Sociological Research & Comparative Law Institute. ISBN: 978-86-80186-26-9

23) Kolaković-Bojović, M. & Turanjanin, V. (2017). Secret Monitoring of Communication as a Special Investigation Technique in Focus of the European Court of Human Rights. In: *Freedom, Security: The Right to Privacy*, (pp. 323-341). Novi Sad: Institute of Criminological and Sociological research & Provincial Protector of Citizens. ISBN: 978-86-80756-07-3

24) Kolaković-Bojović, M. (2017). Strengthening Infrastructural Capacities of Judiciary as a Precondition for Efficiency of Criminal Justice. In: International scientific conference "Archibald Reiss Days", Vol. 2, (pp. 379-389). Belgrade: Academy of criminalistic and police studies. ISBN: 978-86-7020-386-0

25) Kolaković-Bojović, M. (2017). Victim of Crime (Chapter 23 - The Law and Practice in the Republic of Serbia). Reform Processes and Chapter 23 (A year later), (pp. 140-150). Zlatibor/Belgrade: Serbian Association for Criminal Law Theory and Practice & OSCE.

26) Kolaković-Bojović, M. (2017). Action Plan for Chapter 23 as a strategic framework for improving the relations between the judiciary and media in the Republic of Serbia. In: I. Stevanović (Ed.) *Judiciary and Media*, (pp. 145-154). Palić: Institute of Criminological and Sociological Research. ISBN: 978-86-83287-97-0

27) Kolaković-Bojović, M. (2017). Conditional Release and Medical Security Measures. In: S. Bejatović & I. Jovanović (Eds.) *Medical Security Measures - Legal and Medical aspects (regional legislation experiences in implementation and measures for improvement)*, (pp. 145-154). Belgrade: OSCE. ISBN: 978-86-6383-050-9

28) Kolaković-Bojović, M. (2017). The Incrimination of Enforced Disappearance in the Criminal Law of the Republic of Serbia. *Journal of Institute of Criminological and Sociological research*, 2017/1, 135-148. UDC: 343.43(497.11), doi: 1363733

29) Kolaković-Bojović, M. (2017). Efficient Monitoring and Evaluation of Judicial Reform as a Way to Speed up Achieving the EU Standards. In: *Police and Judiciary as a guaranties of the liberty and security in the Rule of Law*, (pp. 139-148). Tara: Academy of criminalistic and police studies & Hanns Seidel Stiftung. ISBN: 978-86-7020-379-2

30) Kolaković-Bojović, M. (2017). Alignment of the Serbian Criminal Legislation with the EU Standards in the Chapter 23. In: *Criminal Legislation between Practice and Legislation and Alignment with European Standards*, (pp. 267-274). ISBN: 978-99976-681-1-0

31) Kolaković-Bojović, M. (2016). Constitutional Provisions on Judicial Independence and EU Standards. *Annals of the Faculty of law in Belgrade, Belgrade Law Review*, 64(3), 192-204. UDC 347.97(4-672EU), doi:10.5937/AnaliPFB1603192K

32) Kolaković-Bojović, M. (2016). Efficiency of criminal proceedings for organized crime. In: J. Ćirić & I. Stevanović (Eds.) *Fight against organized crime*, (pp. 121-131). Vršac/Beograd: Institute of Criminological and Sociological Research & Comparative Law Institute. ISBN: 978-86-80186-17-7

33) Kolaković-Bojović, M. (2016). Organisation of judiciary in the Republic of Serbia and Chapter 23. In: *European integrations and criminal legislation*, (pp. 98-106). Zlatibor/Belgrade: Serbian Association for Criminal Law Theory and Practice & OSCE. ISBN: 978-86-6411-010-5

34) Kolaković-Bojović, M. (2016). Effect of multiple abolition of the first instance verdict on the length of criminal proceedings. In: S. Bejatović & I. Jovanović (Eds.) *Legal remedies in criminal proceedings/criminal legislations in the region and experiences in their implementation*, (pp. 271-283). Belgrade: OSCE. ISBN: 987-86-6383-039-4

35) Kolaković-Bojović, M. (2016). Law on protection of the right to trial within reasonable time: environment for criminal sanction that serves its purpose and cost saving.

In: I. Stevanović & A. Batrićević (Eds.). Thematic journal of papers of international significance / International scientific conference “Criminal and misdemeanour sanctions and measures: imposing, execution and conditional release”, (pp. 203-214). Palić, 02-03.06.2016. Belgrade: Institute of Criminological and Sociological Research. ISBN: 978-86-83287-90-1

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5. Kourula, Erkki (Finland)

[Original: English]

Note verbale

The Embassy of Finland presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute and has the honour to refer to the communication ICC-ASP/20/SP/37 of 20 May 2021 regarding the election of members of the Advisory Committee on Nominations of Judges, which will take place at the twentieth session of the Assembly of States Parties, on the basis of a recommendation of the Bureau.

The Government of Finland has decided to nominate Dr. Erkki Kourula, a former judge of the International Criminal Court, as a candidate to the Advisory Committee on Nominations of Judges. A curriculum vitae of Dr. Kourula as well as a statement of qualifications on the fulfilment of the criteria established in the terms of reference of the Advisory Committee are provided herewith.

Statement of qualifications

Judge Erkki Kourula fully meets the requirements established in the terms of reference of the Advisory Committee on Nominations adopted by the Assembly of States Parties with resolution ICC-ASP/10/Res.5.

He is a person of high moral character and served as judge of the Appeals Division of the International Criminal Court from 2003 to 2015. In addition, as a former civil servant at the Ministry for Foreign Affairs of Finland, he held a public office for which section 125 of the Finnish Constitution requires irreproachable conduct.

Judge Kourula also has established competence and experience in both criminal and international law. He is a prominent international lawyer with both outstanding experience and profound knowledge of international law, including international humanitarian law and the law of human rights. He holds a PhD in international law from the University of Oxford and has been actively engaged in issues of public international law throughout his academic and diplomatic career.

Judge Kourula was actively involved in the negotiations on the Rome Statute from 1995 to 1998, as the lead negotiator of the Finnish delegations to the Ad Hoc Committee and to the Preparatory Committee as well as to the United Nations Diplomatic Conference in Rome on the Establishment of an International Criminal Court. In this context, he also held several international positions of trust, such as those of member in the enlarged Bureau and of Coordinator for jurisdictional issues.

In addition, as judge of the ICC, Judge Kourula gained practical experience of the work of the Court and insight into the qualifications set for candidates for judicial positions at the Court. During his first term from 2003 to 2006, he also took part in the preparation of the Regulations of the Court as Chairperson of the judges' drafting and working group. During the same period, he was a member of several working groups within the Court contributing substantially to various issues, for instance in the framework of the Code of Judicial Ethics. Further, he served as the Chair of the Advisory Committee on Legal Texts. After his re-election to the Court in 2006, Judge Kourula continued to serve in the Appeals Division and participated in the deliberations of close to 300 decisions, including as the presiding judge for several decisions in the Lubanga, Ngudjolo Chui, Katanga, Al Bashir, Bemba, Mbarushimana and Gaddafi cases.

Before his election to the International Criminal Court, Judge Kourula served in various legal capacities in the Finnish Ministry for Foreign Affairs between 1985 and 2003 and was appointed Director General of Legal Affairs in 2002. As Director General, he was member of the Finnish National Group in the Permanent Court of Arbitration. Before taking up the post of Director General for Legal Affairs, he served as Permanent Representative of

Finland to the Council of Europe in Strasbourg (1998-2002), Deputy Director General for Legal Affairs (1995-1998), Minister Counsellor and Legal Adviser to the Permanent Mission of Finland to the United Nations in New York (1991-1995), Director of the International Law Division of the Ministry of Foreign Affairs (1989-1991) and Counsellor and Legal Adviser to the Ministry of Foreign Affairs (1986-1989).

Judge Kourula is fluent in English and French. Of the other official languages of the Court, he understands Spanish and Russian. In addition to his mother tongue Finnish, he is fluent in Swedish and German.

Throughout his distinguished career, Judge Kourula has made an important contribution to academic discourse on current issues of criminal and international law. Judge Kourula's dedication to the International Criminal Court is without question.

Curriculum vitae

Date of birth 12 June 1948

Marital status Married, with two children

Languages Finnish, English, French, Swedish and German
Understanding of Spanish and Russian

Education and qualifications PhD in International Law (Oxford)
LL.Lic. (Helsinki)
LL.M. (Helsinki)

Professional experience

Vice-President and Arbitrator, Court of Conciliation and Arbitration within the OSCE (2019 to present)

Judge, International Criminal Court (Appeals Division) (2003-2015)

Director General for Legal Affairs, Ambassador, Ministry for Foreign Affairs (2002-2003)

Ambassador, Permanent Representative of Finland to the Council of Europe, Strasbourg (1998-2002)

Deputy Director General for Legal Affairs, Ambassador, Ministry for Foreign Affairs (1995-1998)

Minister Counsellor and Legal Advisor, Permanent Mission of Finland to the United Nations, New York (1991-1995)

Director, International Law Division, Ministry for Foreign Affairs (1989-1991)

Counsellor and Legal Adviser, Ministry for Foreign Affairs (1986-1989)

Various research posts in the fields of international, constitutional and administrative law (University of Helsinki, University of Oxford, Academy of Finland and United Nations, Geneva, 1972-1982, 1984-85)

Professor of International Law, University of Lapland, Rovaniemi (1982-83)

District Judge (1979)

Other legal functions

Agent of the Government of Finland before the European Court of Human Rights (Strasbourg) (2002-2003)

Agent of the Government of Finland before the European Court of Justice (Luxembourg) (2002-2003)

Committees and conferences

Head of the Finnish delegation to the Ad hoc Committee as well as to the Preparatory Committee on the Establishment of an International Criminal Court

Lead negotiator of the Finnish delegation to the United Nations Diplomatic Conference (in Rome) on the Establishment of an International Criminal Court (member of the enlarged Bureau and Coordinator for jurisdictional issues) (1994-1998)

Participant in informal consultations for the establishment of the International Criminal Court (Siracusa 1995 and 1996, Zutphen 1998)

Chairperson of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, New York (1994)

Special Adviser to the Chairman of the Working Group on the Question of Equitable Representation and Increase in the Membership of the Security Council, New York (1993-1995)

Member of the Finnish delegation to the United Nations General Assembly (Sixth Committee) (1986-1990 and 1995-1997)

Council of Europe:

- Rapporteur on Relations between the Council of Europe and the United Nations (1999-2002)
- Chair of the Rapporteur Groups on Human Rights and National Minorities (2000-2002)

Participation over the years in numerous international conferences, symposia and seminars on international law, mainly on humanitarian, human rights and criminal law as well as the law of international organizations, including annual lectures and research periods at the Hague Academy of International Law (1972, 1975 and 1977)

Publications

The Identification and Characteristics of Regional Arrangements for the Purpose of the United Nations Charter (doctoral thesis, Oxford)

Contributions to publications and articles on key issues pertaining to the implementation of the Rome Statute, including victims' rights, as well as on activities of the United Nations and its bodies, collective security systems, peacekeeping, and civil crisis management

Numerous lectures on various topics of international law at universities and institutions in a number of European and Asian countries, the United States and the United Nations

6. Monageng, Sanji Mmasenono (Botswana)

[Original: English]

Note verbale

The Embassy of the Republic of Botswana presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court (ICC) and has the honour to refer to the latter's Note Verbale Ref: ICC-ASP/20/SP/37 dated 20 May 2021 regarding the nomination period for the submission of candidates for the membership of the Advisory Committee on Nominations of Judges.

The Embassy has the further honour to inform that the Government of the Republic of Botswana has decided to nominate Judge Sanji Mmasenono MONAGENG for re-election to the Advisory Committee on Nominations of judges, and submits herewith the enclosed Statement of Qualifications and Curriculum Vitae.

The Republic of Botswana has consistently supported the ICC throughout the years of its existence, and continues to do so, since it believes in its mission of fighting impunity and bringing justice for the victims of the most serious crimes.

Judge Monageng served as a Judge of the ICC for 9 years from March 2009 to June 2018. She served as a Judge in the Pre-Trial Division from 2009 to 2012 and has served as a Judge in the Appeals Division from 2012 to 2018. Judge Monageng is an eminent person recognised for her experience as a magistrate and a judge. She has acquired excellent skills and knowledge in international criminal law, international humanitarian law and international human rights law. Judge Monageng has sat on over 492 orders, decisions and judgements, at the Pre-Trial and Appeals Chambers of the ICC, as a Single Judge and/or presiding Judge. Judge Monageng fulfils the requirements of article 36, paragraphs a), b) and c) of the Rome Statute. In addition, Judge Monageng is a person of high moral character, impartiality and integrity and possesses the qualifications required for an appointment to the highest judicial office in Botswana. Before her appointment to the ICC, Judge Monageng served as a Judge of the High Court in the Kingdom of Eswatini (then Swaziland) and The Republic of The Gambia and also as a Magistrate in the Courts of the Republic of Botswana.

Judge Sanji Mmasenono Monageng fully meets the requirements established in the terms of reference of the Advisory Committee adopted by the Assembly of States Parties. She has established competence and experience in criminal and international law.

The Embassy of the Republic of Botswana avails itself of this opportunity to renew to the Secretary of the Assembly of States Parties to the Rome Statute of the International Criminal Court the assurances of its highest consideration.

The Embassy of the Republic of Botswana avails itself of this opportunity to renew to the Secretary of the Assembly of States Parties to the Rome Statute of the International Criminal Court the assurances of its highest consideration.

Statement of qualifications

The Government of the Republic of Botswana has the honour to nominate Judge Sanji Mmasenono Monageng for election as a member of the Advisory Committee on Nominations of Judges of the International Criminal Court (ICC).

Judge Monageng fully meets the requirements established in the Terms of Reference of the Advisory Committee on Nominations of Judges of the International Criminal Court as originally adopted by the Assembly of States Parties via Resolution ICC-ASP/10/Res.5, para 19, and subsequently amended by resolutions ICC-ASP/13/Res.5, annex III, and ICC-ASP/18/Res.4, annex II. She has established competence and experience in criminal and international law.

Since 2019, Judge Monageng serves as a Judge of the Southern African Development Community Administrative Tribunal (SADCAT). She was appointed the Vice President of the Tribunal in 2020. The Tribunal is based in Gaborone, Botswana and applies international

administrative law and standards. She was appointed to this position after she retired from the ICC.

Before her appointment to the ICC, Judge Monageng served as a Judge of the High Court in the Kingdom of eSwatini (then Swaziland), and The Republic of The Gambia, and also as a Magistrate in the Courts of the Republic of Botswana.

Judge Monageng is experienced in both criminal law and procedure having served as a Magistrate, a High Court Judge and a Judge of the ICC for over 20 years. Judge Monageng has served the African Union as a Commissioner of the African Commission on Human and Peoples' Rights (a quasi-judicial organ) from 2003 to 2009. The Commission is the premier body that is mandated to promote and protect human and people's rights on the African continent. This has resulted in her being competent in international human rights and humanitarian law. Judge Monageng also served as the Chairperson of the Commission from 2007 to 2009 when she joined the ICC.

Over the years, she has acquired expertise in a variety of areas of the law, including Sexual Violence Crimes and other crimes against women and children, torture, crimes against humanity, war crimes, genocide and the crime of aggression among others.

Judge Monageng is competent in issues of reparations, victims and witness protection. She has presided over many cases in the International Criminal Court both at Pre-Trial and the Appeals Division and was the Presiding Judge in the ICC final merit case (The Ngudjolo Chui case). She has also sat on the Bemba, Bemba et al, Lubanga final merit appeal cases. Judge Monageng has sat in the final merit reparation cases in the Lubanga, Katanga and Al Mahdi. Essentially, she has participated in over 492 orders, decisions and judgements of the ICC, which makes her the only ICC Judge who has participated in all cases that were registered during her tenure of office.

From March 2012 to March 2015, Judge Monageng served the ICC as its First Vice President, a position which strengthened her knowledge of the functions and operations of the Court. In this capacity, she was also the Chairperson of the Lessons Learnt Working Group of the Court.

Judge Monageng also served as a member of a Committee which reviewed regulations pertaining to the Office of the Public Counsel for Defence (OPCD) and the Office of the Public Counsel for Victims (OPCV). The Committee assessed these regulations and made recommendations which were adopted by the Assembly of States Parties to strengthen the mandates of the OPCD and the OPCV.

Judge Monageng remains a member of regional and international organizations that deal with human rights and international law, the rule of law and criminal law, such as the International Commission of Jurists, the International Commission of Missing Persons and the International Association of Women Judges.

Training

Judge Monageng was a member of a group of international personalities who have been training East African judges on international crimes since 2009, under the auspices of the Institute for Security Studies, in Pretoria, Republic of South Africa, and the International Commission of Jurists in Geneva, Switzerland.

Judge Monageng and the International Association of Women Judges (IAWJ) through the IAWJ's Global Leadership of Women programme, have trained female judges on a number of issues including international law, human rights law and handling of sextortion cases.

Judge Monageng has, over the years, presented papers on various subjects including international criminal law to a variety of fora. She has also played an active role in the discourse on State cooperation by attending seminars, delivering papers and participating in many diplomatic activities while representing the ICC.

Curriculum vitae

PERSONAL INFORMATION

Citizenship: Republic of Botswana

Gender: Female

Date of birth: 09 August 1950

Languages: English, Setswana and Ikalanga

Email: monagengsanji@yahoo.com

Telephone : +267 74154849

PROFESSIONAL WORK EXPERIENCE

October 2019	Judge, Southern African Development Community (SADC) Administrative Tribunal - Gaborone, Botswana
May 2020	Vice President – Southern African Development Community Administrative Tribunal
October 2019	President, Botswana Competition and Consumer Tribunal
December 2018	Member, Advisory Committee on Nominations of Judges - International Criminal Court (ICC), The Hague, the Netherlands
March 2009 - June 2018	Judge, ICC, The Hague, the Netherlands Appeals Division Judge (2012 – 2018) President of the Appeals Division (2014 and 2015) First Vice President of the ICC (March 2012 – March 2015) Pre-Trial Division Judge (2009 – 2012)
April 2008 – May 2009	Judge, High Court of the Kingdom of eSwatini
2006 – 2007	Judge, High Court of the Republic of The Gambia
2007 – 2009	Chairperson, African Commission on Human and Peoples' Rights, Banjul, the Republic of The Gambia
2003 – 2009	Commissioner, African Commission on Human and Peoples' Rights, Banjul, the Republic of The Gambia
1997 – 2006	Founder and Chief Executive Officer, Law Society of Botswana, Gaborone, the Republic of Botswana
1987 – 1997	Magistrate, Courts of the Republic of Botswana
1987 – 1997	Magistrate, Courts of the Republic of Botswana

SECONDMENTS

September 2005	One-week Residency and Lectureship at the Brandeis University, Boston, USA in conjunction with the conference "Telling the Story: Power and Responsibility in Documenting Human Rights Violations"
January – March 2005	Secondment to the Law Society of England and Wales, London, United Kingdom
February – March 1998	Secondment to the Law Society of Zimbabwe, Harare, Republic of Zimbabwe

March – May 1994 Secondment as Deputy Chief Adjudication Officer to the United Nations Observer Mission to South Africa, Johannesburg, Republic of South Africa

PROFESSIONAL MEMBERSHIPS

International Association of Women Judges, Washington, United States of America

The Arbitration Foundation of Southern Africa, South Africa

Botswana Institute of Arbitrators, Gaborone, Botswana

International Commission of Jurists, Geneva, Switzerland

Chartered Institute of Arbitrators, London, United Kingdom (Fellow)

International Commission on Missing Persons, The Netherlands

International Association of Refugee Law Judges, The Netherlands

International Centre for Settlement of Investment Disputes (ICSID) – World Bank, Washington, D.C, USA

Southern African Litigation Centre – Johannesburg, South Africa

AWARDS

2014: Human Rights Award, awarded by the International Association of Women Judges (IAWJ), for an exemplary judicial career, commitment to protect and promote human rights, women’s rights and children’s rights, and distinguished service for national and international human rights institutions. The award was given in May in Arusha, United Republic of Tanzania, during the IAWJ’s biennial conference

2013: Presidential Order of Honour, awarded by the President of the Republic of Botswana for outstanding service to the Republic of Botswana

2012: Human Rights Award, African Human Rights Consortium, Gaborone, Botswana

EDUCATION

March 2018 Certificate in Mediation – Royal Institution of Chartered Surveyors (RICS) Botswana

2015 – 2016 Diploma in International Commercial Arbitration, Chartered Institute of Arbitrators, London, United Kingdom (attained a Fellowship)

June – July 2007 International Criminal Law Course, Grotius Centre for International Law Studies, Leiden University, The Hague, Netherlands

June 1996 Court Administration Course, RIPA International, London, United Kingdom

1982 – 1987 Bachelor of Laws, University of Botswana, Gaborone, Republic of Botswana

SOME PUBLICATIONS

S. M. Monageng, “The Crime of Aggression: Following the Needs of a Changing World?”, 58 Harvard International Law Journal Online (2017), p. 79

S. M. Monageng, “Africa and the International Criminal Court: Then and Now” in G. Werle et al. (eds.), African and the International Criminal Court, (T. M. C. Asser Press, 2014), p. 13.

7. Politi, Mauro (Italy)

[Original: English]

Note verbale

The Embassy of Italy to the Kingdom of The Netherlands presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and, with reference to the note verbal of 20 May 2021 (ICC-ASP/20/SP/37), has the honor to nominate the former judge Mauro Politi for election as member of the Advisory Committee on Nominations of Judges of the International Criminal Court, which will take place at the twentieth session of the Assembly of States Parties, on the basis of a recommendation of the Bureau.

The Embassy of Italy has the further honour to attach the statement of qualifications on the fulfilment of the criteria established in the terms of reference of the Advisory Committee and the curriculum vitae of Professor Mauro Politi.

Professor Mauro Politi fully meets the requirements established in the terms of reference of the Advisory Committee adopted by the Assembly of States Parties: “Members of the Committee should be drawn from eminent interested and willing persons of a high moral character, who have established competence and experience in criminal or international law”.

In his professional career, he has developed an extensive and very appreciated knowledge and experience of criminal law, both at the national and international levels. He has worked for many years within the Italian judicial system as judge and prosecutor with growing responsibilities and scope of action. In 2001, he was also elected as ad litem judge of the International Criminal Tribunal for the former Yugoslavia and then as a judge of the International Criminal Court, from 2003 to 2009. During his mandate at the International Criminal Court, he also served as the Presiding Judge of Pre-Trial Chamber II.

Professor Mauro Politi has carried out extensive diplomatic activities, in particular for the elaboration and negotiation of various conventions (including the Rome Statute of the International Criminal Court), and provided legal advice to the Government of Italy in many areas of international law.

Finally, he has excellent and highly recognized academic credentials, having taught as Professor of International Law in various universities in Italy and having developed a considerable and highly appreciated publishing activity, which constitutes a noteworthy contribution to the development of international law and justice.

His high moral character is proved by his long-lasting and distinguished career mentioned above.

Statement of qualifications

On how the qualifications of the candidate meet the criteria established by the Terms of Reference of the Advisory Committee on Nominations of Judges of the International Criminal Court

The Terms of Reference of the Advisory Committee on Nominations of Judges of the International Criminal Court are established in the annex to document ICC-ASP/10/36 of 30 November 2011 and in the Amendments to the Terms of Reference, contained in annex II of resolution ICC-ASP/18/Res.4 of 6 December 2019.

According to paragraph 2 of the Terms of Reference, “Members of the Committee should be drawn from eminent interested and willing persons of a high moral character, who have established competence and experience in criminal and international law”.

On this basis, Professor Mauro Politi fully meets the above criteria. First, he is very interested and willing to contribute to the work of the Advisory Committee. Second, his established competence and experience in criminal and international law is shown by the following elements:

- a) from 2003 to 2009 he was a judge of the International Criminal Court and for three years (2006-2009) he presided over Pre-Trial Chamber II;
- b) within the Italian judiciary, he had acted as criminal and civil judge, as well as Prosecutor in a juvenile court, for a total of 14 years;
- c) in his academic career he reached the position of full professor of international law at the University of Trento where he also taught human rights law and is currently teaching a course of international law in English. As a member of the United Nations Human Rights Committee (2015-2018) and Vice-Chairman of the Committee (2018), he has addressed frequently issues concerning the relations between human rights law, international humanitarian law, and international criminal law.

The above level of competence and experience will make the Professor Mauro Politi especially suited for performing the functions assigned to the Committee and its members. This applies to all key phases leading to the preparation of the report on each candidate, which have been recently identified *inter alia* in : a) the development of a common questionnaire and of a standard declaration from the candidates, b) the reference checks by the Committee through information provided for example by professional bodies, bar associations and academic institutions; c) interviews with the candidates and d) classification of the candidates in one of the four categories of “highly qualified”, “qualified”, “only formally qualified” or “not qualified”.

In the end, the objective of the Committee is to provide States with meaningful information on the quality of the candidates, and with an assessment resulting from a deep and well elaborated analysis of all relevant elements. In particular, when preparing the questions for the candidates and conducting the interviews, the competence and experience of Professor Politi may represent an important asset for the evaluation of each nominee. In fact, it would be essential to assess the level of knowledge of the candidates with regard to the Rome Statute and its interpretation by the ICC jurisprudence, as well as with respect to the key challenges that the International Criminal Court is facing in the current historic circumstances. On this latter point, it is also worth noting that the most recent scholarly contribution of the Professor Politi contains precisely a comment on a Report prepared by a Group of Experts appointed by the Assembly of States Parties in 2019 to identify the modalities and instruments to strengthen the Court and the Rome Statute system.

Finally, one should consider the fact that on several occasions (see the curriculum vitae), Professor Mauro Politi has enjoyed the confidence of the United Nations General Assembly, of the Assembly of States Parties to the Rome Statute of the International Criminal Court and of the Assembly of States Parties of the International Covenant on Civil and Political Rights, as a result of the voting for the election to important posts in international criminal tribunals and United Nations treaty bodies.

Curriculum vitae

Judge Politi was elected for a six-year term from the Western European and other States group ([WEOG](#)), and was assigned to the Pre-Trial Chamber.

He has been a full professor of international law at the University of Trento since 1990. Prior to this, and since 1976, he had taught at the Universities of Cagliari and Urbino. As Legal Adviser to the Permanent Mission of Italy to the United Nations (1992-2001), he participated actively in the negotiation process that led to the adoption of the Rome Statute. He also served on the Italian delegation to the Preparatory Commission for the ICC. During his judicial career (1969-1983), he was a judge at the Tribunals of Oristano and Milan. He was also Deputy Prosecutor at the Juvenile Court of Milan. In 2001, he was elected by the United Nations General Assembly to be on the list of *ad litem* judges of the International Criminal Tribunal for the Former Yugoslavia. As a former judge and prosecutor, he has dealt

with numerous cases of human rights violations and of violence and abuse against women and children. He has published several articles on the Rome Statute of the International Criminal Court and on the related Elements of Crimes.

Personal data

Date of birth: 13 September 1944, Fabrica di Roma, Italy
Residence: Italy

Educational qualifications:

Law Degree, *magna cum laude*, from the University of Florence, 1966

Languages:

Fluent in English and French, written and spoken

Awards:

Gran Croce al Merito della Repubblica Italiana (Great Cross for Merit of the Italian Republic), granted by the President of Italy in 2005.

Academic activities

Adjunct Professor of Private International Law, University of Cagliari School of Political Sciences (1976-1979)

Adjunct Professor of International Law, University of Urbino Law School (1979-1983)

Associate Professor of International Law, University of Urbino Law School (1983-1986)

Associate Professor of International Law, University of Trento Law School, (1986-1990)

Full Professor of International Law, University of Trento Law School (since 1990)

He is currently teaching a course of Public International Law, (in English) at CEILS (Programme of Comparative, European and International Legal Studies.).

Judicial and professional activities

He started his judicial career at the Tribunal of Florence in 1969

Judge of the (civil and criminal) Tribunal of Oristano (1972)

Deputy Prosecutor at the Juvenile Court of Milan (1972-1975)

Judge of the (civil and criminal) Tribunal of Milan (1975-1983)

In his domestic judicial career, he reached the level of Appellate Judge in 1983

Foreign Lawyers Program, White & Case, New York (1985-6)

In 2001, he was elected by the U.N. General Assembly to the list of *ad litem* judges of the International Criminal Tribunal for the former Yugoslavia

Judge of the International Criminal Court (2003-2009). Presiding Judge of Pre-Trial Chamber II (2006-2009).

Member of the National Group of the Permanent Court of Arbitration (since 2011)

Member of the UN Human Rights Committee (2015-2018); Rapporteur on Follow-Up to Concluding Observations (2017-2018)

Vice-Chairman of the UN Human Rights Committee (2018)

Diplomatic activities

Member of the Italian delegation to the IAEA Conference for the elaboration of the Conventions on the Early Notification of a Nuclear Accident and on Assistance in the Case of a Nuclear Accident or Radiological Emergency (Vienna, 1986)

Member of the Italian delegation to the IAEA-NEA negotiations to draft a Joint Protocol Relating to the Application of the Vienna and Paris Conventions on Civil Liability for Nuclear Accidents (Vienna, 1988)

Member of the Italian delegation to the negotiations to elaborate a Convention on the Control of the Transboundary Movements of Hazardous Waste and Their Disposal (Geneva, Luxembourg, Basel, 1988-1989)

Member of the Italian delegation to the IAEA Working Group on Nuclear Liability and to the IAEA Standing Committee on Liability for Nuclear Damage (Vienna, 1989-1991)

Member of the Group of Jurists entrusted by the Italian Government with the preparation of the introductory document for the Siena Forum on International Law of the Environment, convened by the Summit of the seven most industrialized countries (1990)

Member of the Italian delegation to the Preparatory Committee of the United Nations Conference on Environment and Development (New York, 1992)

Legal Adviser to the Permanent Mission of Italy to the United Nations (1992-2001)

Delegate of Italy to the Vancouver Meeting on the Statute of the International Criminal Tribunal for the former Yugoslavia (1993)

Vice-Chairman of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (1994)

Member of the delegation of Italy to the Security Council (1995-1996)

Member of the Italian delegation to the ad Hoc Committee and the Preparatory Committee on the Establishment of an International Criminal Court (1995-1998)

Member of the Italian delegation to the United Nations Conference of Plenipotentiaries on the Establishment of an International Criminal Court (Rome, 1998)

At the Rome Conference, coordinator on the issue of children in armed conflicts

Member of the Italian delegation to the Preparatory Commission for the International Criminal Court (1999-2002)

Chairman of the Sixth (Legal) Committee of the U.N. General Assembly (55th Session: 2000-2001)

Member of the Italian delegation to the Preparatory Committee for the Kampala Review Conference of the Statute of the International Criminal Court (New York, 2010)

Member of the Italian delegation to the Sixth (Legal) Committee of the General Assembly, (2010-2011-2012), and to the Assembly of States Parties to the Statute of the International Criminal Court (2011-2012)

Italian delegate to the Cojur ICC and Cojur, Public International Law, meetings of the European Union (Bruxelles, 2011-2012-2013-2014) In the second semester of 2014 he acted as President of the Cojur ICC.

Member, appointed by the Italian Government, of the Conciliation Commission under the 1954 Agreement between Italy and Brazil concerning conciliation and judicial settlement (2011)

Member of the International Legal Team appointed by Italy in the dispute between Italy and India (concerning the Enrica Lexie case) before the UNCLOS Annex VII Arbitral Tribunal. (2015-2019).

Research activities and scholarly meetings abroad

Columbia University, School of International Affairs. Research Project on the Resolutions of the General Assembly of the United Nations (1968)

Yale University Law School, Research Project on Nuclear Non-Proliferation (1980-1981)

Rapporteur at “Nuclear Inter Jura 87”, organized by the International Nuclear Law Association (Antwerp, 1987)

Rapporteur at the “Travaux des XIIIes Journées d’études juridiques Jean Dabin”, organized by the International Law Department of the University of Louvain (Louvain, 1988)

Rapporteur at the Colloquium “Science et Droit”, organized by the French Ministry of Research and Technology (Paris, 1991)

Participant in a Panel Discussion on the Reform of the U.N. Security Council organized by the University of Georgia (Athens, Georgia, 1996)

Rapporteur at the Annual Seminar on International Humanitarian Law, organized by the ICRC and the New York University School of Law (New York, 1997)

Rapporteur at the Regional Conference on the International Criminal Court, organized by “No Peace Without Justice” and the Ministry of Foreign Affairs of Uruguay (Montevideo, 1997)

Participant in the Seminar organized by the French Ministry of Foreign Affairs on “The Access of Victims to the International Criminal Court” (Paris, 1999)

From 2000 to 2002, participant and rapporteur in various conferences and meetings on the International Criminal Court, notably in Storrs (Connecticut), Brussels, Prague and Sevilla

During his mandate as judge of the International Criminal Court, he took part as key-note speaker or panellist in meetings and conferences, held in particular I The Hague, Strasbourg, Paris, Yerevan, Moscow, Madrid, Athens, Seoul, Cairo, St. Petersburg, Manila

He was also a key-note speaker at various scholarly meetings, in particular at the Asser Institute in the Hague, at Leiden University, at the Ljubljana University School of Law (also at the Ljubljana International Conference on “Responsibility to Protect”, in April 2013 and the IDLO Conference in the Hague in April 2014).

Member of the Advisory Committee of ICLN (International Criminal Law Network), the Hague.

In recent years, he gave lectures or took part as speaker or panelist in various conferences and meetings, including at the Geneva School of Diplomacy, at Conferences of the Italian Red Cross, at the Institute for Cultural Diplomacy in Berlin, at the Annual Meeting of ESIL in Athens, at the Center for High Military Studies (CASD) in Rome, at the Graduate Institute

of International and Development Studies in Geneva, at the Universities of Milano Bicocca and Gabriele d'Annunzio in Pescara, at the Italian Ministry of Foreign Affairs and International Cooperation, and before the Governmental Agencies of the Republic of Myanmar in Nay-Pyi-Taw.

Main publications

“Foro della reciprocità e principii costituzionali in tema di giurisdizione” (Competence by Way of Reciprocity and Constitutional Principles Relating to Jurisdiction), *Rivista di diritto internazionale*, 1969, pp. 258-288.

“L'immunità giurisdizionale dei rappresentanti degli Stati presso la FAO” (Jurisdictional Immunity of States' Representatives to F.A.O.), *Rivista di diritto internazionale*, 1970, pp.526-550.

“Responsabilità da fatto illecito nella Convenzione sullo Statuto delle forze armate della NATO” (Responsibility for Wrongful Acts in the Convention on the Status of NATO Armed Forces), *Rivista di diritto internazionale*, 1973, pp.45-85.

“Giurisdizione penale sul personale della NATO e problemi di costituzionalità” (Criminal Jurisdiction over NATO Personnel and Constitutional Issues), *Rivista di diritto internazionale privato e processuale*, 1974, pp.470-486.

Notes to Comment Upon Various Judgements of Courts of Merit and of the Court of Cassation, *The Italian Yearbook of International Law*, 1977, pp. 279-282 and 1978-79, pp.149-161.

Funzioni consolari e rapporti tra ordinamenti. Diritto internazionale e legge locale nell'attività del console italiano (Consular Functions and the Relationships between Legal Systems. *International Law and Domestic Law in the Activity of the Italian Consul*), Milan, 1978 (pp.1-181).

“Miniere d'uranio nelle Alpi Marittime, inquinamento transfrontaliero e tutela internazionale dell'ambiente” (Uranium Mines in the Maritime Alps, Transfrontier Pollution and International Protection of the Environment), *Rivista di diritto internazionale privato e processuale*, 1981, pp.541-599.

“Esportazioni nucleari e politiche di non proliferazione” (Nuclear Exports and Non-Proliferation Policies), *Legislazione economica*, 1980-1981, pp.806-821.

“La Convenzione dell'Aja del 1965 sulle notificazioni civili all'estero e le notifiche a cura dei consoli italiani” (The 1965 Hague Convention on Civil Notifications Abroad and the Notifications by the Italian Consuls), *Rivista di diritto internazionale*, 1983, pp.375-383.

“Diritto internazionale e non proliferazione nucleare” (Nuclear Non-Proliferation and International Law), Padua, 1984 (pp. 1-301).

“Safeguards Against Nuclear Proliferation: The Need for Greater Effectiveness”, *The Italian Yearbook of International Law*, 1985, pp.85-95.

“Assistenza giudiziaria internazionale” (International Judicial Assistance), *Digesto*, IV ed., vol.I, 1987, pp.455-472.

“I danni da inquinamento nella normativa internazionale: realtà e prospettive” (Pollution Damage in International Legislation: Reality and Prospects for Progress), *Diritto e Pratica nell'assicurazione*, Atti del Convegno su “il danno ambientale”, Milan, 30 November 1987, pp.79-92.

“Incidenti nucleari e responsabilità civile: verso un simultaneo ampliamento della sfera di applicazione delle convenzioni internazionali vigenti?” (Nuclear Accidents and Civil

Liability: Towards a Simultaneous Widening of the Scope of Application of the Existing International Conventions?), *Rivista giuridica dell'ambiente*, 1988, 2, pp.209-235.

“International and Civil Liability for Nuclear Damage: Some Recent Developments of State Practice”, *La reparation des dommages catastrophiques. Les risques technologiques majeurs en droit international et en droit communautaire. Travaux del XIIIes Journées d'études juridiques* Jean Dabin, Université de Louvain, Bruxelles, 1990, pp.319-337.

“Basi militari straniere e giurisdizione italiana” (Foreign Military Bases and Italian Jurisdiction), *Le basi militari della NATO e di paesi esteri in Italia*, Camera dei deputati, Roma, 1990, pp.67-97.

“Energia nel diritto comunitario” (Energy in European Community Law), *Digesto*, IV ed., vol.VI,1991, pp.3-23.

“The Impact of the Chernobyl Accident on the States' Perception of International Responsibility for Nuclear Damage”, Francioni-Scovazzi (eds.), *International Responsibility for Environmental Harm*, London, 1991, pp.473-490.

“La disciplina giuridica della tutela dell'ambiente nei rapporti di vicinato tra Italia e Francia” (The Legal Regime of Environmental Protection in the Relationships between Italy and France), De Guttry-Ronzitti (eds.), *I rapporti di vicinato tra Italia e Francia*, Padua, 1994, pp.227-239.

“Tutela dell'ambiente e sviluppo sostenibile: profili e prospettive di evoluzione del diritto internazionale alla luce della Conferenza di Rio de Janeiro” (Environmental Protection and Sustainable Development: Issues and Prospects for Progress after the Rio Conference), *Scritti in memoria di Giuseppe Barile*, Padua, 1995, pp.447-580.

“The Establishment of an International Criminal Court at a Crossroads: Issues and Prospects after the First Session of the Preparatory Committee”. *The International Criminal Court: Observations and Issues before the 1997-98 Preparatory Committee, and Administrative and Financial Implications*, *Nouvelles Etudes Pénales*, 1997, pp. 115-157.

“Il diritto umanitario alla svolta della Conferenza di Roma sulla istituzione di una Corte penale internazionale: un auspicio ed un impegno dell'Italia” (Humanitarian Law at the Juncture of the Rome Conference on the Establishment of an International Criminal Court: an Auspice and a Commitment of Italy), *Cooperazione fra Stati e giustizia penale internazionale. Societa' italiana di diritto internazionale*, III Convegno, Siena 12-13 giugno 1998, Naples, 1999, pp.37-61.

“Le Statut de Rome de la Cour pénale internationale: le point de vue d'un négociateur” (The Rome Statute of the International Criminal Court: the point of view of a negotiator), *Revue générale de droit international public*, 1999,4,pp.817-850.

“The Rome Statute of the ICC: Rays of Light and Some Shadows”, Politi-Nesi (eds.), *The Rome Statute of the International Criminal Court. A Challenge to Impunity* (Proceedings of the Trento Conference of 13-15 May 1999), Ashgate, Aldershot, 2001, pp.7-16.

“Elements of crimes”, Cassese-Gaeta-Jones (eds.), *The Rome Statute of the International Criminal Court. A Commentary.*, Oxford University Press, London, 2002, vol. I, pp.443-473.

“The Debate Within the Preparatory Commission for the International Criminal Court”, Politi-Nesi (eds.), *The International Criminal Court and the Crime of Aggression* (Proceedings of the Trento Conference of 30 May-1 June 2001), Ashgate, Aldershot, 2004, pp. 43-51.

“Complementarity or Competition among International Jurisdictions: The International Criminal Court Perspective”, *Les juridictions internationales: complémentarité ou concurrence ?*, Bruylant, Bruxelles, 2005, pp.41-49..

“Some Concluding Remarks on the Role of NGOs in the International Criminal Court”, Civil Society, International Courts and Compliance Bodies, TMC Asser Press, the Hague, 2005, pp.143-145.

POLITI-GIOIA, “The Criminal Procedure before the International Criminal Court: Main Features”, New International Tribunals and New International Proceedings, Milan, 2006, pp.135-156.

“The ICC and International Cooperation under the Rome Statute – Introductory Remarks, Proceedings of the Workshop held in Lecce on October 21-22, 2005, Lecce, 2007, pp.7-12.

POLITI-GIOIA, “La responsabilita’ penale individuale per violazione degli obblighi a tutela dei beni culturali in tempo di conflitto armato” (Individual Criminal Responsibility for Violation of Duties to Protect Cultural Property During Armed Conflicts), La tutela internazionale dei beni culturali nei conflitti armati, Milan, 2008, pp.197-219.

POLITI-GIOIA (eds.), “The International Criminal Court and National Jurisdictions”, Proceedings of the Trento Colloquium of 4-5 May 2007, Ashgate, Aldershot, 2008.

“Foreword”, M. EL ZEIDY, The Principle of Complementarity in International Criminal Law. Origin, Development and Practice, M. Nijhoff, Leiden-Boston, 2008.

“La Corte penale internazionale a dieci anni dalla Conferenza di Roma: un primo bilancio” (The International Criminal Court Ten Years After the Rome Conference), Liber Fausto Pocar, Diritti individuali e giustizia internazionale, Milano, 2009, pp.735-752.

“Reflections on Complementarity at the Rome Conference and Beyond”, The International Criminal Court and Complementarity: from Theory to Practice, Cambridge Univ. Press, Cambridge, 2011, pp.142-149.

“The ICC and the Crime of Aggression: A Dream that Came Through and the Reality Ahead”, Journal of International Criminal Justice, Vol.10, 1, 2012, pp.267-288..

“Il crimine di aggressione e i rapporti tra CPI e Consiglio di Sicurezza” (The Crime of Aggression and the Relationships Between the ICC and the Security Council), La Comunita’ internazionale, Quad. 15, 2014, pp.89-101.

« Complementarite’ (Principe de), Dictionnaire Encyclopédique de la Justice Pénale Internationale » (sous la direction de O. Beauvallet), Paris, 2017, pp.201-203.

“Artico 8 bis, 15 bis e 15 ter: Crime de Agressao” (Artiche 8 bis, 15 bis and 15 ter: Crime of Aggression), Tribunal Penal Internacional-Comentarios ao Estatudo de Roma (International Criminal Court-Commentaries to the Rome Statute), Steiner S.-Caldeira Brandt (coordinators), Belo Horizonte, “ 2 ed, 2020, pp. 301-318.

“Art. 3 sul diritto alla vita” (Article 3 on the Right to Life), 30 Voci per 30 Diritti, libero commento agli articoli della Dichiarazione Universale dei Diritti Umani, E. Berto-M. Marcantoni (a cura di), Trento, 2020, pp.40-46.,

“Riformare la Corte Penale Internazionale? Brevi osservazioni sul (lungo) documento di un gruppo di esperti” (To Reform the International Criminal Court? Some Brief Observations on a (Long) Document Prepared by a Group of Experts), in Caracciolo I.-Montuoro U. (a cura di), Ricostruzione della pace, giustizia e tutela dei diritti umani, Torino 2021, pp.249-262.

With M. Gagliardini co-author, “The Principle of Complementarity in Today’s Perspective” in C: STAHN, M. EL ZEIDY, The International Criminal Court and Complementarity: From Theory to Practice, Cambridge University Press, 2nd ed. (being published).”

8. **Rodríguez Veltzé, Enrique Eduardo (Bolivia)**

[Original: English]

Note verbale

The Embassy of the Plurinational State of Bolivia presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and, with reference to the Secretariat's note verbale ICC-ASP/20/SP/37, dated 20 May 2021, has the honour to inform the Secretariat that the Government of the Plurinational State of Bolivia has decided to nominate Mr. Eduardo Rodríguez Veltzé for re-election to the Advisory Committee on Nominations of Judges of the International Criminal Court, at the elections to be held during the twentieth session of the Assembly of States Parties.

The Embassy has the further honour to enclose Mr. Rodríguez Veltzé's statement of qualifications and curriculum vitae.

The Embassy of the Plurinational State of Bolivia avails itself of the opportunity to renew to the International Criminal Court Secretariat of the Assembly of States Parties the assurances of its highest consideration.

Statement of qualifications

Declaration presented in accordance with article 36, paragraph 4 (c), of the Rome Statute of the International Criminal Court and resolution ICC-ASP/10/Res.5, approved by the Assembly of States Parties, regarding the procedure for the election of the members of the Advisory Committee on Nominations of Judges of the International Criminal Court.

Dr. Eduardo Rodríguez Veltzé, whose resume is attached, in English and Spanish, is a renowned jurist who has a solid professional background in International Law.

Dr. Rodríguez Veltzé is currently a Member of the Advisory Committee for the Nominations of Judges appointed by the Assembly of States Parties of the International Criminal Court (2018-2021). He was also a Member of the Permanent Court of Arbitration in The Hague (2017) and a facilitator in different working groups at the International Criminal Court (ICC). Among other positions, he has served with excellence as Bolivian Plenipotentiary Ambassador to the Kingdom of the Netherlands and Agent of the Plurinational State before the International Court of Justice based in The Hague (2013-2019).

Within Bolivia he has had an important legal experience, he has been a Public Servant as Legal Advisor to the Ministry of Foreign Affairs and Worship (1992-93), Representative in Bolivia of the United Nations Latin American Institute for the Prevention of Crime (ILANUD) (1989- 1992), Sub-Comptroller of Legal Services in the Office of the Comptroller General of the Republic (1993-1999), Minister / Magistrate (1999-2006) and President (2004-2006) of the Supreme Court of Justice of Bolivia. Dr. Rodríguez Veltzé served as President of the Republic of Bolivia (June 2005-January 2006) for a designation of the National Congress by constitutional succession from June 2005 to January 22, 2006, period in which he demonstrated his equanimity, impartiality and high moral integrity.

Dr. Rodriguez Veltzé has a solid academic background, he began his career studying a Bachelor of Law, at the San Simón University, Cochabamba, Bolivia (1981), later on he completed a Master's Degree in Public Administration, at the School of Government JFKennedy, Harvard University, Massachusetts, USA. (1988), he participated in the XXXIII Session of the American Academy of International Law, Texas, USA (1986) and he was also a fellow of the British Chevening, program on Auditing and Fraud, (1995).

For all said, and for what is stated in detail in his resume, Dr. Rodriguez Veltzé complies with the requirements established in the terms of reference of the Nominating Advisory Committee.

Curriculum vitae

Personal details

Date of Birth: 2 March 1956

Education

- 1995 Royal Institute of Public Administration (RIPA), London UK
British Chevening Scholarship Award Program, Scholar of the Audit Course
- 1988 Harvard University
J.F. Kennedy School of Government, Cambridge, Ma. USA
Master's Degree in Public Administration
Scholar of the E. Mason Public Policy and Administration Program
- 1986 International & Comparative Law Center, Dallas Tx. USA
XXII Session of the Academy of American and International Law
Scholar of the Southwestern Legal Foundation
- 1981 Universidad Mayor de San Simón
Law School, Cochabamba, Bolivia
Lawyer, Degree in Law and in Political and Social Sciences

Professional experience

- 2013-2019 Ambassador of the Plurinational State of Bolivia to the Kingdom of the Netherlands
- 2013-2019 Ambassador of Bolivia with concurrent accreditation to the Portuguese Republic
- 2013-2019 Agent of Bolivia
International Court of Justice, The Hague
- 2017 to date Member of the Permanent Court of Arbitration, The Hague
- 2018-2021 Member of the Advisory Committee on Nominations of Judges
International Criminal Court, The Hague
- 2009-2013 Dean and Professor
Faculty of Law and Political Science
Universidad Católica Boliviana "San Pablo", La Paz, Bolivia
- 2011 Visiting Professor
Dartmouth College, Hanover, New Hampshire, USA
Montgomery Fellows Program, Summer session
- 2007-2008 Researcher
Instituto de Derecho Público y Comparado
Universidad Carlos III, Madrid, Spain
- 2005-2006 President of the Republic of Bolivia
(Appointed by the National Congress)
- 2004-2006 President
Supreme Court of Justice
- President
Judicial Council

- 1999 Judge of the Supreme Court of Justice
(Appointed by the National Congress)
- 1998-1999 General Counsel
General Comptroller's Office of the Republic
- 1993-1998 Legal Services Deputy Comptroller
Responsible for the Comptroller's Office Legal Department
- 1993 General Counsel
Ministry of Foreign Affairs and Worship
- 1989-1992 Resident Coordinator
United Nations Latin American Institute for the Prevention of Crime and
the Treatment of Offenders (ILANUD)
- 1982-1989 Private Legal Practice

Publications

- Columna quincenal "Paralaje", periódico La Razón, La Paz, Bolivia, 2012-2013
- Derechos Fundamentales –Fundamentales, un mapa de navegación. Coordinación c. F. Rojas Facultad de Derecho y Ciencias Políticas. Universidad Católica Boliviana San Pablo, La Paz 2012
- Constitución Política del Estado Plurinacional de Bolivia, anotada, concordada y comentada, Coordinador c F. Rojas Tudela. Publicación digital del Centro de Estudios Constitucionales, UCB, La Paz, 2011
- La Enseñanza del Derecho y el Pluralismo Jurídico. En 11 Tesis sobre Pluralismo, Publicación del Centro de Estudios Constitucionales, UCB, La Paz, 2011
- Justice to Change. In: "ReVista", Harvard Review of Latin America. A publication of Harvard University D. Rockefeller Center for Latin American Studies. Cambridge Ma. US, 2011.
- Ley de Deslinde Jurisdiccional - Derechos Individuales vs. Derechos Colectivos, En: Los Derechos Individuales y Derechos Colectivos en la Construcción del Pluralismo Jurídico en América Latina. Konrad Adenauer Stiftung, Programa Regional de Participación Política Indígena, La Paz, 2011
- Pensar en este tiempo: Pluralismo Jurídico. Academic research coordinator. Universidad Católica Boliviana, La Paz, 2010
- El efecto centrífugo de la Constitución Política Boliviana, con F. Rojas en: "Bolivia: en la senda de la Ley Marco de Autonomías y Descentralización, Evaluación, análisis crítico y perspectivas futuras". KAS, La Paz, 2010
- Criminalización y Derecho a la Protesta en Bolivia, con F. Rojas en: "Derecho Penal y libertad de Expresión en América Latina". Facultad de Derecho y CELE, Universidad de Palermo, Buenos Aires, Argentina, 2010.
- Órgano Judicial y Tribunal Constitucional Plurinacional en "Miradas a la Constitución Política del Estado". Vicepresidencia del Estado Plurinacional de Bolivia, La Paz, 2010.
- El Órgano Judicial en la Nueva Constitución en: "Reflexión Crítica a la Nueva Constitución Política del Estado". KAS Bolivia, La Paz, 2009.
- Derechos Humanos en Bolivia. Apuntes y aproximación de sus alcances. Documento y presentación para el debate. ILDIS, La Paz, 2008
- The Development of Constituent Power in Bolivia, In: "Unresolved Tensions, Bolivia, Past and Present". University of Pittsburgh Press, USA, 2008.

- Jurisprudencia y actividad judicial en la Corte Suprema de Justicia y el Consejo de la Judicatura de Bolivia. Imprenta Judicial, Sucre, 1999-2006.
- Aportes al Diccionario Histórico de Bolivia. Edit. Grupo de Estudios Históricos, Sucre, 2003 Editorial Judicial (1999/2006)
- Justicia Administrativa, Noche Parlamentaria, edit. Fundación K. Adenauer, La Paz, 1999.
- Legal Security, Accountability and Transparency in Bolivia. In: “Viability of Democracy” LAC, Saint Anthony’s College, Oxford University. February 1998. Palgrave, UK, 1999.
- Aportes a: “La hora de la transparencia en América Latina” Edit. Fundación K. Adenauer and Transparency International, Buenos Aires, 1998.
- Control gubernamental y control de privatizaciones, la experiencia boliviana. Revista El Control, Buenos Aires, Argentina, 1998.
- Valor moral y actitudes éticas, en: Ética Pública y Corrupción en Bolivia. Foro de Gobernabilidad y Desarrollo Humano. Presencia, 1997.
- Justicia y Reformas Judiciales, en: Buen Gobierno para el Desarrollo Humano, Vicepresidencia, y Fundación Milenio, 1994
- Report on Bolivia’s Judicial System. Coordinator, ILANUD and Universidad Católica, La Paz, 1993.

Languages

Spanish – Mother tongue

English – Fluent

French – Basic knowledge

9. Song, Sang-Hyun (Republic of Korea)

[Original: English]

Note verbale

The Embassy of the Republic of Korea to the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and, with reference to the Secretariat's note verbale ICC-ASP/20/SP/37, dated 20 May 2021, has the honour to inform the Secretariat that the Government of the Republic of Korea has decided to nominate Judge Song Sang-Hyun for re-election to the Advisory Committee on Nominations of Judges of the International Criminal Court, at the elections to be held during the twentieth session of the Assembly of States Parties.

The Embassy has further the honour to enclose Judge Song's statement of qualifications and curriculum vitae.

Statement of qualifications

Statement submitted in accordance with article 36, paragraph 4(c), of the Rome Statute of the International Criminal Court and resolution ICC-ASP/10/Res5, adopted by the Assembly of States Parties, relating to the procedure for the election of the members of the Advisory Committee on Nominations of Judges of the International Criminal Court

Judge Song Sang-Hyun, currently a member of the Advisory Committee on Nominations of Judges (ACN) of the International Criminal Court (ICC), and the former President and Judge of the ICC, meets the requirements set out in the terms of reference of the ACN. He is a person of high moral character, impartiality, and integrity.

Judge Song has established competence and experience in criminal and international law as specified in his Curriculum Vitae. He has extensive practical and academic experience in the areas of criminal procedure, the law of evidence, court management, and international law.

Judge Song was admitted to the Korean Bar in 1964, started his legal career as a judge-advocate in the Korean army and later worked as a foreign attorney in a New York law firm. He served as a member of the Advisory Committees to the Korean Supreme Court and the Ministry of Justice for 25 years, from 1979 to 2003. As such, he took part in initiatives to reform the national litigation system, commercial arbitration system, criminal justice system, court management, and the prison system. Judge Song was also Chair of the Policy Advisory Committee for National Human Rights Commission from 2015 to 2019.

Judge Song has well-established expertise in the ICC system and practice. He served as a judge of the ICC from 2003 to 2015. He was one of the first judges of the Court in 2003 and was assigned to the Appeals Division. He was re-elected to the Court in 2006 for a term of nine years. In 2009 he was elected as President of the Court and re-elected in 2012 for another three-year period. He was also elected as a member of the ACN in 2019.

Judge Song has studied both the civil law and common law systems, in Korea, the United States, the United Kingdom, and Germany. He taught as a professor of law at Seoul National University Law School from 1972 to 2007, and lectured as a visiting professor at law schools in several countries, notably Melbourne Law School, Harvard Law School, and New York University School of Law. He is also the author of a number of publications on relevant legal issues. Judge Song has continued his commitment to international humanitarian law and human rights as a co-founder of the Legal Aid Centre for Women and of the Childhood Leukemia Foundation in Seoul, as well as serving as a member of the Board of Directors of UNICEF Korea.

Judge Song has received awards for his contributions both in Korea and abroad, including the highest decoration of the Korean Government, Mugunghwa (the Order of Civil

Merit) (2011), the Rule of Law Award from the International Bar Association (2012), and the Ridder Grootkruis (Knight's Grand Cross) award from the Government of the Netherlands (2015).

Curriculum vitae

Personal information

Date of birth: 21 December 1941

Nationality: Republic of Korea

Academic background

1963	LL.B., Seoul National University Law School (Korea)
1968	LL.M., Tulane Law School as Fulbright Fellow (U.S.A.)
1969	Diploma in Comparative Legal Studies, Cambridge University (U.K.)
1970	J.S.D., Cornell Law School (U.S.A.)
1974 – 1975	Visiting Humboldt Scholar to Hamburg University Law Faculty (Germany)
1978	Certificate, The Hague Academy of International Law (Summer)
1978 – 1979	Visiting Scholar to Harvard Law School as American Council of Learned Society Fellow (U.S.A.)

Professional career

1964	Called to the Korean Bar
1964 - 1967	Judge Advocate (Korean Army Captain)
1970 - 1971	Foreign Attorney, Haight, Gardner, Poor & Havens (New York)
1972 - 2007	Professor of Law, Seoul National University, Korea
1996 - 1998	Dean, Seoul National University Law School
2003 - 2015	Judge of the International Criminal Court
2009 - 2015	President of the International Criminal Court
2007 -	Professor of Law emeritus, Seoul National University
2019 -	Member of the Advisory Committee on Nominations of Judges of the International Criminal Court

Other experience

Domestic activities

1979 - 2003	Member of the Advisory Committee to the Korean Supreme Court
1981 - 2004	Member of the Advisory Committee to the Minister of Justice As the longest serving advisor to the Ministry of Justice regularly to deliberate on the criminal investigation reforms, North Korean refugees, independence of the prosecution authority, immigration, and prison reform, among other things
1989 - 1993	Member of the Advisory Committee on Clean Government to the Prime Minister
1999 - 2005	President, The Korean Law Professors Association, Inc.
1999 - 2009	President, The Korea Childhood Leukemia Foundation
2000 - 2016	Member, Board of Directors, The Beautiful Foundation
2001 - 2005	Prime Minister's Commission on Youth Protection
2005 - 2006	Presidential Commission on Judicial Reform
2015 – 2019	Chairman, Policy Advisory Committee for National Human Rights Commission

International activities

1990	Visiting Professor to the University of Melbourne Law School (1990, 1992, 1994, 1996)
1991	Visiting Professor to Harvard Law School (1991, 1995, 1999, 2003) Visiting Professor to the University of Florida (1989), to the University of Washington (1990, 1994), to the University of Wellington (1994), to Columbia Law School (1996), and to the University of Hawaii Law School (2001), respectively

- 1994 - 2003 Inge Rennert Distinguished Professor of Law, Global Law Program,
New York University
- 1995 - 2000 Member of the International Advisory Board for Pacific Rim Law &
Policy Journal (University of Washington)
- 1999 - 2004 Member of the Inaugural International Advisory Committee for The
Australian Journal of Asian Law (University of Melbourne)

Other affiliations

- 1991 - Member of the Board of Directors, UNICEF KOREA
President (2012 - 2021)
- 1999 - Member, Board of Trustees, Korea Family Legal Service Center, Inc.
- 2015 - Justice Leader, The Justice Leadership Group
- 2015 - Member of the Advisory Council for the International Nuremberg
Principles Academy
- 2015 - Member, The Wildlife Justice Commission Council
- 2017 - Board Member, The International Human Rights League of Korea

Decorations and citations

- 1994 The Most Distinguished Alumni Medal (Cornell University)
- 1997 National Decoration of the Second Highest Order (Moran) (Korean
Government)
- 2011 National Decoration of the Highest Order (Mugunghwa)
(Korean Government)
- 2012 Rule of Law Award by International Bar Association (IBA)
- 2015 Ridder Groot Kruis Orde from the Kingdom of the
Netherlands
- 2018 The Most Distinguished Alumni Medal (Seoul National University)
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