

Personal

Name: Mohamed Shahabuddeen
Nationality: Citizen of Guyana

Qualifications

- Called to the Bar (Middle Temple, London), 9 February 1954.
- B.Sc. (Econ.), LL.B., LL.M., Ph.D., LL.D., (London).
- Queen's Counsel (Q.C.), March 1966.
- Senior Counsel (S.C.), February 1970.
- LL.D. (Univ. West Indies) (*honoris causa*), 1992.
- Honorary Bencher of the Middle Temple, 1994.

Present international positions

16 June 1997 - present Judge, International Criminal Tribunal for the former Yugoslavia, normally in the Appeals Chamber.
Vice-President of the Tribunal from 17 November 1997 to 16 November 1999, and again from 16 November 2001 to 26 February 2003.

November 1997 - present Judge, International Criminal Tribunal for Rwanda (Appeals Chamber).

Previous international position

1988 - 1997 Judge, International Court of Justice, 9 years.

Previous positions in Guyana

August 1954 - May 1959 Counsel, private legal practice.

May 1959 - August 1959 Magistrate.

August 1959 - April 1962 Crown Counsel.

April 1962 - July 1973 Solicitor-General (with the rank of a Justice of Appeal as from May 1971).

1973 - 1987 Attorney General.

1978 - 1987 Minister of Legal Affairs.

1978 - 1987 Acting Minister of Foreign Affairs (from time to time).

Other senior ministerial positions, including First Deputy Prime Minister and Vice-President.

Related experience

1972 Member, Guyana delegation to the United Nations.

1963 - 1965 Member, Board of Governors, University of Guyana.

1973 - 1987 Member, Council of Legal Education of the Commonwealth Caribbean.

- 1966 - 1970 Member (with the rank of Ambassador), Guyana/Venezuela Mixed Boundary Commission.
- 1962 - 1987 Member of Guyana delegations to numerous international negotiations and conferences, including:
- United Nations Conference on Succession of States in respect of Treaties, Vienna, 1977.
 - Commonwealth Heads of Government Conferences at Lusaka (1979), Melbourne (1981), New Delhi (1983), Nassau (1985), and Vancouver (1987).
 - Cancun North/South Summit (1981).
 - General Assembly of the Organization of American States, Saint Lucia, December 1981.
 - Meetings of Ministers of Foreign Affairs of Non-Aligned Countries, Georgetown (1972) and New Delhi (1981).
 - Meeting of the Co-ordinating Bureau of the Movement of Non-Aligned Countries, Algiers, 1981.
 - Conference of Heads of State or Government of Non-Aligned Countries, New Delhi (1983).
 - Commonwealth Caribbean Heads of Government Conferences at Ocho Rios (1982), Port-of-Spain (1983), Nassau (1984), Georgetown (1986) and St. Lucia (1987).
 - Commonwealth Law Ministers Meetings, Lagos (1975), Barbados (1980), Sri Lanka (1983), and Harare (1986).
 - Commonwealth Law Conference, Hong Kong (1983).
- 1998 - present Member, Permanent Court of Arbitration.

Organizations

- Member (prior to being a Judge) of the Guyana Bar Association, itself a member of the Organisation of Commonwealth Caribbean Bar Associations.
- Member of the Commonwealth Association of Legislative Counsel (1983).
- Honorary Member of the American Society of International Law (President, Jessup International Law Moot Court, Washington, 1991).
- Member, International Law Association.
- Member, Institute of International Law (Institut de droit international) (First Vice-President, 1999 - 2001).
- Member, Société française pour le droit international.
- Associate Member, International Academy of Comparative Law.
- Member, Advisory Board, The African Society of International and Comparative Law.
- Honorary Life Member, The Indian Society of International Law.
- Member, Advisory Board, *European Journal of International Law*.

- Member, Advisory Board, *Journal of International Criminal Justice*.
- Member, Board of Honorary Editors, *Chinese Journal of International Law*.
- Member, Advisory Board, *The Law and Practice of International Courts and Tribunals: A Practitioner's Journal*.
- Member, Board of Electors of the Whewell Professorship of International Law of Cambridge University (1994 - 1998).
- Membre, Haut comité de Patronage, Euxodie (Aide internationale aux universités ACP).

Books include

- “The Legal System of Guyana”, (Georgetown, 1973).
- “Constitutional Development in Guyana 1621 - 1978”, (Georgetown, 1978).
- “Precedent in the World Court, Hersch Lauterpacht Memorial Lectures”, (Cambridge University Press, 1996).

Papers

- “The Role of the Lawyer in Developing Guyana”, (Georgetown, 1974).
- “Towards Industrial Justice in Guyana”, (Georgetown, 1974).
- “Law Reform in Guyana”, Guyana Bar Association Review, December 1981.
- “Refresher Courses: Compulsory or Optional?”, *Proceedings of the Commonwealth Law Conference*, Hong Kong, September 1983.
- “Slavery and Historiographical Rectification,” in: *Proceedings of the International Round Table to Commemorate the 150th Anniversary of the Abolition of Slavery in the Anglophone Caribbean*, published by the Guyana Commemoration Committee with the assistance of UNESCO, 1985.
- “The ICJ: First Impressions”, Address, Research Centre for International Law, University of Cambridge, February 1991.
- “The ICJ: An End to Underemployment”, Proceedings of the American Society of International Law, April 1991.
- “The ICJ: Selected aspects”, Address, Columbia University, April 1991.
- “The ICJ: The Integrity of an Idea”, in: *International Law in Transition - Essays in Memory of Judge Nagendra Singh*, 1992, p. 341.
- “The ICJ: The Road to Universality”, Address, Council of Legal Education of the Commonwealth Caribbean, Trinidad and Tobago, 21 February 1992.
- “The International Court of Justice: The View from the West Indies”, Address, Law Association of Trinidad and Tobago, 5 December 1992.

- “Developing Countries and the Idea of International Law”, in: *Essays in Honour of Wang Tieya* (ed. R.St.J. Macdonald), 1993, p.72.
- “Municipal Law Reasoning in International Law”, in: Vaughan Lowe and Malgosia Fitzmaurice (eds.), *Fifty Years of the International Court of Justice* (Cambridge, 1996), pp. 90-103.
- “The International Court of Justice: Image, Mission, Mandate”, The First Taslim Elias Memorial Lecture, Nigerian Society of International Law, 19 May 1994.
- “The Hersch Lauterpacht Memorial Lectures”, Cambridge University, November 1994.
- “The World Court at the Turn of the Century”, in: A.S. Muller, D. Rai and J.T. Thuránszky (eds.), *The International Court of Justice: Its Future Role After Fifty Years* (The Hague, 1996), pp. 3-29.
- “The Evolution of the Global Legal Framework”, in: Boutros Boutros-Ghali, *Amicorum Discipulorumque Liber* (Brussels, 1998), vol. 1, pp. 701-724.
- Note on Third Party Intervention in International Litigation, *Annuaire de l’Institut de droit international*, Session de Berlin, vol. 68-1, 1999 (Paris, 1999), pp. 229-239.
- “Duress in International Humanitarian Law”, in: C.A. Armas Barea et al. (eds.), *Liber Amicorum ‘In Memoriam’ of Judge Jose Maria Ruda* (Kluwer, 2000), pp. 563-574.
- “The Competence of a tribunal to deny its existence”, in: *International law in the Post-Cold War World, Essays in Memory of Li Haopel* (London, 2001), pp. 473 ff.
- “Consistency in Holdings by International Tribunals”, in: N. Ando et al. (eds.), *Liber Amicorum Judge Shigeru Oda* (The Hague, 2002), pp. 633-650.
- “Policy-Oriented Law in the International Criminal Tribunal for the former Yugoslavia”, in: L.C. Vohrah et al (eds.), *Man’s Inhumanity to Man* (The Hague, 2003), pp. 889-898.
- “Some Aspects of the ICTY”, in: Andrea Giardina and Flavia Lattanzi (eds.), *Essays in Honour of Gaetano Arangio-Ruiz* (Naples, 2004), pp. 1423-1494.
- “Customary International Law and *nullum crimen sine lege*”, Lecture, European University Institute, Florence, Italy, 28 May 2004.
- “Does the Principle of Legality Stand in the Way of Progressive Development of Law?”, in: *Jo. Int’l Criminal Justice*, 2 (2004), pp. 1007-1017.
- “The International Criminal Process and the Global Community”, in: *The Integrationist* (Georgetown, 2005).

International Court of Justice (February 1988 - February 1997)

Participated in all cases and gave individual judicial opinions in these 23 matters:

- United Nations Headquarters Agreement, *ICJ Reports 1988*, p. 12, at pp. 57-64.
- Border and Transborder Armed Actions, *ICJ Reports 1988*, p. 69, at pp. 133-156.
- Aerial Incident of 3 July 1988, *ICJ Reports 1989*, p. 132, at pp. 145-160.

- Land, Island and Maritime Frontier Dispute (Composition of Chamber), *ICJ Reports 1989*, p. 162, at pp. 165-172.
- Applicability of Article VI, Section 22, of the Convention on the Privileges and Immunities of the United Nations, *ICJ Reports 1989*, p. 177, at pp. 212-221.
- Land, Island and Maritime Frontier Dispute (Application for permission to Intervene), *ICJ Reports 1990*, p. 3, at pp. 18-62.
- Arbitral Award of 31 July 1989, Provisional Measures, *ICJ Reports 1990*, p. 64, at pp. 74-78.
- Passage through the Great Belt, *ICJ Reports 1991*, p. 12, at pp. 28-36.
- Arbitral Award of 31 July 1989 (Guinea-Bissau/Senegal), *ICJ Reports 1991*, p. 53, at pp. 106-119.
- Questions of Interpretation and Application of the 1971 Montreal Convention arising from the Aerial Incident at Lockerbie (Libyan Arab Jamahiriya v. United Kingdom) (Provisional Measures), *ICJ Reports 1992*, p. 3, at pp. 28-32.
- Questions of Interpretation and Application of the 1971 Montreal Convention arising from the Aerial Incident at Lockerbie (Libyan Arab Jamahiriya v. United States of America) (Provisional Measures), *ICJ Reports 1992*, p. 14, at pp. 140-142.
- Certain Phosphate Lands in Nauru (Nauru v. Australia), Preliminary Objections, *ICJ Reports 1992*, p. 240, at pp. 270-300.
- Maritime Delimitation in the Area between Greenland and Jan Mayen (Denmark v. Norway), *ICJ Reports 1993*, pp. 30-210.
- Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Yugoslavia (Serbia and Montenegro)). Further requests for Provisional Measures, *ICJ Reports 1993*, pp. 353-369.
- Territorial Dispute (Libyan Arab Jamahiriya/Chad), *ICJ Reports 1994*, pp. 42-48.
- Maritime Delimitation and Territorial Questions between Qatar and Bahrain (Qatar v. Bahrain), Jurisdiction and Admissibility, *ICJ Reports 1995*, pp. 51-66.
- East Timor (Portugal v. Australia), *ICJ Reports 1995*, pp. 119-128.
- Request for an Examination of the Situation in accordance with paragraph 63 of the Court's Judgment of 20 December 1974 in the Nuclear Tests Case (New Zealand v. France), *ICJ Reports 1995*, pp. 312-316.
- Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v. Nigeria), Provisional Measures, *ICJ Reports 1996 (I)*, p. 28.
- Legality of the Use by a State of Nuclear Weapons in Armed Conflict, *ICJ Reports 1996 (I)*, pp. 97-100.
- Legality of the Threat or Use of Nuclear Weapons, *ICJ Reports 1996 (I)*, pp. 375-428.

- Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Yugoslavia), *ICJ Reports 1996 (II)*, pp. 634-630.
- Oil Platforms (Islamic Republic of Iran v. United States of America), *ICJ Reports 1996 (II)*, pp. 822-841.

International Criminal Tribunal for the former Yugoslavia and International Criminal Tribunal for Rwanda (1997 - present)

Participated in numerous judgments and decisions (practically all appellate) and gave individual judicial opinions in these 81 matters:

- *Prosecutor v. Erdemović* – IT-96-22-Tbis – 5 March 1998
- *Prosecutor v. Bagosora* – ICTR-98-37-A – 8 June 1998
- *Prosecutor v. Kovačević* – IT-97-24-AR73 – 2 July 1998
- *Prosecutor v. Blaškić* – IT-95-14T – 21 July 1998
- *Prosecutor v. Nyiramasuhuko* – ICTR-97-21-A – 28 October 1998
- *Prosecutor v. Nsengiyumva* – ICTR-96-12-A – 3 June 1999
- *Kanyabashi v. Prosecutor* – IVTR-96-15-A – 3 June 1999
- *Prosecutor v. Tadić* – IT-94-I-A – 15 July 1999
- *Prosecutor v. Delalić* – IT-96-21-T – 25 October 1999
- *Barayagwiza v. Prosecutor* – ICTR-97-19-AR72 – 3 November 1999
- *Prosecutor v. Tadić* – IT-94-I-A – 26 January 2000
- *Prosecutor v. Blaskić* – IT-95-14-T – 3 March 2000
- *Barayagwiza v. Prosecutor* – ICTR-97-19-AR72 – 31 March 2000
- *Semanza v. Prosecutor* – ICTR-97-20-A – 31 May 2000
- *Kambanda v. Prosecutor* – ICTR-97-23-A – 13 June 2000
- *Prosecutor v. Furundzija* – IT-95-17/1-A – 21 July 2000
- *Ngeze v. Prosecutor* – ICTR-97-27-AR72 – 5 September 2000
- *Prosecutor v. Simić* – IT-95-9-AR108bis – 27 March 2001
- *Prosecutor v. Jelisić* – IT-95-10-A – 5 July 2001
- *Kayishema v. Prosecutor* – ICTR-95-I – 19 July 2001
- *Musema v. Prosecutor* – ICTR-96-13-A – 16 November 2001
- *Prosecutor v. Kajelijeli* – ICTR-98-44-A-T – 16 November 2001
- *Kajelijeli v. Prosecutor* – ICTR-98-44-A-A – 14 December 2001
- *Prosecutor v. Krajišnik* – IT-00-49 & 40-AR72.3 – 14 February 2002
- *Rutaganda v. Prosecutor* – ICTR-96-3-A – 28 June 2002
- *Prosecutor v. Milošević* – IT-02-54-AR73.2 – 30 September 2002
- *Prosecutor v. Blagojević* – IT-02-60-AR65 & IT-02-60-AR65.2 – 3 October 2002
- *Prosecutor v. Šainović* – IT-99-37-AR65 – 30 October 2002
- *Prosecutor v. Kabuga* – ICTR-98-44 – 22 November 2002
- *Prosecutor v. Bobetko* – IT-02-62-AR54bis & IT-02-62-ARI08bis – 29 November 2002
- *Prosecutor v. Brdjanin* – IT-99-36-AR73.9 – 11 December 2002
- *Prosecutor v. Nikolić* – IT-94-2-AR72 – 9 January 2003
- *Prosecutor v. Milutinović* – IT-99-37-AR72 – 21 May 2003
- *Prosecutor v. Milošević* – IT-02-54-AR73.5 – 21 May 2003
- *Prosecutor v. Rutaganda* – ICTR-96-3 A – 26 May 2003
- *Prosecutor v. Krstić* – IT-98-33-A – 1 July 2003
- *Prosecutor v. Hadžihasanović* – IT-01-47-AR72 – 16 July 2003
- *Prosecutor v. Krnojelac* – IT-97-25-A – 17 September 2003
- *Prosecutor v. Nyiramasukuko* – ICTR-98-42-A15bis – 24 September 2003
- *Prosecutor v. Rukundo* – ICTR-2001-70-AR108 – 17 October 2003
- *Prosecutor v. Milošević* – IT-02-54-AR73.4 – 31 October 2003
- *Prosecutor v. Milošević* – IT-02-54-AR73.5 – 31 October 2003
- *Prosecutor v. Milošević* – IT-02-54-AR73.6 – 20 January 2004

- *Prosecutor v. Vasiljević* – IT-98-32-A-25 – February 2004
- *Mugiraneza v. Prosecutor* – ICTR-99-50-AR73 – 27 February 2004
- *Prosecutor v. Brojanin* – IT-99-36-A – 19 March 2004
- *Prosecutor v. Krstić* – IT-98-33 – 6 April 2004
- *Prosecutor v. Krstić* – IT-98-33-A – 19 April 2004
- *Prosecutor v. Milutinović* – IT-99-37-AR72.2 – 8 June 2004
- *Prosecutor v. Halilović* – IT-01-48-AR73 – 21 June 2004
- *Prosecutor v. Karemera* – ICTR-98-44-AR15bis.2 – 22 October 2004
- *Prosecutor v. Prlić* – IT-04-74-AR73.1 – 24 November 2004 (with other judges)
- *Prosecutor v. Nikolić* – IT-94-2-A – 4 February 2005
- *Prosecutor v. Kvočka* – IT-98-30/1-A – 28 February 2005
- *Prosecutor v. Simić* – IT-95-9/1-A – 12 April 2005 (with another judge)
- *Semanza v. Prosecutor* – ICTR-97-20-A – 20 May 2005 (with another judge)
- *Prosecutor v. Blagojević* – IT-02-60-A – 12 April 2005 (with another judge)
- *Kamuhanda v. Prosecutor* – ICTR-99-54A-A – 19 September 2005
- *Prosecutor v. Haradinaj et al* – IT-04-84-AR65.1 – 10 March 2006 (with another judge)
- *Prosecutor v. Stakić* – IT-97-24-A – 22 March 2006
- *Prosecutor v. Naletilić, Martinović* – IT-98-34-A – 3 May 2006
- *Prosecutor v. Zigić* – IT-98-30/1-A – 26 June 2006
- *Niyitegeka v. Prosecutor* – ICTR-96-14-R – 30 June 2006
- *Gacumbitse v. Prosecutor* – ICTR-2001-64-A – 7 July 2006
- *Niyitegeka v. Prosecutor* – ICTR-96-14-R – 27 September 2006
- *Prosecutor v. Mlado Radić* – IT-98-30/1-R.1 – 31 October 2006
- *Prosecutor v. Blagoje Simić* – IT-95-9-A – 28 November 2006
- *Prosecutor v. Stanislav Galić* – IT-98-29-A – 30 November 2006
- *Ndindabahizi v. Prosecutor* – ICTR-01-71-A – 16 January 2007
- *Niyitegeka v. Prosecutor* – ICTR-96-14-R – 6 March 2007
- *Brdanin v. Prosecutor* – IT-99-36-A – 3 April 2007
- *Rwamakuba v. Prosecutor* – ICTR-98-44C-A – 18 April 2007
- *Prosecutor v. Krajisnik* – IT-00-39-A – 11 May 2007
- *Prosecutor v. Strugar* – IT-01-41-Misc.1 – 7 June 2007
- *Prosecutor v. Gotovina* – IT-06-90-AR73.2 – 29 June 2007
- *Prosecutor v. Prlić* – IT-04-74-AR65.4 – 20 July 2007
- *Rwamakuba v. Prosecutor* – ICTR-98-44-A – 14 September 2007
- *Prosecutor v. Limaj, Bala Musliu* – IT-03-66-A – 27 September 2007
- *Prosecutor v. Halilović* – IT-01-48-A – 16 October 2007
- *Nahimana (Media) v. Prosecutor* – ICTR-99-52-A – 28 November 2007
- *Prosecutor v. Seselj* – IT-03-67-AR77.1 – 14 December 2007

National honours

- Order of Excellence (O.E.) (1988).
- Order of Roraima (O.R.) (1980).
- Cacique's Crown of Honour (C.C.H.) (1970).