

Personal

Name: EBOE-OSUJI, Chile
Date of Birth: 2 September 1962
Gender: Male

Professional affiliations

Called to the following Bars:	Nigeria	September 1986
	Ontario (Canada)	February 1993
	British Columbia (Canada)	November 1993

Member of the following Societies:

- Nigerian Bar Association
- Law Society of Upper Canada
- Advocates' Society of Ontario (Canada)
- Canadian Council on International Law
- American Society of International Law
- British Institute of International Law
- International Law Association

Professional Experience

2010 - present	Legal Advisor to the United Nations High Commissioner for Human Rights Office of the High Commissioner for Human Rights, Geneva, Switzerland Provides legal and policy advice to the United Nations High Commissioner for Human Rights in relation to her functions of protecting and promoting human rights all over the world.
2008—2010	Head of Chambers United Nations, International Criminal Tribunal for Rwanda, Arusha, Tanzania. Principal legal adviser in Chambers; supervising over 50 lawyers and legal interns in their provision of legal assistance to the judges of the ICTR by way of research on criminal law and procedure in common law jurisdictions, Canadian criminal law and procedure,

international criminal law and procedure, international humanitarian law, international human rights law, public international law and procedure; responsible for the drafting of legal opinions, decisions and judgments for judges of an ICTR Trial Chamber, supervising other legal officers to the Judges in their research and writing for the Judges; etc.

- 2007—2008 Senior Appeals Counsel
Special Court for Sierra Leone, Freetown, Sierra Leone
Represented the Prosecutor of the Special Court for Sierra Leone as a Senior Appeals Counsel in prosecution appeals before the Appeals Chamber; drafted legal briefs, memorials, submissions and other legal documents; coordinated the work of a prosecution appeal team.
- 2006—2008 Special Legal Adviser
Delegation of Nigeria to the Assembly of States Parties Special Working Group on the Crime of Aggression
Provided legal advice to the Nigerian delegation to Assembly of States Parties Special Working Group on the Crime of Aggression.
- 2006—2007 Lecturer
Faculty of Law, English Common Law Section, University of Ottawa, Ontario, Canada
Taught international criminal law at the Faculty of Law
- 2005—2007 Barrister-at-Law
Borden Ladner Gervais LLP, Ottawa, Ontario, Canada
Argued cases in courts and administrative tribunals, drafted pleadings, legal briefs and other legal documents, conducted legal research and wrote legal opinions and research papers, etc. Provided professional legal advisory services to the Embassies of certain foreign governments in Ottawa, Canada.
- 2003—2005 Senior Legal Officer in Chambers
United Nations, International Criminal Tribunal for Rwanda, Arusha, Tanzania
Provided legal assistance to the Judges in Trial Chamber II by way of research on criminal law and procedure in common law jurisdictions, Canadian criminal law and procedure, international criminal law and procedure, international humanitarian law, international human rights law, public international law and procedure; Responsible for Drafting of Legal Opinions, Decisions and Judgments for Judges of an ICTR Trial Chamber, supervising other legal officers to the Judges in their research and writing for the Judges; etc.
- 2000—2003 Senior Trial Attorney/Lead Prosecution Counsel
United Nations, International Criminal Tribunal for Rwanda, Arusha, Tanzania
Represented the Prosecutor of the Tribunal as a trial team leader in the prosecution of the cases of Bagosora, Nsengiyumva, Kabiligi and Ntabakuze and the Semanza Case; drafted legal briefs, memorials, submissions and other legal documents; supervised a trial team.

- 1999—2000 Head Legal Officer in the Appeals Chamber
 United Nations, International Criminal Tribunal for Rwanda (Appeals Chamber), The Hague, The Netherlands
 Provided legal assistance to the Appeals Judges by way of research on criminal law and procedure in common law jurisdictions, Canadian criminal law and procedure, international criminal law and procedure, international humanitarian law, international human rights law, public international law and procedure; responsible for drafting legal opinions, decisions and judgments for judges, supervised other legal officers to the judges in their research and writing for the judges; etc.
- 1999
 February - September Prosecution Counsel/Assistant Trial Attorney
 United Nations, International Criminal Tribunal for Rwanda, Arusha, Tanzania
 Represented the United Nations in its prosecution, before the ICTR, of war crimes, crimes against peace, crimes against humanity, and other international crimes committed by Rwandans in Rwanda and in neighbouring states during 1994.
- 1997—
 1999(02) Prosecution Counsel/Assistant Trial Attorney
 United Nations, International Criminal Tribunal for Rwanda, Kigali, Rwanda
 Represented the Prosecutor of the Tribunal in her prosecution, before the ICTR, of genocide, war crimes, crimes against humanity, and other international crimes committed by Rwandans in Rwanda and in neighbouring states during 1994.
- 1996—1997 Barrister-at-Law
 Eboe-Osuji & Adetunji, (Barristers & Solicitors), Toronto, Canada
 Argued various cases at all levels of courts of Ontario, Canada, the Federal Court of Canada and the Supreme Court of Canada; drafted pleadings, legal briefs and other legal documents.]
- 1994—1995 Barrister-at-Law
 Robinson, Hinkson, Toronto, Canada
 Argued various cases at all levels of courts of Ontario, Canada, drafted pleadings, legal briefs and other legal documents.
- 1993—1994 Barrister-at-Law
 Russell & Dumoulin, (Barristers & Solicitors), Vancouver, Canada
 Argued cases in court, drafted pleadings, legal briefs and other legal documents.
- 1993
 February - November Clerk-at-Law/Barrister-at-Law
 Russell & Dumoulin, (Barristers & Solicitors), Vancouver, Canada
 Argued cases before the Federal Court of Canada, British Columbia Small Claims Courts and Tribunals, drafted pleadings, legal briefs and other legal documents, conducted legal research and wrote legal opinions and research papers, etc.

- 1991—1992 Clerk-at-Law
Scott & Ayles (Barristers & Solicitors), Ottawa, Canada
Argued cases in Small Claims Courts and Administrative Tribunals, drafted pleadings, legal briefs and other legal documents, conducted legal research and wrote legal opinions and research papers, etc.
- 1989—1991 Law Researcher
Centre for Research in Air and Space Law, McGill University, Montreal, Canada
Conducted legal research, wrote legal research papers, conference legal papers, etc.
- 1988—1989 Law Researcher—Freelance
Montreal Canada
Conducted legal research and provided Canadian and international legal instruments to asylum seekers.
- 1986—1988 Barrister and Solicitor
Ugochuku & Co (Barristers & Solicitors), Port Harcourt, Nigeria
Argued cases in court, drafted pleadings, legal briefs, agreements, leases, mortgages and other legal documents.]
- 1985—1986 Clerk-at-Law
Ahamba & Associates (Barristers & Solicitors), Owerri, Nigeria
Drafted pleadings, legal briefs and other legal documents, conducted legal research and wrote legal opinions and research papers, etc.

Education (Advanced Law degrees)

- Doctor of Philosophy (PhD) (in international criminal law)* 2007—2011
University of Amsterdam, The Netherlands
- Master of Laws (LLM) Degree 1989—1991
McGill University, Montreal, Canada
Award: 1st Prize: 1990 Essay Contest
McGill's Graduate Programme in Air and Space Law

Education (Academic Law degrees)

- Canadian Bachelor of Laws (LLB) Equivalency 1989—1991
Certificate of Qualification
McGill University (Faculty of Law)/Joint Committee on Accreditation of

* PhD studies were aborted at the University of Toronto, Canada, in 1997, due to demands of work as a prosecutor at the ICTR. The studies were eventually re-commenced at the University of Amsterdam, The Netherlands in 2007. The PhD thesis has now been submitted and has been approved by the doctoral jury; and the degree will now be awarded in September 2011.

the Federation of Canadian Law Societies

Bachelor of Laws (LLB) (Honours) Degree 1981—1985
University of Calabar, Calabar, Nigeria

Education (Professional Law degrees/certificates)

Barrister-at-Law Degree, (Professional Legal Training Course) 1993
The Law Society of British Columbia, Vancouver, Canada
February-April

Barrister-at-Law Degree, (Bar Admission Course) 1991
The Law Society of Upper Canada (Ontario), Ottawa, Canada
May- June
1992
September -
December
1985—1986

Barrister-at-Law Certificate, (The Nigerian Law School)
The Nigerian Council of Legal Education

Summary of notable professional accomplishments

Nominated by the Government of Nigeria for election as a judge of the International Criminal Court (2008).

Senior Appeals Counsel in *The Prosecutor v Brima et al*, Special Court for Sierra Leone.

Senior Appeals Counsel in *The Prosecutor v Fofana et al*, Special Court for Sierra Leone.

Lead prosecution counsel in *The Prosecutor v Semanza* (No ICTR-97-20-T) International Criminal Tribunal for Rwanda, judgment dated 15 May 2003. At the end of the trial, Laurent Semanza (Mayor of Bicumbi, Rwanda) was convicted of complicity in genocide, extermination as a crime against humanity, two counts of murder as a crime against humanity, rape as a crime against humanity, and torture as a crime against humanity.

Interim Lead Counsel in *The Prosecutor v Bagosora, Nsengiyumva, Kabiligi and Ntabakuze* (No ICTR-98-48-T). Responsibilities included preparing the case, making the opening statement, and leading the first expert witness in examination-in-chief:
<http://65.18.216.88/ENGLISH/PRESSREL/2002/312chile&delponete.htm>

Lead counsel in *Cummings v Budget Rent-A-Car and Zurich Ins Co* (1996), 29 OR (3^d) 1, 136 DLR (4th) 330 (Ontario Court of Appeal, application for leave to appeal dismissed by the Supreme Court of Canada (1997), 31 OR (3^d) 1) - a land mark case in Canadian car insurance law: successfully tested proposition that an insurer has a duty to defend qualified young drivers whose class had been excluded rented car by the car rental company.

Lead counsel in *Ferrel & ors v A-G (Ontario)* “the Employment Equity Case”, a landmark case in Canadian constitutional right to equality: testing the proposition that the repeal of Ontario’s employment equity laws is unconstitutional and does involve a constitutionally reviewable governmental action.

Successful defence in Nigeria of three men accused of a capital punishment offence.

Selected publications, speeches and research

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| Books | <ul style="list-style-type: none"> • C. Eboe-Osuji (ed), <i>Protecting Humanity—Essays in International Law and Policy in Honour of Navanethem Pillay</i> (Leyden: Martinus Nijhoff, 2010). • C Eboe-Osuji, <i>International Law and Sexual Violence in Armed Conflict</i> (Leyden: Martinus Nijhoff, forthcoming). |
| Selected articles | <ul style="list-style-type: none"> • ‘Alibi in International Criminal Law, as viewed Through the Prism of the Common Law’ (forthcoming in the <i>Criminal Law Forum</i>) • ‘Prosecution Of Sexual Violence Against Women: a necessary component of post-conflict strategy of justice and social reconstruction in Colombia’ (forthcoming] • ‘Revisiting the Fault Element of the Extended Form of Joint Criminal Enterprise in International Criminal Law’ (pending publication) • ‘Changing the Characterisation of Crimes after Commencement of Trials at the International Criminal Court’ 49 <i>International Legal Materials</i> (2010) p 474. • ‘Another Look at the Intent Element of the War Crime of Terrorism’ <i>Cambridge Review of International Affairs</i>, 1474-449X, First published on 27 July 2010. • ‘Navi Pillay in Her Age’ in C. Eboe-Osuji (ed), <i>Protecting Humanity</i>. • ‘Nigeria’s Jurisdiction to Prosecute Johnny Paul Koroma for War Crimes Committed during the Sierra Leone Civil War’ (with Angela Nworgu) in C Eboe-Osuji (ed), <i>Protecting Humanity</i>. • ‘State Immunity, State Atrocities and Civil Justice in the Modern Era of International Law’ (2007) xlv <i>Canadian Yearbook of International Law</i> 223. • ‘Crimes against Humanity: Directing Attacks against a Civilian Population’ (2008) 2 <i>African Journal of Legal Studies</i> 118—129. • ‘Rape as Genocide: Some Questions Arising’ (2007) 9 <i>Journal of Genocide Research</i>, pp. 251-273. • ‘The Role of the Security Council in Prosecuting the Crime of Aggression: an African Perspective’ (2007) 34 <i>The Monitor-Journal of the Coalition for the International Criminal Court</i> 8. • ‘Superior or Command Responsibility – A Doubtful Theory of Criminal Responsibility at the Ad Hoc Tribunals’ in Deceaux et al, <i>From Human Rights to International Criminal Law</i> (The Hague: Brill, 2007), 105. • ‘International Law, Mercenary Activities and Conflict Prevention In Africa’ (Co-author: Adama Dieng] in Deceaux et al, <i>From Human Rights to International Criminal Law</i> (The Hague: Brill, 2007), 617. |

- ‘Vague’ Indictments and Justice at the International Criminal Tribunals: Learning from the World of Common Law’ in C P M Waters (ed), *British and Canadian Perspectives on International Law* (The Hague: Brill, 2006), 105.
- ‘Rape and superior responsibility in international law’ (http://www.icc-cpi.int/library/organs/otp/050620_Chile_presentation.pdf).
- ‘Murder as a Crime against Humanity at the Ad Hoc Tribunals: Reconciling Differing Languages’, ((2005) *Canadian Yearbook of International Law* p 145).
- ‘Genocide, Justice and the Forensic Sensibilities of the International Committee of the Red Cross’, *Chinese Journal of International Law* (2006), Vol. 5, No 1, p 149.
- ‘Crimes Against Humanity: from Finta to Mugesera’ or ‘In Sync at Last: Canadian Law and International Law of Crimes Against Humanity’, *Canadian Council on International Law website* (November 2005) http://www.ccil-ccdi.ca/index.php?option=com_content&task=view&id=124&Itemid=76
- ‘The World Our Stage: Practice at the Bar of International Law’ *The Advocates’ Society Journal* (summer 2005) pp 14—16.
- ‘Complicity in Genocide’ vs ‘Aiding and Abetting Genocide’: Construing the Difference in ICTR and ICTY Statutes (2005) 3 *Journal of International Criminal Justice* 56—81.
- ‘Kleptocracy: a desired subject of international criminal law that is in dire need of prosecution by universal jurisdiction’, *African Perspectives on International Criminal Justice* (2005) p 121.
- ‘Crimes against Humanity: the End of Impunity in a New Order of International Criminal Law’ *AFLA Quarterly* (October—December 1999) p 15.
- ‘The Jurisdiction to Prosecute Foreigners for Crimes Against Humanity Committed Abroad’ *AFLA Quarterly* (April—June 2000) p 12 [Co-author: Suzanne Schairer].
- ‘World War against Aviation Terrorism ... the Role of Canada’ in MATTE (ed) *Arms Control and Disarmament in Outer Space: Towards a New Order of Survival*, vol iv, 59.
- ‘The Duty to Defend an Unnamed Insured - Even the Fourth Generation Driver’ (1996) 14 *Canadian Journal of Insurance Law*, p 65.
- ‘Repeal of the Ontario Employment Equity Laws: A Lesson in Denial of Equal Protection of the Laws’ in Agocs, *Workplace Equality: International Perspectives on Legislation, Policy and Practice* (2002) p 109 (Co-author: Elizabeth McIsaac).
- ‘Healing the Rift: the Impasse between the African Union and the International Criminal Court’: <http://ceboe-osuji.blogspot.com/2010/03/healing-rift-impasse-between-african.html>
- ‘The Proper Burden of Persuasion for the Issuance of an Arrest Warrant at the International Criminal Court’: <http://ceboe-osuji.blogspot.com/2010/02/evidential-correct-standard-for-arrest.html>
- ‘A Thought for Kampala: Kleptocracy’: <http://ceboe-osuji.blogspot.com/2010/02/thought-for-kampala-kleptocracy.html>
- ‘Responsibility of States for Genocide Crimes’, *Law Times* 17 May 2007
- “‘Grave Breaches’ as War Crimes: Much Ado About ... ‘Serious

- Violations” (pending publication).
 - ‘Forced Marriage: as an International Crime’ (pending publication)
 - ‘Burning as a Mode of the War Crime of Pillage’ (pending publication).
 - ‘Interlocutory Appeals at The International Criminal Tribunal for Rwanda’ (pending publication)
- Theses:
- Aviation Incidents and the Earth-based Victims: a Review of Anglo-Canadian Tort Law (Montreal: McGill LL M Thesis, 1991), v. 203 pp. ISBN: 0315744812
- Book Manuscripts:
- International Criminal Law: an Inside View of an Edifice Under Construction;
 - Spirit of Sankey- Commentary on Aspects of Canadian Constitutional Law.
- Legal research experience:** Very extensive - over 500 academic legal and professional legal research and opinion papers.
- Selected speeches and lectures invitations:
- The Norwegian Red Cross Society, 150 Anniversary Lectures of the founding of the International Committee of the Red Cross, Oslo, Norway, 8 May 2009 [Paper Presented: ‘ICRC Neutrality and Practicalities of Prosecution]
 - Nigerian Bar Association, 2007 Annual Conference, Ilorin, Nigeria, 28 August 2007. Paper presented: “Ensuring Legally Responsible Development”.
 - International Law Association, 2006 Biennial Conference, Toronto, Canada, 7 June 2006. Paper presented: “Rethinking Superior Responsibility for Rape of Women during Armed Conflicts”.
 - Canadian Lawyers Abroad, University of Ottawa Chapter, Conference on Staying the Hand of Vengeance: Prosecuting International Crimes, Ottawa, Canada, 10 March 2006. Keynote Speech: “Empathy in Genocide Trials—The Death of Numbers”.
 - McGill University Law Faculty, Centre for Human Rights and Legal Pluralism, Conference on Hybrid Courts in Context, Montréal, Canada, 17 February 2006. Moderated discussion on the Contribution of Hybrid Courts to Post-Conflict Reconciliation.
 - Canadian Council on International Law, 2005 Annual Conference, Ottawa, Canada, 27 October 2005. Paper presented: “Definition and Analysis of Rape in International Criminal Law—A Continuing Tug-of-War?”
 - International Committee of the Red Cross, International Conference on “Customary International Humanitarian Law: Challenges, Practices and Debates”, Montréal, Canada, 30 September 2005. Paper presented: “Customary International Law in the Proceedings of the International Criminal Tribunals for Rwanda and the former

Yugoslavia”.

- British Association of Canadian Studies, Legal Studies Group, Canada-UK perspectives on public international law, London, England, 24 June 2005. Paper presented: “‘Vague’ Indictments and Justice at the International Criminal Tribunals: Learning from the World of Common Law’.
- International Criminal Court, OTP Guest Lecture Series, The Hague, The Netherlands, 20 June 2005. Paper presented: “Rape and superior responsibility in international law”: www.icc-cpi.int/otp/otp_guest_lecturer&id=30.html
- Advocates’ Society of Ontario, Fall Convention, Scottsdale, Arizona, 19 - 20 November 2004. Paper presented: The Practice of International Law in a Changing World: a Canadian Perspective.
- The Yukon College, Maddison Chair Lecture, Whitehorse, The Yukon Territory, 22 November 2004. Paper Presented: “Contributions of the International Criminal Tribunal for Rwanda to the Development of International Law of War Crimes”.
- United Nations High Commission for Human Rights, Experts Meeting on the Sierra Leone Independent Special Court and the Sierra Leone Truth and Reconciliation Commission, New York, 19—22 December 2001.
- Africa Legal Aid, Experts Meeting on African Perspectives on Universal Jurisdiction for International Crimes, Arusha, Tanzania, November 2002.
- Africa Legal Aid, Experts Meeting on African Perspectives on Universal Jurisdiction for International Crimes, Cairo, Egypt, 30-31 July 200. Paper presented: “Kleptocracy: A Viable Candidate for International Criminal Law, in Dire Need of Prosecution by Universal Jurisdiction”.
- Harvard University Black Students Association, Conference on Affirmative Action, 7 - 8 February 1997. Title of Speech: “Equality, Democracy and the Politics of Self Interest”.
- University of Western Ontario Law Faculty, 12 March 1997. Title of Lecture: “A Principle of Duty - the State and the Elimination of Unconstitutional Discrimination”.
- Canadian Association of Black Lawyers, 29 June 1997. Title of Speech: “Justiciability of the Constitutional Challenge against the Repeal of the Employment Equity Laws of Ontario”.

Languages:

Primary language: English

Mother Tongue: Igbo

Other language: Advanced Level French