

## Curriculum vitae

<b>FAMILY NAME:</b>	Mindua	
<b>FIRST NAME:</b>	Antoine	
<b>MIDDLE NAME:</b>	Kesia-Mbe	
<b>GENDER:</b>	Male	
<b>DATE OF BIRTH:</b>	31/12/1956	
<b>NATIONALITY:</b>	Congolese (Democratic Republic of the Congo)	
<b>REGIONAL CRITERIA:</b>	Africa	
<b>SECONDARY NATIONALITY: (IF APPLICABLE)</b>	N/A	
<b>MARITAL STATUS:</b>	Married	
<b>LIST A/LIST B</b>	List B	
<b>LANGUAGES</b>	<b>Mother tongue: Lingala/French</b>	
- ENGLISH	(written) Advanced	(oral) Advanced
- FRENCH	(written) Advanced	(oral) Advanced
- OTHERS	Kikongo: (written) Advanced	(oral) Advanced
	Kiswahili: (written) Advanced	(oral) Advanced
	Latin: (written) Advanced	(oral) Intermediate
	Dutch: (written) Basic	(oral) Basic
<b>EDUCATIONAL QUALIFICATIONS: <i>Date, institution, qualification(s) obtained (starting with most recent)</i></b> <i>- Please copy/paste if more entries are needed</i>		
<b>10/1992 – 12/1995</b>		
- <i>Institution:</i>	University of Geneva (Geneva, Switzerland)	
- <i>Qualification(s) obtained:</i>	Doctorate (PhD) in Public International Law; thesis title: “International Organisations, armed interventions and human rights”; prize awarded by the University of Geneva for the best doctoral thesis for the year 1996.	
<b>10/1990 – 07/1992</b>		
- <i>Institution:</i>	University of Geneva (Geneva, Switzerland)	
- <i>Qualification(s) obtained:</i>	Diplôme d’Etudes Supérieures (Advanced University degree obtained after Master’s degree) in Public International Law.	
<b>07/1989 – 08/1990</b>		
- <i>Institution:</i>	University of Strasbourg, International Institute of Human Rights (Strasbourg, France)	
- <i>Qualification(s) obtained:</i>	Certificate and Diploma in International Law and Comparative Human Rights Law	
- <i>Additional information:</i>	I am qualified to teach Human Rights Law in Universities.	

**10/1988 – 10/1990**

- *Institution:* University of Nancy II (Nancy, France)
- *Qualification(s) obtained:* Diplôme d'Etudes Approfondies (Advanced University degree obtained after Master's degree) in European Community Law; Diplôme d'Etudes Supérieures (Advanced University degree obtained after Master's degree) in European Politics and Law.

**10/1976 – 07/1982**

- *Institution:* University of Kinshasa (Democratic Republic of the Congo)
- *Qualification(s) obtained:* Graduat et Licence (Maîtrise) (Bachelor's and Master's degrees) in Law, Private and Criminal Law

**PROFESSIONAL EXPERIENCE: Date, employer, post title, other information (starting with most recent)**

- Please copy/paste if more entries are needed

- Please indicate the relevance of the experience to the candidacy under list A or list B, as appropriate

**04/2006 - present**

- *Employer:* International Criminal Tribunal for the Former Yugoslavia (ICTY), The Hague, The Netherlands
- *Post title:* Judge
- *Other information:* I have been a Trial Judge since April 2006. I am familiar with International Criminal Law and international legal proceedings. I have participated in the most serious, lengthy and complex cases at the ICTY. I have extensive judicial and legal expertise in crimes involving sexual violence, particularly in conflict zones.

**05/2001 – 04/2006**

- *Employer:* Permanent Mission of the Democratic Republic of the Congo (DRC) to the United Nations and other International Organizations in Geneva, Switzerland and Ambassador of the Democratic Republic of the Congo (DRC) to the Swiss Confederation in Bern, Switzerland; Minister of Foreign Affairs in the DRC.
- *Post title:* Ambassador Extraordinary and Plenipotentiary, Permanent Representative
- *Other information:* I am familiar with human rights issues, including the issue of violence against women and children. From 2005 to 2006 I was Vice-Chairman of the Executive Committee of the United Nations High Commissioner for Refugees in Geneva. I have also been head of the Democratic Republic of the Congo governmental delegation to the United Nations Commission on Human Rights in Geneva several times. In this capacity I initiated and/or supported a number of important resolutions which are considered to represent genuine advances in the human rights cause. I am an experienced manager.

**02/1997 – 05/2001**

- *Employer:* International Criminal Tribunal for Rwanda (ICTR), Arusha, Tanzania
- *Post title:* Legal Officer and Chief of the Judicial Proceedings Support Unit
- *Other information:* I was responsible for, inter alia, the management of trials, hearings and appeals. I often travelled to foreign countries to represent the ICTR and to serve judicial documents (warrants of arrest, orders for transfers etc.) on government authorities (Ministers of Foreign Affairs, Ministers of Justice, Attorneys General, Supreme Police Commanding Officers etc.). As a lawyer I was involved in drafting decisions, orders, judgments and other legal and judicial documents.

**12/1985 – 12/1988**

- *Employer:* Vice-Prime Minister's Office and Ministry of Citizens Rights and Freedoms, Kinshasa, Democratic Republic of the Congo

- *Post title:* Assistant Representative and Legal Adviser to the Vice-Prime Minister and Minister of Citizens Rights and Freedoms
- *Other information:* I am familiar with human rights issues at a domestic and also international level. I am also familiar with the workings of Government.

#### **11/1983 – 12/1985**

- *Employer:* Garde Civile (Police) Office of the President of the Republic, Kinshasa, Democratic Republic of the Congo
- *Post title:* Legal Officer to the Police and Assistant Legal Adviser at the Office of the President of the Republic
- *Other information:* I am familiar with issues relating to the Police, the Armed Forces and the Government.

#### **OTHER PROFESSIONAL ACTIVITIES:**

- *Please copy/paste if more entries are needed*

#### **07/2009 - present**

- *Activity:* Teaching: Invited Lecturer at the International Institute for Human Rights of the University of Strasbourg, France.

#### **10/2004 - present**

- *Activity:* Teaching: Professor of Public International Law and International Criminal Law at the Geneva School of Diplomacy and International Relations, University Institute, Geneva, Switzerland.

#### **11/1999 – 12/2006**

- *Activity:* Teaching: Visiting Lecturer at the University of Geneva (“ACTION HUMANITAIRE” cross-faculty programme) for Public International Law and International Humanitarian Law, Geneva, Switzerland.

#### **07/1995 – 12/1996**

- *Activity:* Research: Researcher at the Faculty of Law, University of Geneva, Switzerland.
- *Research fields:* International Humanitarian Law, human rights and Public International Law.

#### **10/1982 – 11/1988**

- *Activity:* Teaching: Professor of Civil and Commercial Law at the Kinshasa-Gombe University School of Commerce (higher and university education), in Kinshasa, Democratic Republic of the Congo.

#### **07/1981 – 11/1983**

- *Activity:* Armed Forces and Police: Trainee Military Magistrate; Assistant Military Prosecutor at the Court-Martial of the Garrison of Kinshasa-Gombe (1981-1982); Instructor for Human Rights and Fundamental Freedoms courses at the Police (Garde Civile) Training Centre in Kinshasa-Maluku, (1982-1983), Kinshasa, Democratic Republic of the Congo.
- *Other information:* I am familiar with military criminal law and criminal procedure. I am familiar with military discipline and the mindset of members of the armed forces. This is extremely useful in order to understand and try military personnel.

#### **MOST RELEVANT PUBLICATIONS**

1. “The Immunity of Heads of State and Government in International Criminal Law”, Protecting Humanity, Essays in International Law and Policy in Honour of Navenethem Pillay, edited by Chile Eboe-Osuji, Martinus Nijhoff Publishers, Leiden, Boston, 2010, pp. 729-748.
2. Tribunal Pénal International pour le Rwanda, Recueil des Ordonnances, Décisions et Arrêts, 1995-1997, edited by Eric David, Pierre Klein and Anne-Marie La Rosa with the collaboration de Jean-Pelé Fomete and Antoine Kesia-Mbe Mindua and assisted by Catherine Denis and Véronique Parquet, under the auspices of the Centre de droit international de l’Université libre de Bruxelles, Bruyland, Brussels, 2000

3. "Normes péremptoires du Droit international et État de droit en Afrique", AJICL, Vol. 10, No.2, 1998, pp. 216-243, London.
4. "Index analytique", in Les Nations Unies et le Droit international humanitaire, edited by Luigi Condorelli, Anne-Marie La Rosa and Sylvie Scherrer, Faculty of Law, Geneva, 1995.
5. International Organisations, Armed Interventions and Human Rights, doctoral thesis, Faculty of Law, 1995, Geneva.
6. "Intervention armée de la C.E.D.E.A.O. au Liberia: illégalité ou avancée juridique ?" AJICL, June 1995, Vol. 7, No 2, pp. 257-283, London.
7. "L'ONU face aux coups d'État militaires et aux Gouvernements non-démocratiques", AJICL, Vol. 6, No.2, pp.209-234, London.
8. "De la légalité de la "zone de sécurité française" au Rwanda", Afrique 2000, Revue Africaine de politique internationale, quarterly, No. 18, July-August-September 1994, pp. 19-26, Brussels.
9. "The African Charter of Human and People's Rights face to the Pluralist Democracy", La Voix des Sans Voix, Le Trimestriel des Droits de l'Homme, April-June 1991, No 1, Vol. 1, pp. 101-112, Paris.
10. "Human Rights in the relationship between the European Economic Community (EEC) and the African, Caribbean and Pacific Countries (ACP)", Advanced University degree thesis, Nancy, 1990.
11. "The death penalty in Zairian Criminal Law", Bachelor's degree paper, Law Faculty, University of Kinshasa, 1979.

#### **MOST RELEVANT SEMINARS**

- 28 Oct. – 01 Nov. 2013: Participated in the judicial Colloquium entitled: "Adjudicating sexual violence under international and domestic law: the case of the Democratic Republic of the Congo", organised by the University of Brandeis (USA), Physicians for Human Rights and the Institute for Historical Justice and Reconciliation in Putten and in The Hague, The Netherlands;
- 21-25 Oct. 2011: Participated in the ICTY judges' retreat on the case law, achievements, shortcomings and legacy of the Tribunal in Berlin, Federal Republic of Germany;
- 03 May 2001: Participated in the Inaugural Seminar of the International Institute for Trade and Development on "The International Economic Agenda and Coherence of Technology and Development" at Chulalongkorn University, Bangkok, Thailand;
- 19-22 October 1998: Participated in the workshop organized by the United Nations Department of Management, New York, Office of Human Resources Management, on "Job classification" at the International Criminal Tribunal for Rwanda (ICTR), Arusha, Tanzania;
- 21-25 Sept. 1988: Participated in the workshop organized by the United Nations Department of Management, New York, Office of Human Resources Management, on "Job description" at the International Criminal Tribunal for Rwanda (ICTR), Arusha, Tanzania;
- 01-09 June 1998: Attended the Fifth Plenary Session of the Judges of the International Criminal Tribunal for Rwanda (ICTR). During this plenary session, important amendments to the principal legal texts regarding the organisation, the functioning and the procedure of the Tribunal were discussed and adopted.
- 20-22 Oct. 1997: Participated in a seminar on International Humanitarian Law organized by the International Committee of the Red Cross (ICRC) for Judges and Legal Officers of the ICTR, Arusha, Tanzania.
- 01-05 June 1997: Attended the Fourth Plenary Session of the Trial and Appeal Judges of the ICTR in Arusha. During this plenary session, amendments to the principal legal texts on the organisation, the functioning as well as the procedure of the Tribunal were discussed and adopted;
- Dec. 1995 – Aug. 1996: Internship at the United Nations Centre for Human Rights, Geneva, Switzerland.
- Oct. 1995: Participated in a Colloquium organized by the University of Geneva on "The United Nations and the International Humanitarian Law" on the occasion of the 50<sup>th</sup> anniversary of the United Nations, Geneva, Switzerland;
- Aug, Sept and Oct. 1989: Internship in the field of human rights at the International Labour Organization (ILO), at the Centre for Human Rights of the United Nations and at the United Nations High Commission for Refugees, Geneva, Switzerland.

August 1989: Internship at the International Committee of the Red Cross (ICRC) in the field of International Humanitarian Law and of Human Rights, Geneva, Switzerland.

#### **MEMBERSHIP OF PROFESSIONAL ASSOCIATIONS AND SOCIETIES**

2013 - present: Member of the Network of National and International Judges against Sexual Violence;

2011 - present: Member of the Steering Committee of the “Crimes Against Humanity Initiative” of the Whitney R. Harris World Law Institute of the University of Washington School of Law;

2010 - present: Member of the General Assembly of the International Institute of Human Rights of Strasbourg;

1997- present: Member and prominent citizen of the Association of Congolese of Arusha, Tanzania;

1995 - present: Life Member of the Academic Society of Geneva (Société Académique de Genève);

1994-1998: Member of the African Society of International and Comparative Law (ASICL), London;

1990-2002: Member of the International Committee for the Respect and the Application of the African Charter of Human and Peoples’ Rights (ICRAC), Paris and Geneva;

1990-1993: President of the Inter-religious Association (Christians, Muslims, Jews, Buddhists, etc.) of Saint-Justin, Geneva.

1981-1982: Representative (Commissaire) of the Union of the Students of the University of Kinshasa; elected out of 9000 members of the Assembly, Kinshasa.

#### **AWARDS AND HONOURS**

- A. Academic distinctions
1. Bellot Prize 1996, Geneva: Medal, certificate and cash award for the best doctoral thesis of the University of Geneva, Geneva, Switzerland.
  2. Certificate of the Friends of Saint-Justin, 1993, Geneva, Switzerland.
- B. Awards received
1. Grant from the Ernest and Lucie Schmeidiny Foundation, 1995, Geneva, Switzerland.
  2. Fellowship of the “Oeuvre Saint-Justin” of Fribourg, 1990-1994, Fribourg, Switzerland
  3. Hans Wilsdorf (Rolex Watches) Grant, 1992, Geneva, Switzerland.

#### **PERSONAL INTERESTS**

Sport, humanitarian action, reading (history, sciences etc.), philosophy and religion, travel etc.

#### **OTHER RELEVANT FACTS**

A. Endorsement:

Judge Mindua's candidature is endorsed by the African Union (AU) by decision Doc.EX.CL/821 (XXIV) 21-28 January 2014

B. Multilateral positions

2005-2006: Vice-Chairman of the Executive Committee of the United Nations High Commissioner for Refugees (HCR), Geneva, Switzerland.

01 Jan – 31 Dec 2005: Chairman (Ambassadorial and Permanent Representative level) of the Group of 77 and China (G77 + China), the then group of 132 States members of the Non- Aligned Movement, in Geneva, Switzerland.

01 Oct.- 31 Jan. 2005: Coordinator (Ambassadorial and Permanent Representative level) of the Group of 21 (G-21), a group of 21 developing countries, at the United Nations Conference on Disarmament, Geneva, Switzerland.

C. Some international meetings

10-13 June 2014: Member of the Physicians for Human Rights Delegation to the Global Summit to End Sexual Violence in Conflict, organised by the UK government in London, United Kingdom;

12-16 April 2006: Head of the Democratic Republic of the Congo governmental delegation to the African Union Ministers of Trade Conference, Nairobi, Kenya.

13-18 Dec 2005: Deputy Head of the Democratic Republic of the Congo governmental delegation to the Sixth (6<sup>th</sup>) Ministerial Conference of the World Trade Organization, Hong Kong, China.

21-23 Nov 2005: Head of the Democratic Republic of the Congo governmental delegation to the Ministerial Conference of the Trade Ministers of the African Union on commodities, Arusha, Tanzania.

12-16 June 2005: Head of the Democratic Republic of the Congo governmental delegation to the Second (2<sup>nd</sup>) South Summit of the Heads of State and Government of member states of the Group of 77 and China (G77 + China), Doha, Qatar.

14 March – 22 April 2005: Head of the Democratic Republic of the Congo governmental delegation to the 61<sup>st</sup> Session of the United Nations Commission of Human Rights, Geneva, Switzerland.

18-22 Jan. 2005: Head of the Democratic Republic of the Congo governmental delegation to the World Conference on Disaster Prevention, Kobe, Japan.

29 Nov. – 03 Dec 2004: Deputy Head of the Democratic Republic of the Congo governmental delegation to the World Summit on a Mine Free World, Nairobi, Kenya.

9-13 July 2004: Head of the Democratic Republic of the Congo governmental delegation to the Conference of the African, Caribbean and Caribbean Group of States (ACP) and G-90 Trade Ministers, Grand Baie, Mauritius.

13-18 June 2004: Deputy Head of the Democratic Republic of the Congo governmental delegation to the eleventh UNCTAD Ministerial Conference of the United Nations Conference on Trade and Development, São Paulo, Brazil.

15-23 April 2004: Head of the Democratic Republic of the Congo governmental delegation to the 60<sup>th</sup> Session of the United Nations Commission on Human Rights, Geneva, Switzerland.

10-14 Sept. 2003: Deputy Head of the Democratic Republic of the Congo governmental delegation to the Fifth Ministerial Conference of the World Trade Organization (WTO), Cancun, Mexico.

17 March – 25 April 2003: Head of the Democratic Republic of the Congo governmental delegation to the Fifty-ninth Session of the United Nations Commission on Human Rights, Geneva, Switzerland.

4-5 Nov 2002: Head of the Democratic Republic of the Congo governmental delegation to the Ministerial Meeting on the Kimberley Process Certification Scheme for Rough Diamonds, Interlaken, Switzerland.

23 Sept. – 01 Oct. 2002: Head of the Democratic Republic of the Congo Government delegation to the Thirty-seventh Series of the Assemblies of the Member States of World International Property Organization (WIPO), Geneva, Switzerland.

16-20 Sept. 2002: Head of the Democratic Republic of the Congo governmental delegation to the Fourth Meeting of States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, Geneva, Switzerland.

05-07 August 2002: Head of the Democratic Republic of the Congo governmental delegation to the Common Market for Eastern and Southern Africa (COMESA)/Southern African Development Community (SADC) Regional Workshop, Nairobi, Kenya.

30-31 May 2002: Head of the Democratic Republic of the Congo governmental delegation to the Joint Seminar AIF (Agence Internationale de la Francophonie), COMSEC (Commonwealth Secretariat) and ACP (African, Caribbean and Pacific Countries Secretariat) on "the Multilateral Aspects of the Cotonou Partnership Agreement", Brussels, Belgium.

28-29 May 2002: Head of the Democratic Republic of the Congo governmental delegation to the Seminar on the Work Program of Doha and priorities for the French-speaking World (Francophonie), Paris, France.

13-17 May 2002: Head of the Democratic Republic of the Congo governmental delegation to the International Conference on the migration policies in Eastern Africa, the Horn of Africa and the Great Lakes Region, organized by the International Migration Policy Program (IMP) with the assistance of the UNFPA, UNITAR, IOM and ILO, Nairobi, Kenya.

29 April- 2 May 2002: Head of the Democratic Republic of the Congo governmental delegation to the UNCTAD Trade and Development Board, Nineteenth Special Session, Bangkok, Thailand.

18 March-26 April 2002: Head of the Democratic Republic of the Congo governmental delegation to the Fifty-eighth Session of the United Nations Commission on Human Rights, Geneva, Switzerland.

**D. Other training received**

Sept. 1996: Advanced learning of English language at Anglo World Centre, Oxford, United Kingdom.

Feb-Oct. 1982: Military special training (Brevet B Commando) at the Commando Training Centre (Centre d'Entraînement Commando) in Kota-Koli, Democratic Republic of the Congo.

1975-1976: Ecclesiastical training at the Regional Major Seminary Saint Robert Bellarmine (Jesuit Fathers). Studies in Philosophy and Religion, Mayidi, Democratic Republic of the Congo.