

Curriculum vitae

Personal data

Name Philippe Kirsch, Q.C.
Date of birth 1 April 1947
Languages English, French, Spanish

Current position

2009-2012 Judge *ad hoc* in the case *Questions relating to the Obligation to Prosecute or extradite (Belgium v. Senegal)* at the International Court of Justice.

Education and professional training

1979 Academy of International Law, The Hague, Netherlands.
1972 LL.M., University of Montreal, Canada.
1970 Called and Admitted to Quebec Bar.
1969 LL.L, University of Montreal, Canada.
1966 Bachelor's degree, Stanislas College, Montreal, Canada.

Professional background

2012 Member of the International Bar Association's Human Rights Institute (IBAHRI) Fact-finding mission to Myanmar-Burma.

2011-2012 Chair, International Commission of Inquiry to investigate all alleged violations of international human rights law in Libya, UN Human Rights Council.

2011 Commissioner, Bahrain Independent Commission of Inquiry.

2003-2009 President of the International Criminal Court, and a judge on its Appeals Chamber.

1999-2003 Ambassador of Canada to the Kingdom of Sweden.

1999-2003 Ambassador and Agent for Canada in the *Legality of Use of Force Case* before the International Court of Justice.

1994-1999 Legal Adviser, Department of Foreign Affairs and International Trade, Ottawa.

1994-1996 Assistant Deputy Minister for Legal and Consular Affairs, Department of Foreign Affairs and International Trade, Ottawa..

1995-1998 Ambassador and Agent for Canada in the *Fisheries Jurisdiction Case* before the International Court of Justice.

1992-1994 Director General, Bureau of Legal Affairs, Department of Foreign Affairs and International Trade, Ottawa.

- 1988-1992 Ambassador and Deputy Permanent Representative of Canada to the United Nations, New York.
- 1983-1988 Director, Legal Operations Division, Department of External Affairs, Ottawa..
- 1985-1986 Ambassador and Agent for Canada in the Dispute concerning Filleting within the Gulf of St. Lawrence ("Bretagne" arbitration).

Earlier assignments with the Bureau of Legal Affairs and United States Division of the Department of External Affairs (Ottawa), Canadian Embassy to Peru (with accreditation to Bolivia) and Canadian Mission to the United Nations in New York.

Related professional experience

- 1999-2002 Chairman of the Preparatory Commission for the International Criminal Court.
- 1998 Chairman of the Committee of the Whole of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court.
- 1997 - 1999 Chairman of the United Nations Ad Hoc Committee and the General Assembly's Sixth (Legal) Committee Working Group for the suppression of acts of terrorism, which adopted the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism.
- 1979 Alternate representative of Canada to the Ad Hoc Committee on International Terrorism.
- 1993-1994 Chairman of the United Nations Ad Hoc Committee and the General Assembly's Sixth (Legal) Committee Working Group, which adopted the Convention on the Safety of United Nations and Associated Personnel.
- 1987-1988 President of the International Conference on Air Law on the drafting of a Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation; Head of the Canadian delegation to the 26th session of the Legal Committee of the International Civil Aviation Organization and Chairman of the Committee's Working Group.
- 1987-1988 Chairman of the Committee of the Whole of the International Conference on the Suppression of Unlawful Acts against the Safety of Maritime Navigation; Chairman of the Preparatory Committee of the International Maritime Organization.
- 1981 Vice-Chairman of the Ad Hoc Committee on the drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries.
- 1979 Head of the Canadian delegation to the Ad Hoc Committee on the Drafting of an International Convention against the Taking of Hostages.

2000-2003	Member of the Group of International Advisers to the International Committee of the Red Cross.
1999	Vice-President and Chairman of the Drafting Committee, of the 27th International Conference of the Red Cross and the Red Crescent.
1998-1999	Chairman of the Canadian National Committee on Humanitarian Law.
1998	Head of the Canadian delegation at the First Periodical Meeting of the States Parties to the Geneva Conventions.
1995	Chairman of the Drafting Committee at the 26th International Conference of the Red Cross and the Red Crescent.
1993	Chairman of the Drafting Committee of the International Conference on the Protection of War Victims.
1993, 1995	Chairman of the preparatory and subsequent intergovernmental working groups of government experts on the protection of war victims.
1995-1999	Member of the Permanent Court of Arbitration.
1983-1985	Representative of Canada to the Ad Hoc Committee of Legal Advisers on Public International Law of the Council of Europe.
1993-1994	Representative of Canada to the Committee of Experts on Public International Law, Council of Europe.
1993	Head of the Canadian delegation before the Panel convened pursuant to chapter 18 of the Canada-United States Free Trade Agreement in the Matter of Puerto Rico Regulations on the Import, Distribution and Sale of U.H.T. milk from Quebec.
1982-1983	Chairman of the United Nations General Assembly's Sixth (Legal) Committee and member of the General Committee of the United Nations General Assembly, and Vice-Chairman (1980).
1980	Chairman-Rapporteur of the Sixth Committee's Working Group on Peaceful Settlement of Disputes.
1988-1991, 1987, 1986, 1984, and 1982	Representative of Canada to the Sixth Committee.
1977-1980	Alternate representative of Canada to the Sixth Committee.
1988-1991	Representative of Canada to the United Nations General Assembly, its Special Political Committee and Fourth Committee (Decolonization).
1980-1981 and 1989-1992	Vice-Chairman of the United Nations Special Committee on Peacekeeping Operations, and Chairman of its Working Group (1989-1992).

- 1989-1990 Deputy Representative of Canada on the Security Council.
- 1990 Vice-Chairman of the Committee on Sanctions Against Iraq.
- 1990 Chairman of the Sub-Committee on States confronted with Economic Problems as a Result of Sanctions.
- 1984-1988 Head of the Canadian delegation to the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea.
Vice-Chairman of Special Commission 2 (Enterprise).
- 1974 Adviser to the Canadian delegation to the Third United Nations Conference on the Law of the Sea, Caracas, Venezuela.
- 1983-1985 Chairman of the Working Group of Experts on the Protection of the Marine Environment against Marine Pollution from Land-based Sources, United Nations Environment Programme.
- 1984 Alternate chief delegate of Canada to the 25th session (extraordinary) of the Assembly of the International Civil Aviation Organization.
- 1983 Alternate representative of Canada to the United Nations Conference on Succession of States in Respect of State Property, Archives and Debts.
- 1983 and 1981 Chairman of the Committee on Application for Review of United Nations Administrative Tribunal Judgments.
- 1982 Representative of Canada to the Intergovernmental Working Group on a Code of Conduct, United Nations Commission on Transnational Corporations, 1982.
- 1981 Canadian observer to the Working Group on the New International Economic Order, United Nations Commission on International Trade Law.
- 1979-1981 Delegate to the Committee on the Peaceful Uses of Outer Space and to its Legal and Scientific and Technical subcommittees.
- 1977-1981 Vice-Chairman of the United Nations Committee on Relations with the Host Country.

Professional associations

- 2012- present Member of the Group of Professionals for the Harvard Project on Monitoring, Reporting and Fact-finding Missions.
- 2012- present Member of the Board of Editors, Brill New International Criminal Law Series.
- 2012 Member of ABA - ICC Project Board of Advisors.
- 2009 Member of the Honorary Council of the Canadian Centre for International Justice.
- 2005 Member of the Institute of International Law, 2005.
- 2002 Member of the Board of Advisors, Parliamentarians for Global Action.
- 2002 Member of the Board of Advisors, Journal of International Criminal Justice.
- 1994-1999 Member of the Executive Committee, Canadian Council of International Law.

1994-1999 Member of the American Society of International Law.
1970 Member of the Bar of the Province of Quebec (ret.).

Honours

2010 Commander of the Order of the Cross of Oak (Luxembourg).
2009 Officer of the Order of Canada, December 2009.
2009 Grand Cross of the Order of the Crown (Belgium).
2007 Honorary Doctorate of Laws from the Academic Council of Odessa National Academy of Law.
2004 Honorary Doctorate of Laws from the National University of Ireland.
2004 Honorary Doctorate of Laws from the University of Ottawa.
2003 Honorary Doctorate of Laws from the University of Montreal.
2003 Honorary Doctorate of Laws from the University of Quebec in Montreal.
2005 International Humanitarian Award for Advancing Global Justice, Frederick K. Cox, International Law Center, Case Western Reserve University.
2004 World Peace Award from the World Federalist Movement, Canada.
2003 Distinguished Achievement Award for the Advancement of the Rule of Law and Civil Society, Faculty of Law, University of British Columbia, Canada.
2003 Medal of the Law Faculty of the University of Montreal, Canada.
2003 Canada Sweden Human Rights Awards.
2002 Parliamentarians For Global Action Defender of Democracy Award.
2001 William J. Butler Human Rights Medal Award.
1999 Minister of Foreign Affairs' Award for Foreign Policy Excellence.
1999 Robert S. Litvack Human Rights Memorial Award.
1988 Queen's Counsel (Q.C.)

Publications and communications

“The Work of the International Commission of Inquiry for Libya” in “New Challenges for the UN Human Rights Machinery” (What Future for the UN Treaty Body System and Human Rights Council Procedures?), Intersentia, December 2011.

“La Cour pénale internationale : les premières années », in *Commentaire du Statut de Rome de la Cour pénale internationale* (Pedone 2011) (*forthcoming*).

“La Cour pénale internationale: de Rome à Kampala », *Annuaire français des relations internationales* (*forthcoming*).

“The International Criminal Court: from Rome to Kampala”, 43 *J. Marshall L. Rev.* Volume 43, Spring 2010, Number 3.

« Le rôle moteur de l'Europe dans un système déjà international » in *Vers une mise en dialogue des modèles de justice? Justice Et Mondialisation : Enjeux Et Défis*, Cahiers de la Justice, Dalloz, numéro spécial consacré au cinquantenaire de l'École nationale de la Justice (*forthcoming*).

“The International Criminal Court: Building on the Principal Legal Systems of the World”, in *Multiculturalism and Contemporary International Law: Essays in Honor of Edward McWhinney*, edited by Sienho Yee and Jacques-Yves Morin, Brill Academic Publishers, 2009.

“ICC marks five years since entry into force of Rome Statute” in *The Emerging Practice of the International Criminal Court*, edited by Carstten Stahn et Göran Sluiter, Martinus Nuihof Publishers, Leiden - Boston 2009.

Introduction to *Commentary on the Rome Statute of the International Criminal Court: Observers' Notes, Article by Article*, edited by Otto Triffterer, Second Edition, Hart Publishing, Oxford, 2008.

An introduction to *The ICC and Domestic Legal Order, Volume II: Constitutional Issues, Cooperation and Implementation*, edited par Bruce Broomhall and al., 2005.

Introduction to *Archbold: International Criminal Courts: Practice, Procedure and Evidence*, edited by Karim Khan & Rodney Dixon, 2005.

“The International Criminal Court and the Enforcement of International Justice”, Nineteenth Annual Blaine Sloan Lecture on International Law, *Pace International Law Review*, vol. XVII, No.1, Spring 2005.

“The International Criminal Court: a New and Necessary Institution Meriting Continued International Support”, *Fordham International Law Journal*, vol. 28, No.2, January 2005.

“The International Criminal Court and International Criminal Justice”, in *Developing a Culture of Conflict Prevention*, Anna Lindh Programme on Conflict Prevention, 2004.

“International Tribunals and Courts” published in *The Security Council in the Post-Cold War Era*”, edited by David Malone, Lynne Rienner Publisher, 2004.

Introduction to *Elements of War Crimes under the Rome Statute of the International Criminal Court – Sources and Commentary*, edited by Knut Dörmann, Cambridge University Press, 2003.

“The Highway to the International Criminal Court: all Roads lead to Rome”, Journées Maximilien-Caron, 1-2 May 2003, Canadian Institute for the Administration of Justice and Faculty of Law of the University of Montreal, 2003.

“International Humanitarian Law and the ICC Statute: Problems and Process”, in *International Criminal Court, A new dimension in international justice. Questions and Prospects for a new humanitarian order, Proceedings of the Santorini Colloquium*, edited by Professor S. Perrakis, 2002.

“La Cour pénale internationale face à la souveraineté des Etats » in *Crimes internationaux et juridictions internationales*, A. Cassese and M. Delmas-Marty (director), P.U.F., 2002.

“Reaching Agreement at the Rome Conference”, “Referral by State Parties” and “Initiation of Proceedings by the Prosecutor” (with Darryl Robinson); “The Post-Rome Conference Preparatory Commission” (with Valerie Oosterveld), and “The Contribution of the Rome Statute to International Criminal Law” (with the Board of Editors), in *The Rome Statute of the International Criminal Court - A Commentary*, edited by Antonio Cassese, Paola Gaeta and John R.W.D. Jones, Oxford University Press, 2002.

“The Preparatory Commission for the International Criminal Court”, *Fordham International Law Journal*, vol. 25, No.3, March 2002.

« Terrorisme, Crimes contre l'humanité et la Cour pénale internationale », in *Livre Noir*, edited by S.O.S. Attentats, February 2002.

Introduction to *Reflections on the International Criminal Court - Essays in Honour of Adriaan Bos*, edited by Herman A.M. Von Hebel, Johan G. Lammers and Jolien Schukking, Kluwer Academic Publishers, 2001.
“The International Criminal Court: Current Issues and Perspectives”, and *Law and Contemporary Problems*, School of Law, Duke University, vol. 64, No.1, Winter 2001.

“The Work of the Preparatory Commission”, in *The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence*, edited by Roy S. Lee, Transnational Publishers, 2001.

“Negotiating an Institution for the Twenty-First Century: Multilateral Diplomacy and the International Criminal Court” (with Valerie Oosterveld), *McGill Law Journal*, vol. 46, No.4, August 2001.

“The International Criminal Court”, *McGill Law Journal*, vol. 46, No.1, November 2000.

“The Preparatory Commission Today”, in *Establishment of the International Criminal Court*, UM Publications of the Ministry of Foreign Affairs (Finland), February 2000.

“The International Criminal Court: Consensus and Debate on the International Adjudication of Genocide, Crimes Against Humanity, War Crimes, and Aggression”, *Cornell International Law Journal*, vol. 32, Number 3, 1999.

Introduction to *Commentary on the Rome Statute of the International Criminal Court: Observers' Notes, Article by Article*, edited by Otto Triffterer, Nomos Verlagsgesellschaft, Baden-Baden, 1999.

“The Rome Conference on an International Criminal Court: The Negotiating Process” (with John T. Holmes), *The American Journal of International Law*, vol. 93, No.1, 1999.

“The Development of the Rome Statute”, in *The International Criminal Court: The Making of the Rome Statute: Issues, Negotiations, Results*,” edited by Roy S. Lee, Kluwer Law International, 1999.

“The Birth of the International Criminal Court: The 1998 Rome Conference” (with John T. Holmes), *The Canadian Yearbook of International Law*, Volume XXXVI, 1998.

“The Convention on the Safety of United Nations and Associated Personnel”, *Conference “Les casques bleus: policiers ou combattants? / Blue Helmets: policemen or combatants?”*, Faculty of Law (Civil Law), University of Ottawa, 1995; Collection Bleue, Wilson & Lafleur Itée, Montreal, 1997.

“Legal Aspects of Peacekeeping”, *Canadian Defence Quarterly*, vol. 23, No.1, Special No.2, September 1993.

“International Law and Arms Control in Outer Space: New Approaches for a New Era”, in *Outer Space in the 1990's: The Role of Arms Control - Security, Technical and Legal Implications. Proceedings of the Symposium at McGill University*, Montreal, November 1992, McGill Institute of Air and Space Law Association Newsletter, Winter 1992-1993.

“Weaponry and Institutions”, chapter 9 in Glen Plant, *Environmental Protection and the Law of War: a “fifth Geneva Convention” on the Protection of the Environment in Time of Armed Conflict*, Belhaven Press, London and New York, 1992.

“The Expanding Peacemaking Role of the United Nations”, *Proceedings of the 86th Annual Meeting of the American Society of International Law*, Washington, D.C., 1992; *Moscow Journal of International Law*, No.3, 1992.

“L’impact des événements actuels sur le droit de la paix et de la sécurité internationales”, *Revue québécoise de droit international*, vol. 7, No.2, 1991-1992.

“The Changing Role of the Security Council”, *Occasional Papers Series*, No. II, The Ralph Bunche Institute on the United Nations, The City University of New York, New York, 1990.

“The 1988 ICAO and IMO Conferences: an International Consensus against Terrorism”, *Dalhousie Law Journal*, vol. 12, No.1, April 1989.

“The Law of the Sea Preparatory Commission after Six Years” (with Douglas Fraser), *Canadian Yearbook of International Law*, vol. XXVI, 1988.

“Law-Making through International Institutions” (with Professor D .M. McRae) in *International Law: Critical Choices for Canada 1985 - 2000*, Queen's Law Journal, 1986.

Numerous speeches, lectures and interviews (television, radio and written media) on international criminal justice, international humanitarian law and public international law.

* * *