

## **Nsereko, Daniel David Ntanda**

Uganda nominee for election to the Advisory Committee on nominations of judges of the International Criminal Court.

### **Curriculum Vitae Judge Daniel David Ntanda Nsereko**

#### **I. Personal data**

- ◆ Nationality: Ugandan
- ◆ Gender: Male
- ◆ Marital Status: Married

#### **II. Education**

- 1973-75 *Doctor of Juridical Science (J.S.D.)*, New York University School of Law, New York, New York, U.S.A.
- 1971 *Master of Laws (LL.M)*, New York University School of Law New York, New York, U.S.A.
- 1972 *Certificate in International Law*, Hague Academy
- 1970 *Master of Comparative Jurisprudence (M.C.J.)*, Howard University School of Law, Washington, D. C. , U.S.A.
- 1968 *Bachelor of Laws (LL.B)*, University of East Africa Dar Es Salaam, Tanzania

#### **Professional status**

- 1972-present Advocate, High Court of Uganda
- 2007-2008 List of Counsel and eligible for appointment to represent accused or victims before the International Criminal Court

### III. Work experience

#### Work history

- 2012–Present Member, *Advisory Committee on Nominations of Judges of the International Criminal Court*
- 2012–Present Judge, Appeals Chamber, Special Tribunal for Lebanon, The Hague, The Netherlands
- Acted as Judge Rapporteur in the following appeals:
- (1) *Prosecutor v. Ayyash et al.*, Decision on Appeal by Counsel for Mr Merhi Against Trial Chamber's "Decision on Trial Management and Reasons on Joinder, 21 May 2014
  - (2) *Prosecutor v. Ayyash et al.*, Decision on Defence Appeals Against Trial Chamber's "Decision on Alleged Defects in the Form of the Amended Indictment", 5 August 2013
  - (3) *Prosecutor v. Ayyash et al.*, Decision on Defence Appeals against Trial Chamber's Decision on Reconsideration of the Trial *In Absentia* Decision, 1 November 2012
- 2009–2010 President, Appeals Division, International Criminal Court, The Hague, The Netherlands
- 2008–2012 Judge of the International Criminal Court, The Hague, Netherlands (Trial Division, January–July 2008: August 2008–March 2012, Appeals Division)
- Acted as Presiding Judge in the following appeals:
- (1) *Situation in Darfur, Sudan, Prosecutor v. Abdallah Banda Abakaer Nourain & Saleh Mohammed Jerboa Jamaus*, Appeal against Trial Chamber IV's "Decision on the Prosecution's Application for Leave to Appeal the 'Reasons for the Order on translation of witness statements (ICC-02/05-03/09-199) and additional instructions on translation'"
  - (2) *Situation in the Republic of Kenya*, Appeal of the Government of Kenya against the "Decision on the Request for Assistance Submitted on Behalf of the Government of the Republic of Kenya Pursuant to Article 93(10) of the Statute and Rule 194 of the Rule of Procedure and Evidence", 4 July 2011
  - (3) *Prosecutor v. Ruto et al.* and *Prosecutor v. Mathaura et al.*, Appeal of the Government of Kenya against the Decision on the Application by the Government of Kenya Challenging the Admissibility of the Case Pursuant to Article 19(2)(b) of the Statute, 20 June 2011

- (4) *Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*: Appeal against the “Decision on the Motion for the Defence for Germain Katanga for a Declaration on Unlawful Detention and Stay of Proceedings” 12 July 2010
- (5) *Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*: Appeal of Mr. Katanga against the “Oral Decision of the Trial Chamber II of 12 June 2009 on the Admissibility of the Case”, 2-5 September 2009
- (6) *Prosecutor v. Joseph Kony*: Appeal of the Defence against the “Decision on the admissibility of the Case Under article 19 (1) of the Statute”, 16 September 2009

1996-2007	Professor of Law, University of Botswana, Gaborone
1992-96	Associate Professor of Law, University of Botswana
1984-92	Senior Lecturer in Law, University of Botswana
1993-94	Walter S. Owen Visiting Professor of Law, University of British Columbia, Faculty of Law, Vancouver, Canada
1983	Social Affairs Officer, United Nations Centre for Development and Humanitarian Affairs, New York, New York
1983-84	Expert Consultant, Crime Prevention and Criminal Justice Branch of the United Nations Centre for Social Development and Humanitarian Affairs, New York, N. Y.
1978-82	Full - time Private Law Practice, Kampala, Uganda
1975-78	Senior Lecturer in Law, Makerere University, Kampala, Uganda
1971-75	Lecturer in Law, Makerere University
1968	Pupil Advocate with Kiwanuka & Co., Advocates, Kampala, Uganda

#### **IV. Professional activities**

##### **Law practice**

1972-2007 Private law practitioner (initially on a part-time basis 1972-76 and full time 1976-82); represented clients in criminal and civil cases in Magistrates’ Courts, High Court, and the Court of Appeal. Some of the cases resulted in precedent - setting decisions; 2003–07 was attached as a consultant to the law firm of *Ssendege, Senyondo & Co.*, Advocates and Solicitors, in Kampala, Uganda

**Trial observer**

- 1996 Served as an Amnesty International Trial Observer to Ethiopia; duties included observing a criminal trial of over 50 defendants of the former Government of Ethiopia charged with genocide and crimes against humanity; writing a comprehensive confidential report on the trial in the context of international human rights standards
- 1990 Served as an Amnesty International Trial Observer to Swaziland; duties included observing a criminal trial of about 10 defendants charged with offences of a political character; writing a comprehensive confidential report in the context of international human rights standards

**Special missions**

- 1998 Served as Head of an Amnesty International Delegation to Lesotho to investigate allegations of human rights and humanitarian law violations and inspecting prison conditions following the South African and Botswana military intervention into that country
- 1991 Served on a two-person Amnesty International Mission to Swaziland to investigate allegations of human rights abuses and to inspect prison conditions. Authored the mission's report

**Expert/consultant**

- 2007 At the request of Minority Rights Group International, wrote an expert legal opinion in a case that was pending before the African Commission on Human and Peoples' Rights
- 2007 Participated as expert at the Resumed 5th Session of the Assembly of States Parties to the Rome Statute of the International Criminal Court, at New York, 29 January–2 February 2007, dealing with crime of aggression as part of the International NGO Coalition for the ICC
- 2006 Participated as expert at the Inter-Sessional Meeting of the Special Working Group on the Crime of Aggression of the Assembly of States Parties to the Rome Statute of the International Criminal Court, at Princeton, New Jersey, June 2005, as part of the NGO Coalition for the ICC
- 2005 Served as Legal Advisor to the Uganda Government Delegation to the second Inter-Sessional Meeting of the Special Working Group on the Crime of Aggression of the Assembly of States Parties to the Rome Statute of the International Criminal Court, at Princeton University, New Jersey, 11–13 June 2005
- 2004 At the request of the Chief Prosecutor of the International Criminal Court, wrote an expert legal opinion on the interpretation and scope of certain provisions of the Rome Statute of the International Criminal Court

- 2004 Served as Legal Advisor to the Uganda Government Delegation to the Inter-Sessional Meeting of the Special Working Group on the Crime of Aggression of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Princeton University, New Jersey, 21-23 June 2004
- 2004 Participated in the Roundtable of African Experts on the Transitional Codes for Post-Conflict Criminal Justice Project, organised by the United States Institute of Peace and the Irish Centre for Human Rights of the National University of Ireland, Galway, Abuja, Nigeria, 7-8 June 2004
- 2002 Served as Member of the Uganda Government Delegation to the first session of the Assembly of States Parties to the Statute of the International Criminal Court, New York, 3-11 September 2002
- 2002 Participated as an expert at the 9<sup>th</sup> session of the Preparatory Commission for the International Criminal Court, New York, 8-19 April 2002 as part of the NGO Coalition for the International Criminal Court and served as co-leader of the Coalition's team on the Crime of Aggression
- 2001 Participated as an expert at the 8<sup>th</sup> session of the Preparatory Commission for the International Criminal Court, New York, 24 September – 5 October 2001 as part of the NGO Coalition for the International Criminal Court and served as co-leader of the Coalition's team on the Crime of Aggression
- 2000 Participated as an expert at the 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> session (June/July and December 2000) meetings of the Preparatory Commission for the International Criminal Court as member of the NGO Coalition for the International Criminal Court
- 1999 Acted as an expert consultant to the International Criminal Tribunal for Rwanda (ICTR): wrote a legal opinion for the Tribunal on some complex legal issues in a case before the Tribunal
- 1998 Participated as an expert in the Diplomatic Conference of Plenipotentiaries for the Establishment of an International Criminal Court on the invitation of the NGO Coalition for the Establishment of an international Criminal Court, Rome, Italy, 15 June to 17 July 1998
- 1997 Participated as an expert in the August and December meetings of the UN Preparatory Committee for the Establishment of an International Criminal Court at New York as a member of the NGO Coalition for the Establishment of an International Criminal Court
- 1995 Participated in and was elected rapporteur for an Expert Group Meeting on "Victims of crime and Abuse of Power in the International Setting", convened by the United Nations Crime Prevention and Criminal Justice Branch at Vienna Austria. The Committee drew up a comprehensive plan of action for the prevention of victimisation, protection and assistance for victims of crime and abuse of power, in pursuance of the United Nations Declaration on Victims of Crime

- 1995 Served on the Committee of Experts to review and propose amendments to the Draft Statute of the International Criminal Court. For the Association Internationale De Droit Penale and the Max Planck Institute for Foreign and International Penal Law set up the Committee
- 1985 Served as Expert Consultant for the UN on a Project on the Preparation for Plans for Reform of the Criminal Justice System for Namibia, Rome, Italy
- 1985 Served as Expert Consultant for United Nations Congresses for the Prevention of Crime and Treatment of Offenders, at Milan, Italy (1985), and Caracas, Venezuela (1980); and at regional and inter-regional preparatory meetings at The Hague, The Netherlands (1980), Addis Ababa, Ethiopia (1978) and Lusaka, Zambia (1975)
- 1984 Served as Expert Consultant for the Crime Prevention and Criminal Justice Branch of the United Nations Centre for Social Development and Humanitarian Affairs and participated in the drafting of the United Nations Declaration for the Rights of Victims of Crime

#### **Resource person/guest lecturer**

- 2011 Delivered a talk on “Calling African Female Lawyers” as a part of a campaign spearheaded by the Office of the ICC Registrar, at the Imperial Resort Beach Hotel, Entebbe, Uganda, 6 May 2011
- Delivered a lecture on “The ICC: An Overview of the basic features and recent developments” at the Kwazulu Natal University Faculty of Law, Durban, South Africa, 10 May 2011
- 2010 Presented a paper on “New Perspectives after the Kampala Review Conference and African Issues” at the 12<sup>th</sup> Salzburg Law School on International Criminal Law, Humanitarian Law and Human Rights, at Salzburg, Austria 12-20 August 2010
- Chaired a panel discussion on “The Post-colonial African State and Impunity” at a conference on Africa and the future of the International Criminal Justice at the Witswaterand School of Law, Johannesburg, South Africa, 14-16 July 2010
- Participated on a panel discussion on “Crimes against Humanity and State Responsibility to Prevent” at a conference on Forging Convention on Crimes against Humanity, convened by the Washington University Law School, Whitney R. Harris World Law Institute at the Brookings Institute, Washington DC, 11-12 March 2011
- 2009 Presented a paper on “Children in armed conflict and the International Criminal Court” at the 10<sup>th</sup> International Conference of the Chief Justices of the World, Lucknow, India, 11-14 December 2009

Delivered a paper on “Africa and the ICC” at a workshop for Members of Parliament, organised by Parliamentarians for Global Action, Kampala, Uganda, 30 June 2009

Delivered a lecture on “Basic Features of the International Criminal Court” at a course for Judges and Prosecutors from Jordan, organised by the Hague Forum for Judicial Expertise, The Hague 22 April 2009

Presented a paper on “The ICC Six Years On” at the Future of International Criminal Justice Conference, convened by West Point Centre for the Rule of Law, Department of Law, United States Military Academy, West Point, New York, 15-17 April 2009

2008 Presented a paper on “The Rights of Children and the International Criminal Court” at the 9<sup>th</sup> International Conference of Chief Justices of the World, Lucknow, India 15 December 2008

Presented a paper on “Trial Proceedings at the International Criminal Court” at the International Conference on the ICC organized by the Supreme Court of the Philippines Judicial Academy in partnership with the Italian Embassy in Manila, the Philippines, 25-26 September 2008

2006 Served as resource person at a seminar organized by the Mozambican Bar Association under the sponsorship of the Friedrich Ebert Foundation on “The International Criminal Court: a Court for the Future” at Maputo, Mozambique 9 March 2006 and presented a paper on “The International Criminal Court: Botswana’s Experience.”

2005 Served as guest lecturer and delivered lectures on “The Relationships between the International Criminal Court and the UN Security Council” at the 7<sup>th</sup> session of the Salzburg Law School, Salzburg, Austria, 8–10 August 2005

2004 Served as guest lecturer and delivered a lecture on the Crime Genocide at the International Criminal Court Training Course for African Government Officials organised by the University of Nottingham and the University of Cape Town, Cape Town, South Africa, 28 June to 3 July 2004

2003 Served as guest lecturer and delivered a lecture on “Prosecutorial Discretion before National and International Tribunals” in a series of Guest Lectures at the Office of the Prosecutor of the International Criminal Court, The Hague, Netherlands, 19 December 2003. See website: [http://www.icc-cpi/otp/lecturers\\_dn.html](http://www.icc-cpi/otp/lecturers_dn.html)

2002 Served as guest lecturer to LLM students of the Law Department, *Università degli Studi di Teramo*, Italy, 25 February–1 March 2000. Delivered lectures on the status of the individual under International Law, the Use of force under the UN Charter and on the Crimes of Genocide and Aggression

- 2001 Served as guest lecturer to LLM students of the Faculty of Law, University of Cape Town, South Africa, August 2001. Delivered lectures on the crimes of aggression and genocide
- 2000 Served as resource person at a Workshop for Women of Africa on Gender Justice & the International Criminal Court organised by the Women's Caucus for Gender Justice in collaboration with the Law, Race and Gender Research Unit of the University of Cape Town, Cape Town South Africa, 24–26 August 2000
- 2000 Served as guest lecturer at the Salzburg School of International Criminal Law, Salzburg, Austria, and August 2002. Delivered lectures on the Crimes of Aggression and Genocide as well as on the International Criminal Tribunal for Rwanda
- 1999 Served as Scientific Director for the Gaborone School for International Criminal Jurisdictions, Gaborone, Botswana (October 1999)
- 1999 Served as guest lecturer at the Salzburg School of International Law, Salzburg, Austria. Delivered lectures on the Crime of Genocide
- 1999 Served as resource person at a SARPCCO Training Course for Police Trainers organized by the UN High Commissioner for Human Rights, at Gaborone, Botswana

### **Memberships**

- 2006-2008 Member, Advisory Committee, *War Crimes Research Office*, American University, Washington, DC
- 2006 Member, International Advisory Board of the *International Doctorate School of Excellence*, University of Cologne, Germany
- 2005-present Member, Editorial Board of the *University of Botswana Law Journal*
- 2004-present Member, *East African Law Society*
- 1972-present Member, *Uganda Law Society*
- 1988-present Member of the Board of the *International Society for the Reform of Criminal Law*
- 1990-present Member of the Editorial Board of the *Criminal Law Forum: an International Journal*
- 1986-1990 Member of the Editorial Board of the Journal *Violence, Aggression and Terrorism*
- 1985-present Member of the Editorial Council of the *Journal Church and State*



- 1975-1980 Member of the Executive Committee of the *Uganda Red Cross Society*
- 1975-1980 Member of the Law Council (Executive Committee) of the *Uganda Law Society*

## V. Academic activities

### Courses taught

- 1984-2007 *University of Botswana, Botswana:*  
Public International Law, International Criminal Law, International Human Rights Law, Criminal Law, Criminal Procedure, Evidence, Constitutional Law, Administrative Law, and Legal Ethics
- 1993-1994 *University of British Columbia, Vancouver, Canada:*  
International Law of Human Rights
- 1971-1978 *Makerere University, Uganda:*  
Public International Law, Criminal Procedure, Civil Procedure, Evidence, Family Law, and Law of Business Associations

### Academic leadership

- 1985-1993 Served as Head Department of Law, University of Botswana

### External examiner

- (As external examiner I act as “watch dog” for the appointing universities over academic standards; I approve examinations; I check examination scripts; and examine theses and dissertations)
- 2003-2006 University of Swaziland, Kwaluseni, Swaziland
- 1998-2002 University of Dar Es Salaam, Tanzania
- 1993 University of Swaziland, Kwaluseni, Swaziland
- 1992-1993 National University of Lesotho, Roma, Lesotho
- 1991-1993 University of Zambia, Lusaka, Zambia
- 1987-1990 University of Nairobi, Nairobi, Kenya

### External assessor

- 2010-2011 Served on the Doctorate Committee, University of Amsterdam, tasked with assessing the quality of a thesis submitted for the award of the Degree of Doctor of Laws
- 2000 Served as external assessor for the University of Dar Es Salaam: read and wrote detailed assessment of publications of candidates for promotion to the rank of associate professor and full professor
- 1994 Served as external assessor for the University of Lagos, Akoka, Yaba, Nigeria; read and wrote detailed assessment of the publications for the candidate for promotion to the rank of associate professor

## Journal refereeing

- 2004 Refereed article submitted to South African Law Journal and advised on its publishable quality
- 2000 Refereed article submitted to the Melbourne Journal of International Law and advised on its publishable quality

## VI. Publications

### Books

1. *Criminal Law in Botswana* (3<sup>rd</sup> ed.) Frank Verbruggen ed. (Wolters Kluwer, The Netherlands, 2015) ISBN 978-90-411-3621-3) [forthcoming]
2. *Criminal Law in Uganda* (in the International Encyclopaedia of Laws Criminal Law, (3<sup>rd</sup> ed.), Frank Verbruggen ed., Wolters Kluwer, The Netherlands, 2013, ISBN 978-90-654-4937-5) [410 pages]
3. With K. Solo, *Legal Ethics in Botswana: Cases and Materials* (University of Botswana, Department of Law, Private Bag 0022 Gaborone. 2004). ISBN No. 99912-949-5-3) [448 pages]
4. *Constitutional Law in Botswana* (in the International Encyclopaedia of Laws (Kluwer International Publishers, Deventer, The Netherlands. 2002. ISBN 90 6544 9442 and ISBN 90K 330 022X). Republished by Pula Press, Gaborone, Botswana, 2012. ISBN 978-99912-619-7-3 [307 pages]
5. *Twejjukanye Oluganda [Luganda Language Grammar]* (University of Botswana 2001) ISBN 99912-950-0-3 [150 pages]
6. *Criminal Procedure in Botswana: Cases and Materials (3<sup>rd</sup> ed.)* (Pula Press, Gaborone.2002. ISBN 99912-61-61-3) [506 pages]
7. *Eddembe Lyaffe* [a treatise written in the Luganda language, literally meaning "Our Rights"; it discusses various aspects of human rights and has four appendices which are translations of key UN human rights instruments], (Nabinene Emporium Ltd., P.O. Box 3675 Kampala, Uganda. 1995). Published with the assistance of the Danish Agency for International Development (DANIDA) [201 pages]
8. *English - Luganda Law Dictionary* (University of Botswana. 1993 ISBN 99912-0-082-7). (Indexed in *The African Book Publishing Record*, West Sussex, England, 1994) [149 pages]
9. *Antigone: a Greek Play by Sophocles* (a translation into the Luganda Language. Marianum Press, Kampala, Uganda. 1989) [63 pages]

## Mimeographs

1. *The International Protection of Refugees* (Doctoral dissertation submitted to New York University School of Law, 1975) [379 pages]
2. *Police Powers and the Rights of the Individual in Uganda* (Makerere University Kampala, Uganda 1973) [134 pages]

## Chapters in Books

1. "The Rule of Law, the International Justice System and Africa", in Lipton, Suzannah, Simpson, Gerry, Schabas, William (eds), *For the Sake of Present and Future Generations: Essays in Honour of Roger Clark* (Brill/Nijhoff, 2015 ISBN13: 978004270718) [forthcoming]
2. "The Special Tribunal for Lebanon and the Global Response to Terrorism", Essay in Honour of Judge Flavia Lattanzi) - [2015 forthcoming]
3. "Preliminary Rulings Regarding Admissibility" and (with Christopher Hall and Manuel J. Ventura),"Challenges to the Jurisdiction of the Court or the Admissibility of a Case", in Otto Triffterer and Kai Ambos (eds.), *Commentary on the Rome Statute of the International Criminal Court* (3<sup>rd</sup> ed.) (Nomos Verlagsgesellschaft Baden-Baden, Germany, 2015. ISBN 3-7890-6173 5) [forthcoming]
4. "The International Criminal Court and Africa," in Manisuli Ssenyonjo. (ed.) *African regional Human Rights System: Thirty Years after the Adoption of the African Charter on Human and Peoples' Rights* (Koninklijke Brill NV, Leiden, 2011)
5. "Cooperation with the Court in Matters of Arrest and Surrender of Indicted Fugitives: Lessons from the ad hoc Tribunals and National Jurisdictions," in Jose Doria, Hans-Peter Gasser and M. Cherif Bassiouni, *The Legal Regime of the International Criminal Court: Essays in (eds) Honour of Professor Igor Blishshenko*, (Martinus Nijhoff Publishers, 2009) ISBN 978 90-041630-89 [at pp.975-999]
6. "Sentencing at the International Criminal Tribunal for the former Yugoslavia" in Andre Klip and Goran Sluiter (eds), *Annotated Leading Cases of International Criminal Tribunals: The International Criminal Tribunal for Yugoslavia*, Vol. XV (Intersentia, Antwerp, 2008) ISBN 978-90-5095-794-6 [at pp.723-730]
7. "Participation in Crime in Botswana" in Ulrich Sieber (ed.) *Participation in Crime: Criminal Liability of Leaders of Criminal Groups and Networks – A Comparative Analysis* (Max Planck Institute for Foreign and International Criminal Law. Freiberg. 2007
8. "Expeditious Trial" in Andre Klip and Goran Sluiter (eds), *Annotated Leading Cases of International Criminal Tribunals: The Special Court for Sierra Leone*, Vol 9 (Intersentia, Antwerp, 2006. ISBN 90-5095.[at pp. 690-697]
9. "Right to Counsel" in Andre Klip and Goran Sluiter (eds), *Annotated Leading Cases of International Criminal Tribunals: The International Criminal Tribunal for Yugoslavia*, Vol. 8 (Intersentia, Antwerp, 2005. ISBN 90-5095-397-2) [at pp. 375-386]

10. "Forcible Transfer of Children" in Shelton, Dinah (ed.) *Encyclopaedia of Genocide and Crimes Against Humanity*, 3 vols. (Detroit, Mich: Macmillan Reference USA, 2005. ISBN 0028658477) [at pp. 370-376]
11. "The Indictment", in Andre Klip and Goran Sluiter (eds), *Annotated Leading Cases of International Criminal Tribunals: The International Criminal Tribunal for Rwanda*, Vol.6 (Intersentia, Antwerp, 2003. ISBN 90-5095-319-0) [at pp. 49-58]
12. "Preliminary Matters: the Indictment", in Adre Klip and Goran Sluiter (eds), *Annotated Leading Cases of International Criminal Tribunals: The International Criminal Tribunal for Yugoslavia*, Vol. IV (Intersentia, Antwerp, 2002. ISBN 90-5095-213-5) [at pp. 58-68]
13. "Social Change and Organised Crime in Southern Africa", in Apollo Rwomire (ed.), *Social Problems in Africa* (Praeger Publishers, Westport, CT., U.S.A., 2001. ISBN 0-275-96343-8) [at pp.209-228]
14. "The African Great Lakes Region and the International Criminal Tribunal for Rwanda", in ELSA (eds.), *International Law as we enter the 21st Century* (Berlin Verlag Arno Spitz GmbH, 2001. ISBN 3-8305-0249-4) [at pp. 73-85]
15. "The Implementation of the ICC Statute within the Southern African Community (SADC)", in Claus Kress & Flavia Lattanzi (eds.), *The Rome Statute and Domestic Legal Orders Volume I: General Aspects and Constitutional Issues* (Nomos Verlagsgesellschaft, Baden-Baden, Germany, 2000. ISBN 88-8784-00-2) [at pp. 169-182]
16. "Genocide: A Crime Against Mankind", in Gabrielle Kirk McDonald and Olivia Swak-Goldman (eds.), *The Law and Enforcement of International Offences – The Experience of International and National Courts* (Kluwer Law International, The Hague, The Netherlands, 1999. ISBN 90-411-1133-6) [at pp. 113-140]
17. "Controlling Executive Power in Southern Africa: the Role of the Courts and Administrative Tribunals", in Hugh Corder and Tiyanjana Maluwa (eds.), *Administrative Justice in Southern Africa* (University of Cape Town, Cape Town, 1997. ISBN 0-7992-1892-8) [at pp. 95-116]
18. "Reparations in the Criminal Law: the Case of Uganda", in Albin Eser and Susanne Walther *Wiedergutmachung im Strafrecht: Internationale Perspektiven* (edition iuserim, Max-Planck Institute for Foreign and International Criminal Law, Freiburg, Germany, 1997. ISBN 3-86113-971-5) [at pp. 319-354]
19. "Issues of Implementation and Co-ordination", with Roger Clark, in Yael Danieli, Nigel Rodley and Lars Weisaeth (eds) *International Responses to Traumatic Stress* (Baywood Publishing Company, Amityville, N.Y., 1995. ISBN 0-89503-132-9) [at pp. 425-437]
20. "Victims of Crime and their Rights", in T.M. Mushanga (ed.) *Criminology in Africa*, (United Nations International Crime and Justice Research Institute, Rome, 1992. ISBN 92-9078-021-6) [at pp. 21-42]
21. "The Rights of Children in Botswana", in *The Rights of the Child* (Initiative Ltd., Nairobi 1989. ISBN 9966-42-001-0) [at pp. 25-31]

22. "Human Rights: A Legal Perspective", in D.Rubadiri (ed.), *Human Rights and You* D.Rubadiri (ed.), (Macmillan Botswana Ltd. 1989. ISBN 0-333 52364-4) [at pp. 11-16]
23. "Arbitrary Deprivation of Life: Controls on Permissible Deprivations", in B.G. Ramcharan (ed) *The Right to Life in International Law*, (Martinus Nijhoff Publishers, The Netherlands, 1985. ISBN 90-247-3074-0) [at pp. 245-283]

### **Book review**

Review of D. Dyzenhaus, *Hard Cases in Wicked Legal Systems: South African Law in the Perspective of Legal Philosophy* (Oxford: Clarendon Press 1991) 28  
*Canadian Journal of African Studies* 150-3 (1994)

### **Articles in internationally peer-refereed journals**

1. "The ICC and Complementarity in Practice" 26 *Leiden Journal of International Law* (2013)
2. "The Kampala Review Conference: The Capstone of the Rome System" 22 *Criminal Law Forum: An International Journal* 511-518 (2011)
3. "The Role of Victims in Criminal Proceedings – Lessons National Jurisdictions can take from the ICC" 21 *Criminal Law Forum: An International Journal* 399-414 (2010); DOI 10.1007/s10609-010-9126-6
4. "The Role of International Criminal Tribunals in the Promotion of Peace: the Case of the International Criminal Court" 19 *Criminal Law Forum: An International Journal* 373-393 (2008)
5. "The Abuse of Process Doctrine in the Administration of Criminal Justice before National Courts and International Tribunals", 7 *University of Botswana Law Journal* 29-71 (2008).
6. "Relationship between the International Criminal Court and the United Nations Security Council", 13 *Zetschrift Für Internationale Starfrechtsdogmatik* 500 (2007) (<http://www..zis-online.com>)
7. "Bringing Aggressors to Justice: From Nuremberg to Rome" 4 *University of Botswana Law Journal* 4-32 (2005)
8. "The SADC Protocol against Corruption: Example of the Region's Response to an International Scourge", with Zein Kebonang, 1 *University of Botswana Law Journal* 85-119 (2005)
9. "Prosecutorial Discretion before National Courts and International Tribunals", 2 *Journal of International Criminal Justice* 124-144 (2005)
10. "Triggering the Jurisdiction of the International Criminal Court", 4 *African Human Rights Law Journal* 256-274 (2004)

11. "Defining the Crime of Aggression: An Important Agenda Item for the Assembly of States Parties to the Rome Statute of the International Criminal Court", *Acta Juridica Journal* 256-286 (2003) [University of Cape Town, South Africa]
12. "Aggression under the Rome Statute of the International Criminal Court" 71 *The Nordic Journal of International Law*, 497-521 (2002)
13. "The Ethical Obligations of Counsel in Criminal Proceedings: Representing an Unwilling Client", 12 *Criminal Law Forum: an International Journal* 487-507 (2001)
14. "Genocidal Conflict and the International Criminal Tribunal for Rwanda", 48 *Netherlands International Law Review* 31-65 (2001)
15. "Minimum Sentences and their Effect on Judicial Discretion", 31 *Crime, Law and Social Change: An International Journal* 363-384 (1999)
16. "Crime Prevention in Southern Africa: A Legal Perspective", 32 *The Comparative and International Law Journal of Southern Africa* 247-265 (1999)
17. "The International Criminal Court: Jurisdictional and Related Issues", 10 *Criminal Law Forum: An International Journal* 87-120 (1999)
18. "Police Informers and Agents Provocateurs: Accomplices or Handmaidens of the Law? Perspectives from the Courts of Eastern and Southern Africa" 9 *Criminal Law Forum: An International Journal* 151-169 (1998/99)
19. "Indigenous Justice Systems: An Eastern African Perspective", 24 *Indian Socio-Legal Journal* 23-30 (1998)
20. "When Crime Crosses Borders: A Southern African Perspective", 41 *Journal of African Law* 192-200 (1997) (University of London)
21. "Witchcraft as a Criminal Defence, From Uganda to Canada and Back", 24 *Manitoba Law Journal* 38-59 (1996) (University of Manitoba)
22. "Rules of Procedure and Evidence of the International Tribunal for the Former Yugoslavia" 5 *Criminal Law Forum: An International Journal* 507-555 (1994). Reprinted as a chapter in Roger Clark and Madeleine Sann (eds.), *The Prosecution of International Crimes* (Transaction Publishers, Rutgers - The State University of New Jersey, New Brunswick, N.J., 1996. ISBN 1-56000-269-7) [at p. 293-341]
23. "Victims of Abuse of Power, with Special Reference to Africa" 28 *University of British Columbia Law Review* 171-192 (1994). Reprinted in 60 *The Review of the International Commission of Jurists* 199-219 (1998)
24. "The Poisoned Tree: Responses to Involuntary Confessions in Criminal Proceedings in Botswana, Zambia, and Uganda" 5 *African Journal of International & Comparative Law* 609-633 (1993). (London). Reprinted as a chapter in M. Cherif Bassiouni and Ziyad Motala (eds), *The Protection of Human Rights in African Criminal Proceedings* (Martinus Nijhoff Publishers, Dordrecht, The Netherlands. 1995) [at 83-102]

25. "The Police, Human Rights, and the Constitution: An African Perspective", 15 *Human Rights Quarterly* 465-484 (1993) (John Hopkins University Press). This article was abstracted in the 1994 *International Political Science Abstracts* (27 Rue Saint-Gallium, 75341 Paris Cedex 07, France)
26. "Religious Liberty and the Law in Botswana Today," 34 *Journal of Church and State* 843-862 (1992) (Baylor University)
27. "La religion et la Loi au Botswana aujourd'hui" 43 *Conscience et Liberte* 89-93 (1992) (Bern, Switzerland)
28. "Extenuating Circumstances in Capital Offences in Botswana", 2 *Criminal Law Forum: An International Journal* 235-268 (1991)
29. "Compensating the Victims of Crime in Botswana", 33 *Journal of African Law* 157-171 (1989) (University of London)
30. "The Right to Legal Representation in Botswana", (1988) *Israel Yearbook on Human Rights* 211-227 (Tel-Aviv University)
31. "Religion, the Law and the State in Africa" 28 *Journal of Church and State* 268-287 (1986) (Baylor University)
32. "The Right to Return Home in International Law", 21 *Indian Journal of International Law* 335-351 (1981)
33. "The Nature and Function of Marriage Gifts in Customary African Marriages", 23 *American Journal of Comparative Law* 682-704 (1975) (University of California)
34. "The Consul as a Defendant: His Amenability to the Jurisdiction of the Receiving State", 15 *Indian Journal of International Law* 333-350 (1975)
35. "The International Court, Impartiality and Judges Ad Hoc", 13 *Indian Journal of International Law* 207-230 (1973). [This article was included in J.C. Merrills' *A Current Bibliography of International Law*, (Butterworths, London, 1978) 188
36. "The Tanzania Nationalisation Laws", 3 *Eastern African Law Review* 1-23 (1970) (The University of Dar Es Salaam)

#### **Conference and other papers**

1. "The Role Lawyers before International Courts: the case of the Special Tribunal for Lebanon", Paper presented at a conference organized by Council of Bars and Law Societies of Europe, The Hague, Netherlands 23 April 2015
2. "Justice and the International Criminal Tribunals", Lecture delivered at Friedensau Adventist University, Berlin, Germany, 16 March 2015
3. "The Evolution of the Status of the Individual under International Law", Paper presented at the Hague Summit on International Law & Human Rights, The Hague, Netherlands, 4<sup>th</sup>, 5<sup>th</sup> February 2015

4. "Obwenkanya Obw'obutonde mu Litulica Omuganda" ["Natural Justice in the Luganda Literature"], Lecture delivered at the Institute of Languages, Makerere University, Kampala, Uganda, 6 October 2014
5. "The Law's Response to the Plight of Victims of Trauma in the Context of International Criminal Justice", Paper presented at the Conference on Trauma and Resilience, Berlin, Germany, July 2014
6. "The Relationship between the African Union and the International Criminal Court, Seminar of the International Criminal Law Society, Rabat, Kingdom of Morocco, June 2014
7. "The international Legal System and its relevance to the Rule of Law in Africa", the Benedicto Kiwanuka Memorial Lecture, organized by the Foundation for African Development, 14 November 2013, Makerere University, Kampala, Uganda
8. "The Evolution of International Criminal Law and the International Criminal Court in Context", Address to the Parliament of Uganda, Kampala, Uganda, September 2013
9. "Religious Tolerance, Sustainable Development and the Law in Africa", Paper delivered at the All-Africa Religious Liberty Congress, Yaounde, Cameroon, 6- 10 August 2013
10. "Appraising the Work of the ICC in its first Decade: Challenges and Ways Forward", paper presented at the Conference on "International Criminal Law: the Rome Statute - Ten Years After and Ahead" held at the University of Copenhagen, Faculty of Law, Denmark, 14 November 2012
11. "Promoting Religious Freedom in Secularity: A Legal Perspective", Conference of the International Religious Liberty Association, Punta Cana, Dominican Republic, April 2012
12. "The ICC Targets Impunity, not Africa", article published in the newsletter of the Uganda Coalition on the International Criminal Court, Kampala, Uganda, July 2011
13. "Reparations for Victims of Crime in Uganda" in Eduardo Vetere & David Pedro, Victims of Crime and Abuse of Power: Festschrift in honour of Irene Melup (11th UN Congress on Crime Prevention and Criminal Justice, Bangkok, April 2005)
14. "Bringing Aggressors to Justice: From Nuremberg to Rome" presented as an inaugural lecture at the University of Botswana, Gaborone, 13 April 2005
15. "The Right to Legal Representation before the International Tribunal for the former Yugoslavia", presented at the 18th International Conference of the International Society for the Reform of Criminal Law, Montreal, Canada, 8 – 12 August 2004
16. "The Independence of the Judiciary" presented at the SADC Chief Justices' Conference, Kasane, Botswana, July, 2004.
17. "Prosecutorial Discretion before National and International Tribunals" delivered as part of a series of Guest Lectures at the Office of the Prosecutor of the International Criminal Court, The Hague, Netherlands, and 19 December 2003. See website: [http://www.icc-cpi/otp/lecturers\\_dn.html](http://www.icc-cpi/otp/lecturers_dn.html)



18. "Implementation of the Rome Statute: Making the National Criminal Justice Systems Able in Law" presented at the Annual International Criminal Law Network, The Hague, Netherlands 17-19 December 2003
19. "Triggering the Jurisdiction of the International Criminal Court" presented at a Symposium on "Civil Society and Justice in Zimbabwe", Johannesburg, South Africa, 11-13 August 2003
20. "The Definition of the Crime of Aggression: Challenge facing the Assembly of States Parties" presented at the International Conference on 'The International Criminal Court: Some Questions and Answers from the Arab Region' at Cairo, Egypt 9-11 May 2002
21. "Rwandan Adventists on Trial for Genocide" (2000) *Adventist Lawyer* 36
22. "Treatment of Prisoners and the International Law of Human Rights", paper presented at the Seminar for Heads of Penitentiary Institutions of African Countries, Harare, Zimbabwe, 23 February - 5 March, 1988
23. "The Death Penalty in Botswana", a paper presented at the "Reform of the Criminal Law" Conference, Inns of Court, London, July 26-29, 1987. (Cited by Roger Hood in *The Death Penalty* (Oxford University Press, Oxford 1989)
24. "The Prisoner and Human Rights", in Frimpong, K.(ed.), *The Law, The Convict And The Prisons* (Mimeograph), University of Botswana, Gaborone, 1987 [at p. 210-224]
25. "Capital Punishment in Botswana" with M.J.A. Glickman in *United Nations, Crime and Criminal Justice Newsletter*, 12 and 13 (November 1986), 51
26. "A Magna Carta for Victims of Crime", in *Departmental Seminar Papers Vol. I* (1985/86)
27. "Christianity and Human Rights", a paper presented at a Workshop organised by the Department of Theology and Religious Studies (University of Botswana 1985)
28. "Group Victims of Crime and other Illegal Acts Linked to the Abuse of Public Power with Special Reference to Africa", (paper prepared for the Crime Prevention and Criminal Justice Branch of the United Nations Centre for Social Development and Humanitarian Affairs, New York, 1983). Cited in the Working Paper Prepared by the UN Secretariat for the 7th UN Congress on the Prevention of Crime and Treatment of Offenders, Milan, Italy. UN Doc. A/CONF.121/6, 1 August 1985
29. "The Church in an Emerging Legal System: The Case of Uganda", a paper presented at the International Christian Lawyers' Conference, Geneva, Switzerland, 1981
30. "Torture: A Crime Against Human Dignity", an article published in *The Exposure* (magazine, Kampala, Uganda. 1980)

**VII. Awards**

- 2006 Visiting Scholar, *Max-Planck Institute for Foreign and International Criminal Law*, Freiburg, Germany
- 1996 Awarded a medal by the *International Society for the Reform of Criminal Law*, at Vancouver, Canada in recognition of my contribution to International Human Rights and to Criminal Law Reform
- 1995 Visiting Scholar, *Max-Planck Institute for Foreign and International Criminal Law*, Freiburg, Germany
- 1982 Fellow, Institute of International Law & International Relations Research, *Hague Academy of International Law*, The Hague, Netherlands