

Personal details

Family name: Bel Haj Hamouda;
Given name: Ajmi;
Date and place of birth: 30 April 1945, Moknine, Tunisia.

Profession Advocate before the Court of Cassation since 1985;
In practice at the Tunis bar since 1974;
University Professor at the Faculty of Law and Political Science
(post held from September 1973 until 2006).

Special fields Criminal Law and Procedure; International Criminal Law;
Humanitarian Law; International Penal Cooperation; Human
Rights; International Fora; Rights of the Child.

IT skills Average.

Linguistic skills Arabic: Reading, writing, speaking (excellent);
French: Reading, writing, speaking (excellent);
English: Reading, writing, speaking (basic).

Interests Reading, history, current affairs.

Educational qualifications

Baccalaureate in secondary education, Arts and Humanities
Section;

1969 University Degree in Private Law (*Summa cum laude*);

1969 Diploma, Tunis National College of Administration (*ENA*);

1970 Diploma in Advanced Studies in Criminal Science from the
Faculty of Law, Paris, Panthéon Sorbonne;

1970 Diploma in Advanced Studies in Private Law from the same
faculty, Paris;

1972 Diploma from the Paris Institute of Criminology;

1973 State Doctorate from the same faculty, Paris (*Summa cum laude*);

1980 Advanced Degree (*Agrégation*) in Private Law and Criminal
Science (Panel Chair, Dean Jean Carbonnier);

1984 University Professor (Panel Chairs, Philippe Fouchard, Gérard
Farjat).

University career

Deputy Assistant, Faculty of Villetaneuse (Paris Nord), 1972;

Deputy Assistant, Legal Seals Centre (Paris Sud), 1971;

Assistant, Language Laboratory, Panthéon Sorbonne, Paris, 1972;

I/c Comparative Law Room, Faculty of Law, Paris Sorbonne, 1972;

Assistant Supervisor, Faculty of Law, Tunis, 1973;

Senior Lecturer, Faculty of Law, Tunis, 1980;

University Professor at the same Faculty, 1984.

Subject of State doctorate in international criminal law and criminal international law

Military Occupation and Criminal Justice, Paris, Panthéon Sorbonne, *Summa cum laude* and Special Distinction (Panel Chair, Professor Georges Levasseur, 1973).

Subjects taught

All branches of criminal law (procedure; domestic criminal law; international criminal law; business law; criminology; penology; humanitarian law), 1973 to 2006;

Civil law: obligations (contract and tort), 1980;

Labour law, 1978;

Business and investment law, 2000;

Family law, 1973;

Human rights, 2000;

Children's rights, 1995.

Bar specializations since 1974

Criminal procedure;

Insurance and compensation;

Company formation;

Businesses in financial difficulty;

Domestic and international arbitration;

Privatization of public undertakings and services;

Notarial studies.

Courses and lectures given, with locations

Tunis Faculty of Law and Political Science, 1973 to 2006;

Civil law, law of obligations, 1980 to 1987;

Criminology and penology, 1973 to 1984;

Doctorate in international criminal law and criminal international law, 1982 to 2006;

Doctorate in general criminal law, 1982 to 2006;

Doctorate in business law, 2000 to 2005;

Doctorate in international commerce, 2002 to 2005;

Cycle of doctorate lectures, third cycle, six months, Paris 7, 1992;

Cycle of lectures on law of international trade, Faculty of Law, Montreal, Canada, 2005;

Cycle of lectures on rights of the defence in comparative criminal law, Constantine, Algeria, 1978;

Cycle of lectures on criminal law, criminal procedure and international criminal law at the Faculty of Social Sciences, Toulouse, France, several visits, 1982 to 2002;

Cycle of lectures at the Rome Institute of Oriental Science on the law of obligations, Islamic law and comparative law, Italy, 2001;

Cycle of lectures on international law at the Tunisian National Training College for Senior Police Officers, 2006.

Cycle of lectures at the Institute of Criminology of the University of Toulouse, France, 1995.

Learned societies and academic activities

Secretary-General of the Tunisian Association for Criminal Science and Comparative Criminal Law and founder-member, 2005.

Deputy Secretary-General of the Tunisian Criminal Law Association, 1983;

Editor-in-Chief of the Tunisian Law Review, 2003;

Member of the International Criminal Law Association, 1984;

Correspondent and representative of Tunisia at the International Institute for the Unification of Private Law (“UNIDROIT - United Nations”), Rome, 2000;

Member of the Tunis Arbitration and Conciliation Board, 2001;

Twice Panel Chair for Advanced Degree examination (*agrégation*) in private law and criminal science, 1989 and 2000;

Member of the Tunisia United Nations Association, 2008;

Worked at the International Criminal Law Centre of the University of Toulouse, with United Nations support, 2005;

Chair of various recruitment panels for legal assistants and senior assistants, 1992, 2003, 2004;

Supervisor and co-tutor for doctoral theses and third-cycle doctoral research reports;

Member of the editorial board of the Tunis Faculty of Law, 1980;

Member of the editorial board of the Tunisian National Bar Council, 2010;

Since 1974, organizer and coordinator of various national and international congresses and colloquiums on law and criminology;

Head of the Private Law and Criminal Science Section of the Tunis Faculty of Law, 1984;

Founder-member of the Tunisian Arbitration Association, 1977;

Founder-member of the Tunisian Trans-National Association, 1995;

Drafter of the Tunisian Children's Rights Code (criminal law part), 1995;

Member of the editorial board of the Maghreb Law Review, 1990;

Chair of the Franco-Tunisian Research Group (Tunisian part), 2002;

Founder-member of the periodical *Actualités juridiques tunisiennes*, 1989;

Chair of the Italo-Tunisian Research Group (Tunisian part), 2003.

Academic activities: congresses, traineeships and seminars

In Tunisia, Morocco, Algeria, Libya, Egypt, Lebanon, France, Belgium, Portugal, Malta, United States of America, Canada, Austria, Germany, Czechoslovakia, Bulgaria.

Concours Charles Rousseau

Moot international law trial: Panel member, 2008.

Awards

Prize of the President of the Republic, 1969, for the year's leading law graduate;

Higher education merit award, 2000.

University duties

Director of the Department of Public Law and Criminal Science of the Tunis Faculty of Law, elected four times, for three years each, since 1984;

Acting Dean of the Tunis Faculty of Law and Political Science;

Chair of the research unit: Company, Investment and Business Law (CIBL), 2005 to 2005.

Civil society activities

Deputy Mayor of the town of Soukra, "Suburb of Tunis Capital", 2010;

Honorary member of a sports association, 2000;

Member of the Administrative Tribunal Review Chamber on the Legality of Political Parties, 2002;

Permanent Member of the Tunis Conciliation and Arbitration Board, 2004;

Training course at the International Criminal Court, May 2011, and candidate for admission to the International Criminal Court's list of counsel, 2011.

Principal publications and colloquium contributions

Civil law course, "The contract" (250 pages), 1980 to 1986;

Aspects des droits de la défense (180 pages), 1976;

L'enfant et les familles nourricières en droit comparé, collective work, 1997;

La justice pénale, quelle évolution ?, collective work, 2007;

L'instance en appel (Periodical, special number), 1993;

La justice du premier degré (Periodical, special number), 1997;

Le droit de la promotion immobilière, collective work, 1989;

Changement sociaux, criminalité et victimisation en Tunisie (collective work), Unicri, United Nations, 1995;

Les droits de l'enfant d'après la religion et la convention internationale sur les droits de l'enfant, 2001;

Procédure pénale et droits de l'enfant, 1996;

Evolution des droits de l'enfant, 1974;

Immunité de juridiction, inviolabilité de l'hôtel de l'ambassade et chose jugée à l'étranger, 1973;

La présomption d'innocence, 1995;

Le silence de l'inculpé, 1988;

L'asile politique, 1994;

Ce droit pénal venu d'ailleurs!, 2006;

Le secret professionnel du banquier, 1978;

Pour une meilleure compréhension de la libération conditionnelle, 1982;

L'anthromorphisme de la personne morale en droit pénal, 1995;

Aspects de droit pénal dans le code des sociétés commerciales, 2005;

La faute de gestion des dirigeants sociaux, 2008;

Les sanctions pénales, 2008;

Le principe de la légalité criminelle est-il encore actuelle?, 2009;

Autorité de la chose jugée sur le civil, 2010;

La chambre d'accusation, 1982;

Les infractions en matière de stupéfiants, 1977;
La femme prostituée, 1978;
La responsabilité de l'avocat, 2008;
Les conflits conjugaux, aspects juridiques, 1989;
La condition juridique des enfants à naître, 1998;
Le contrat de leasing, 2005;
Le droit de rétention dans le code des obligations, 1975;
La volonté dans le processus contractuel?, 2005;
Les sources du code des obligations, 1996;
Les conditions de validité du contrat, étude rétrospective, 1997;
Préface à l'ouvrage sur le droit privé comparé, 2001;
Evolution du droit médical face aux mutations, 2001;
La franchise, formule de distribution en plein essor, 2007;
Droit uniforme ; les principes d'UNIDROIT relatifs aux contrats du commerce international, 2007;

Principal colloquiums organized or coordinated

Criminal law and the terrorist threat, 2002;
The judicial investigation, 1992;
The press and the law, 1987;
Nullity of acts of the investigating judge, 1977;
Access to justice, 2004;
Human rights and guarantees of a fair trial on the sixty-second anniversary of the Declaration of Human Rights, 2011;
Trans-frontier offences and organized crime;
Criminal law and expert medical evidence, 1986;
New aspects of State responsibility, 1996;
Criminal justice, has it developed?, 2007;
The functions of justice and the independence of judges and prosecutors, 1994;
Crime and criminal justice in the Mediterranean basin, 1995;

Compensation for loss or injury, 2000;

The courts and treaties, 2008;

The criminal law and companies, 2002;

Fundamental rights under the Constitution; a cross-section of views, 2009;

Round table with workshop: companies in financial difficulty; separating the treatment of human resources from that of the company, 2002;

Legal cross-pollination, or the influence of foreign legal systems in private law, 2004;

Cultural law: the law of copyright and related rights, 1997;

Democracy and human rights in Tunisia, an initiative of the European Commission, 2002;

The prison environment and human rights, 1983;

Principal studies and research projects

General Criminal Law, Prof. B.H. Hamouda Ajmi, 1982 to 2006

No.	Subject	No.	Subject
1	The legality principle	14	Mediation
		15	Impossible crimes
2	Temporal aspects of the operation of criminal law	16	The history of criminal liability
3	The principle of non-retroactivity	17	The liability of legal persons
4	Concurrent offences and penalties	18	The criminal liability of children
5	The interpretation of criminal law	19	The criminal liability of company directors
6	Characterization of criminal offences	20	The criminal liability of medical practitioners
7	Attempted crimes	21	Criminal liability in the case of company bankruptcy
		22	Criminal responsibility for the actions of another
8	Co-perpetration	23	International criminal liability
9	Classification of offences by reference to their forms of perpetration	23bis	Criminal liability and immunities
		24	Criminal liability of advocates
10	Criminal intent	25	Criminal liability of auditors
11	Recidivism	26	Criminal liability of legal practitioners
12	The autonomy of criminal law	27	Criminal defences based on subjective grounds
13	Decriminalization	28	Criminal defences based on objective grounds

International Criminal Law, Prof. B.H. Hamouda Ajmi, 1982 to 2006

No.	Subject	No.	Subject
1	Fundamental issues - Growth of criminality; - Organized crime. Definitions:- International criminal law; - Criminal international law.	14	The International Criminal Court
		15	Corruption and the recovery of assets
2	Political asylum	16	Immunity of the Head of State
3	Extradition	17	Political offences
4	Ne bis in idem. The negative effect of decisions of foreign criminal courts.	18	Crime and public international law
5	Territorial aspects of the operation of criminal law	19	Organized trans-national crime
6	Mutual police assistance: Interpol.	20	Military occupation
7	Terrorism	21	Drug trafficking
8	War crimes	22	Trafficking in human organs
9	Crimes against humanity	23	Trafficking in children
10	Crimes against peace	24	Theft of cultural artefacts
11	The Nuremberg Tribunal	25	Warrants of arrest
12	The Tribunal for the former Yugoslavia	26	The courts and treaties
13	The Rwanda Tribunal	27	IT and the criminal law
