

## ICC Judicial Nomination – Model curriculum vitae

<b>FAMILY NAME:</b>	UGALDE GODINEZ	
<b>FIRST NAME:</b>	SERGIO	
<b>MIDDLE NAME:</b>	GERARDO	
<b>GENDER:</b>	Male	
<b>DATE OF BIRTH:</b>	3 April 1971	
<b>NATIONALITY:</b>	Costa Rican	
<b>REGIONAL CRITERIA:</b>	GRULAC	
<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:</b> Spanish	
- ENGLISH	(written) Advanced	(oral) Advanced
- FRENCH	(written) Basic	(oral) Basic
- OTHERS	: (written) Please select >>	(oral) Advanced
	: (written) Please select >>	(oral) Please select >>
	: (written) Please select >>	(oral) Please select >>
	: (written) Please select >>	(oral) Please select >>
<b>EDUCATIONAL QUALIFICATIONS:</b> <i>Date, institution, qualification(s) obtained (starting with most recent)</i> - Please copy/paste if more entries are needed		
<b>09/1997 - 07/1998</b>		
- <i>Institution:</i>	University of Oxford, United Kingdom	
- <i>Qualification(s) obtained:</i>	Magister Juris in European and Comparative Law	
<b>02/1988 - 11/1994</b>		
- <i>Institution:</i>	University of Costa Rica	
- <i>Qualification(s) obtained:</i>	Bachelor's degree in Law	
<b>02/1994 - 11/1994</b>		
- <i>Institution:</i>	University of Costa Rica	
- <i>Qualification(s) obtained:</i>	Notarial Studies	

**03/1983 - 11/1987**

- *Institution:* San Carlos secondary school
- *Qualification(s) obtained:* Baccaureate

**MM/YYYY - MM/YYYY**

- *Institution:*
- *Qualification(s) obtained:*

**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

**06/2019 - To date**

- *Employer:* University for peace
- *Post title:* Associate Professor of International Law
- *Other information:* Professor responsible for courses entitled: "International Law related to Armed Conflict", "International and Transnational Adjudication" and "International Law and Diplomacy" which are part of the programmes for Masters degrees in International Law and Human Rights and in International Law and Conflict Resolution. This university work is directly linked to international humanitarian law and human rights in that the teaching is aimed at students from around the world, on the subject of the international law of armed conflict, including violations of international criminal law which constitute international crimes. The course on international and transnational adjudication focuses on both the purpose of and proceedings in the various international judicial systems, such as those of the International Court of Justice, the international human rights tribunals and the International Criminal Court. The course deals with the structure of the ICC, its proceedings and its mission, and it therefore directly relates to the experience and competence in the areas of human rights and international humanitarian law required for nominations under list B.

**10/2014 - 12/2018**

- *Employer:* Ministry of Foreign Affairs and Worship
- *Post title:* Ambassador
- *Other information:* I held the post of Ambassador of Costa Rica to the Netherlands, a role which was both bilateral and multilateral. From a multilateral point of view, the work involved representing the country within the governance bodies of the international institutions which have their seat in The Hague, and specifically the institutions of international law. I represented Costa Rica on the Administrative Council of the Permanent Court of Arbitration, before the Council of the Hague Conference on Private International Law and I was responsible for conducting relations not involving litigation at the International Court of Justice. I drafted opinions requested by my country on the progress of preliminary investigations, situations under investigation and cases brought before the International Criminal Court. I also actively participated in the last six Assemblies of States

Parties to the Rome Statute of the International Criminal Court as country representative and I also represented Costa Rica for four years at the Bureau of the Assembly. In 2015 I organised a regional seminar for Central America and Mexico on cooperation with the International Criminal Court, which was held in Costa Rica and which was attended by the President and Registrar of the Court. This seminar persuaded one of the countries in the region to ratify the Rome Statute. In 2016 I was appointed coordinator of the Hague Working Group on the International Criminal Court and in this capacity I coordinated the efforts of the States Parties on issues involving the fulfilment of their responsibilities under article 112 of the Rome Statute. In particular, I collaborated with the working groups on governance, cooperation, universality, complementarity and the budget. I also participated in other ad hoc meetings and working groups which have their seat in The Hague. Within the Hague Working Group and the various assemblies, I promoted gender equality policies at the Court and I supported the Office of the Prosecutor, its independence and its policies, in particular those involving victims and children. I supported the reinforcement of the Trust Fund for Victims and I played a coordination role, both within the Assembly of States Parties and with the Presidency and Registry of the Court, to defend its institution and its independence in light of attacks. In addition, in 2016 I was appointed vice-president of the Assembly of States Parties. In this capacity I chaired segments of the Assemblies in 2016 and 2017 along with numerous meetings of the Bureau of the Assembly of States Parties. At the sixteenth session of the Assembly of States Parties held in New York in 2017, I co-chaired the final meeting and contributed to discussions on activating the jurisdiction of the ICC over the crime of aggression, which was approved by consensus by the 123 States Parties. As part of the same Assembly, under the current President, amendments to article 8 of the Rome Statute of the International Criminal Court have been approved by consensus, along with the adoption of a resolution on consultations carried out under article 97(c) of the Rome Statute of the International Criminal Court. In 2018 I was also appointed by the Bureau of the Assembly of States Parties to chair a group of ambassadors for the purposes of conducting the selection and recommendation process to appoint the head of the Independent Oversight Mechanism of the International Criminal Court, a complex and sensitive process which the group successfully carried out. This experience proved to be highly rewarding both from the point of view of international criminal law and also from the point of view of familiarisation with the judicial proceedings and the governance of the International Criminal Court and fulfils the conditions required for inclusion in list B.

**11/2014 - 12/2018**

- *Employer:* Ministry of Foreign Affairs and Worship (Costa Rica)
- *Post title:* Representative of Costa Rica to the Organisation for the Prohibition of Chemical Weapons
- *Other information:* As representative at the Organisation for the Prohibition of Chemical Weapons (OPCW), I was responsible for monitoring aspects involving governance and the achievement of the objectives of the Convention, in particular the possibility of chemical weapons having been used in Syria. I conducted an in-depth analysis of the reports from the OPCW-UN Joint Investigation Mechanism, prepared opinions for the government of Costa Rica on the possibility of international crimes having been committed in Syria. I was appointed vice-president of the XXth conference. In addition, I represented GRULAC as part of delegations of the OPCW Executive

Council for two inspections of the destruction of chemical weapons carried out in 2015 in Haerbaling, in China, and in 2016 in Kizner, in Russia, which involved the analysis of complex technical aspects in the field and sensitive political issues. This experience of a technical and legal nature involving the potential use of chemical weapons against civilian populations, an international crime, and determining the potential violations of international instruments involved, is of relevance to the judicial work of the Court and meets the criteria for the admission of candidates for inclusion in List B.

**06/2005 - 02/2018**

- *Employer:* Government of Costa Rica
- *Post title:* Advocate and co-agent before the International Court of Justice
- *Other information:* From 2005 I was tasked by the Government of Costa Rica with bringing a series of cases before the International Court of Justice (ICJ). These cases were as follows: Dispute regarding Navigational and Related Rights (Costa Rica v. Nicaragua), Certain Activities Carried Out by Nicaragua in the Border Area (Costa Rica v. Nicaragua), Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica), Maritime Delimitation in the Caribbean Sea and the Pacific Ocean (Costa Rica v. Nicaragua), Land Boundary in the Northern Part of Isla Portillos (Costa Rica v. Nicaragua), Territorial and Maritime Dispute (Nicaragua v. Colombia). The case of "Certain Activities Carried Out by Nicaragua in the Border Area" brought by Costa Rica before the ICJ was particularly complex. It involved the military occupation, by Nicaragua, of Costa Rican territory in violation of the United Nations Charter and international law. Along with another renowned international lawyer, I was tasked with preparing the Application Instituting the Proceedings, along with an urgent request for the indication of provisional measures which aimed to prevent an escalation which could have led to a large-scale armed conflict between Costa Rica and Nicaragua. The proceedings required intensive work since we submitted three further requests for the indication of provisional measures. The proceedings in this case were joined with those in another case known as "Construction of a Road in Costa Rica along the San Juan River" and required the preparation of dozens of technical reports. In that case, there was an additional stage in the proceedings which involved determining the reparation due by Nicaragua to Costa Rica for the environmental damage caused to a wetland of international importance. At the start of the case I also advised Costa Rica on the preparation of directives on international humanitarian law in case the dispute degenerated into an armed conflict involving the security forces of both countries which would affect civilian populations nearby. As well as heading the legal team of the requesting party, I also developed the litigation strategy and I appeared in person before the Court. This intense experience, both in this case and in other international disputes, enabled me to acquire extensive procedural experience before the international courts and to consolidate my practice and knowledge of public international law, specifically in particularly complex cases in accordance with the criteria set out for nominations for inclusion in list B.

**05/2000 - 09/2014**

- *Employer:* Ministry of Foreign Affairs and Worship (Costa Rica)
- *Post title:* Senior Advisor in international law

- *Other information:*

I held the post of Senior Advisor in international law, which involved providing legal advice, formulating and implementing government policies in all branches of international law, including international humanitarian law and human rights law. In this context, I advised the government of Costa Rica on matters pertaining to the Permanent Court of Arbitration, the Central American Court of Justice, the Inter-American Human Rights System, the International Court of Justice and the International Criminal Court. This experience led me to deal with issues involving governance and relations with the afore-mentioned courts and also to examine proceedings and disputes brought before several of them. In May 2002 I was appointed coordinator of the Costa Rican government's commission for international law, a role in which I played various roles practising and promoting international law, specifically in the context of regional and international conflicts. I also worked to promote Costa Rica's agreed policy on the promotion of human rights and conflict resolution through international law. In this capacity I represented Costa Rica in over forty special missions around the world, such as the demining programme under the Ottawa Convention, the promotion of regional security instruments, participation in actions carried out by the United Nations High Commissioner for Refugees, the drawing up of policies on displacement and the governance of migration in the context of the Regional Conference on Migration, the management of cases brought before the Inter-American Human Rights System, specifically involving reports on Costa Rica or on proceedings. One of these cases, from 2007 and entitled "Caso Interestatal 01/06, Nicaragua c. Costa Rica" in Spanish, proved to be particularly complex in that it comprised several aspects, the most general of which involved the alleged violation of the human rights of migrant Nicaraguan populations. I also drafted Costa Rica's legal opinion on cases brought before the Central American Court of Justice against Costa Rica. Finally, I drafted Costa Rica's national position whereby the country decided not to conclude agreements to introduce exceptions to article 98 of the Rome Statute. These examples represent the most significant milestones out of the dozens of cases I dealt with in my role as advisor. They enabled me to considerably develop my experience of public international law and its various branches, including human rights and international humanitarian law, along with my experience in exercising a professional legal role linked to the judicial work of the International Criminal Court.

**OTHER PROFESSIONAL ACTIVITIES:**

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

**07/2005-Current**

- *Activity:* Member of the Permanent Court of Arbitration, The Hague

**11/2014-12/2018**

- *Activity:* Governor of the Common Fund for Commodities, Amsterdam

**09/2002-10/2005**

- *Activity:* Member and Head of the delegation of Costa Rica for the negotiations on maritime borders between Costa Rica and Nicaragua, San José and Managua.

**2001-2002**

- *Activity:* Member of the steering committee for the Organization of American States (OAS) programme involving the San Juan river basin, San José

**2000-2002**

- *Activity:* Member of the National Council on migrations, San José

**12/1994-07/1997 09/1998-04/2000**

- *Activity:* Lawyer and notary, private practice as a lawyer in the civil, criminal and administrative fields in Costa Rica, specifically in cases involving the protection of constitutional rights.

**MOST RELEVANT PUBLICATIONS**

**¿Justicia para los rohinyás?, op-ed, La Nación newspaper, San José, Costa Rica, 25 January 2020**

**Activation of the ICC Jurisdiction over the crime of aggression, Korean Society of Law: The Justice, Vol. 170 - 2 (special edition 1), February 2019, p.p. 65**

**La activación de la jurisdicción sobre el crimen de agresión en el Estatuto de Roma, Revista Costarricense de Política Exterior, issue 29, May 2018, ISSN 1659-0112**

**Managing Litigation before the International Court of Justice (La Administración de Litigios ante la Corte Internacional de Justicia), Oxford Journal of International Dispute Settlement, Volume 9, No 4, 1 December 2018, p.p. 691–724**

**Costa Rica y la activación del crimen de crímenes, op-ed, La Nación newspaper, San José, Costa Rica, 16 January 2018**

**Numerous articles published in the Costa Rican media (specifically in La Nación newspaper), on international law and security.**

**MOST RELEVANT SEMINARS**

**Panellist at the seventeenth session of the Assembly of States Parties of the International Criminal Court, panel discussion on the twentieth anniversary of the Rome Statute, The Hague (December 2018)**

**-Keynote speaker at the international symposium on the activation of the jurisdiction of the International Criminal Court over the crime of aggression, under the aegis of the bar of South Korea, Seoul (October 2018)**

**-Lecturer at The Hague Academy of International Law summer courses programme about Litigation before the**

**International Court of Justice, The Hague (July 2016, July 2017 and July 2018)**

**Speaker invited by the International Criminal Court for the celebrations of the twentieth anniversary of the Rome Statute, The Hague (July 2018)**

**- Speaker invited by The Club of International Law in The Hague, on the following topic: "Activation of the crime of aggression : stopping the clocks in New York", The Hague (April 2018)**

**-Speaker invited by the International Criminal Court on the activation of the crime of aggression, The Hague (February 2018)**

**- Guest lecturer at Erasmus University Rotterdam for the seminar on international diplomacy, in Rotterdam (November 2016 – January 2018)**

**-Speaker at the regional seminar on the Agreement concerning co-operation in suppressing illicit maritime and air trafficking in narcotic drugs and psychotropic substances in the Caribbean area, San José (November 2017)**

**-Moderator at the high-level conference on financial cooperation with the International Criminal Court, under the aegis of France and Senegal, Paris (October 2017)**

**-Rapporteur on the topic: "How to achieve gender parity in the International Criminal Tribunals" at the GQUAL conference on Changing the picture of international justice, The Hague (October 2017)**

**-Speaker at the legal seminar on the instruments of The Hague Conference on Private International Law, San José (August 2017)**

**-Speaker at the seminar entitled "Complementarity and the International Criminal Court", under the aegis of Australia and Romania, Brussels (July 2017)**

**-Panelist at the African regional seminar entitled "Challenges and opportunities for the ICC on the eve of the 20th anniversary of the Rome Statute" on "Promoting the universality of the Rome Statute: what are the factors slowing down progress and what steps to take to encourage more countries to join the Rome Statute?"Dakar, Senegal (July 2017)**

**-Panellist at the opening ceremony of the seventh Ibero-American Week of International Justice, on the theme of the route towards international law, Peace Palace, The Hague (May 2017)**

**-Speaker at the opening ceremony of the seminar on gender and climate change, The Hague (May 2017)**

**-Professor responsible for the course on the Inter-American human rights system and the course on the Inter-American Court of Human Rights, University of Costa Rica (2002)**

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

**Member of the Bar of Costa Rica**

**Member of the International Law Association, London**

**Member of the American Bar Association**

#### **AWARDS AND HONOURS**

**- Order of San Carlos, Colombia**

**PERSONAL INTERESTS**

Reading, music, theatre, swimming, forest conservation

**OTHER RELEVANT FACTS**

As special advisor to the Government of Costa Rica on international law matters over the course of six administrations, I was required to advise the country's presidents on highly complex issues involving the national security of Costa Rica. I supported, guided and occasionally directed the national positions on several instruments of international law: for example, during the negotiations involving the first host country agreement for the Permanent Court of Arbitration outside the Hague; achieving the objectives of the Ottawa Convention on the Prohibition of Anti-Personnel Mines, which made Costa Rica the first country in the world to declare itself mine free; during the negotiations and implementation of instruments on regional security and to combat organised crime, such as the Agreement Concerning Co-operation in Suppressing Illicit Maritime and Air Trafficking in Narcotic Drugs and Psychotropic Substances in the Caribbean Area, international disarmament agreements, such as the Arms Trade Treaty, and more recently the Treaty on the Prohibition of Nuclear Weapons, for which I acted as an external advisor for the Presidency of the Conference, which fell to Costa Rica, among other international instruments and agreements. This career path has provided me with numerous opportunities to work in multi-national and multi-cultural environments, as well as in the highest spheres of the international institutions.