

Preira, Daniel Didier (France/Senegal)

(Original: English)

Statement of qualifications

Personal information

Date of birth: 19 April 1959

Nationality: Senegalese and French

Education

Dakar University, Senegal

July 1984: Master's Degree in Private Law with Distinction

July 1983: Bachelor Degree in Private Law

Oct 1982: Degree in General Law-2

Oct. 1980: Degree in General Law-1

Selected training

June 2008: Advanced training in legal and administrative drafting (by Sciences Po, Continuing Education Program).

Jan. 2007: Training in negotiations skills and difficult bargaining tactics (by *Program On Negotiation* of Harvard Law School).

Member of professional societies

Since 1985: Barrister & Solicitor, member in good standing of the Senegalese Bar Association

Languages

Fluent in French, English and Wolof;

Basic knowledge of Spanish and Portuguese.

Career history

October 2008 to the present: International Criminal Court, The Hague

Deputy Registrar

As the first Deputy Registrar of the Court, I assist the Registrar in anticipating, planning, guiding and evaluating the work of the Registry in all its facets, in its service delivery and in the preparation of the annual budget of the Court. Provide policy advice to the Registrar on request, on all aspects of the Registry's mandate. Provide advice on management and organization of the Registry organ. In this regard, I have led a project to institute a robust management control system in the Registry; the project is currently in the early phases of implementation. As the Chief Legal Advisor to the Registrar, direct, supervise and review the work of the Legal Advisory Section of the Legal Advisory Services Section of the Registry to provide unified legal advisory service to the Registry and to other organs of the Court; to ensure legal consistency in the application and interpretation of all constitutive instruments of the Court and of international law in general, to protect the legal interests of the Court and its staff and to minimise legal exposure of the Court and for the Registry. Represent the Registrar internally and externally in all areas falling within the ambit of her mandate; direct, chair and/or

participate in numerous intra-Registry and inter-organ working groups and special sessions on various topics ranging from organ restructuring and efficiency to Court's strategies such as Victims Strategy including the role of intermediaries; review of the relevant legal texts of the Court or *ad hoc* crisis management.

On behalf of the Registrar, lead initiatives to strengthen cooperation and enhance knowledge and support for the ICC through regional and country specific summits organized in, *inter alia*, Tunis, Tunisia; Dakar, Senegal and Yaoundé, Cameroon.

August 2004 - September 2008: International Criminal Court, The Hague

Head, Division of Victims and Counsel (DVC)

Directed, supervised and reviewed the work of the Victims Participation and Reparations Section and the formerly entitled, Defence Support Section (now the Counsel Support Section) in the fulfillment of the Division's duties in accordance with the Court's legal texts and relevant internal policies. During my tenure as the Head of the DVC, I oversaw and ensured the evolution and successful growth and functioning of these two offices. Designed and managed policies, systems and procedures for efficiently handling victims' applications for participation in judicial proceedings and reparations in accordance with the applicable legal provisions. Equally designed and managed policies, systems and procedures for the implementation of the Court's legal aid system in a manner that is both economically conscious of the need to judiciously manage public funds, while being in tune with the objective needs of the system's beneficiaries. Provided legal, procedural and other advice to the Registrar to resolve procedural and substantive legal questions in relation to the defence and victims issues; represented the Registrar before the Chambers on related issues as and when required.

Communicated and interacted with various partners and stakeholders to promote and facilitate cooperation; liaised with the Office of Public Counsel for Defence and the Office of Public Counsel for Victims in order to ensure quality legal services to indigent suspects and accused persons, as well as victims; oversaw the management and organisation of the ICC's annual seminar and training program for counsel, admitted to the Court's List of Counsel, with an attendance of approx. 200, representing the legal profession, national and international legal associations and experts from the *ad hoc* tribunals and Special Courts.

Oversaw all assistance provided by the Division to legal representative of victims and defense teams engaged in proceedings before the Court, and promoted dialogue and cooperation with members of the legal profession, national and international bar associations. Have led and participated in the formulation and implementation of policies aimed at enhancing staff satisfaction and performance and regulating staff conduct; have served as Chairperson of the Court's Disciplinary Advisory Board; oversaw the establishment of the Court's disciplinary organs for external counsel.

December 2003 - August 2004: UN International Criminal Tribunal of Rwanda, Tanzania

Officer-in-Charge, Defence Counsel and Detention Management Section

As Officer-in-charge of the Defence Counsel and Detention Management Section, I was responsible for the overall legal supervision of the United Nations Detention Facilities (UNDF), as well as the Defence Counsel Unit. Duties included, *inter alia*, conducting the day-to-day management of the section; identifying priorities to be implemented in line with the overall strategy set by the Registrar and Deputy Registrar; advising and providing guidance to the Deputy Registrar and/or Registrar on complex legal issues related to defence counsel and detention matters; drafted legal submissions for the Registrar and/or Deputy Registrar; represented the Registrar before the Chambers/Presidency as and when required; developed and maintained

liaison with representative bodies of counsel or legal association: the sister section of ICTY and member states' representatives on the legal aid programme; defence counsel and detention-related issues. Managed the development and implementation of the work plan of the section; consulted and supervised the Deputy Chief of the Section and the Commanding Officer of the UNDF, who were responsible for the day-to-day management of the two units of the section; ensured that reporting lines were clearly identified and respected; provided effective and policy advice; result based budgetary and judicial support services to the Registrar.

April 1999 – November 2003: UN International Criminal Tribunal of Rwanda, Tanzania
Legal Officer & Deputy Chief

Defence Counsel Management Section

Assisted the Chief of the Section in the day-to-day operational management of the section; prepared and finalized legal memoranda for submission by the Section to the Deputy Registrar and/or the Registrar. Ensured compliance of UNDF with the legal requirements of the Statute, the Rules of Detention, and international minimum standards; represented the section before the Chambers/President as and when required; supervised the assessment, certification, and approval of work schedules and claims for payment from defence teams; prepared the budget of the section; liaised with the Chief of Section and, as required, with the Deputy Registrar on all aspects of the section's work; supervised the work of subordinates.

April 1988 - April 1999: Konate & Preira, Senegal

Senior Partner

Seasoned barrister & solicitor with over a decade of experience in practice; successfully represented national and foreign clients before national – at all levels of court – and foreign jurisdictions in criminal, civil, and commercial matters; represented accused persons prosecuted before criminal courts in Burundi for charges similar to those falling within the subject matter jurisdiction of the ICC; successfully litigated and negotiated secured favorable outcomes and large-sum settlements for clients.

January 1985 - April 1988: Cabinet Clément Paul Bruce Benoist, Senegal

Junior Associate Lawyer

Under the direction of the senior partner of the law firm, conducted legal research and drafted legal submissions in civil, criminal and commercial matters. On behalf and under the responsibility of the senior partner of the law firm, successfully represented clients before national and foreign jurisdictions in criminal, civil, and commercial matters; obtained comprehensive experience and exposure to all aspects and management of the practice of a barrister and solicitor; gained hands-on experience in litigation; participated in proceedings from motions, settlement negotiations, pre-trials and trials.

Awards

Nov. 1992 : 3rd Prize: "Prix du Jeune Barreau Belge," Concours d'Eloquence.

Sept. 1991 : 1st Prize: "Grand Prix des Secrétaires de la Conférence du Stage du Barreau de Paris," Concours d'Eloquence.

Sept. 1990 : 6th Prize: "Grand prix de la Francophonie," Concours d'Eloquence.

Sept. 1990: 2nd Prize: International Pleadings Competition in Human Rights, organized by the Caen Bar Association.

Selected publications

December 2012: *Statut de Rome de la Cour pénale internationale: Commentaire article par article*. Expected. Commented on several articles of the Rome Statute, including Articles 55, 63 and 67.1(d) of the Rome Statute. This book of reference – the first of its kind in the French speaking world – is Piloted by the Center Thucydide and the Center de Recherche sur les Droits de l’Homme et le Droit Humanitaire, University of Paris II Panthéon-Assas | Published by Editions A. Pedone.

November 2009: *Chapter 20, Archbold: International Criminal Courts, Practice, Procedure & Evidence, 3rd ed.*, (SWEET & MAXWELL, 2008) edited by R. Dixon, Judge Adrian Fulford, & K. Khan.

August 2008: *A Call to the Legal Profession: a Partnership with the International Criminal Court in the Quest of Justice, Peace and Security in the African Continent*, South African Bar Journal.

Selected lectures

Have participated in countless seminars and conferences as a speaker during the course of my career on topics, ranging from criminal law and commercial litigation to international criminal law, the practice of the *ad hoc* tribunals and the ICC, with a particular focus on the Registry and its varied functions.

- On invitation, served as an instructor for the Senegalese Bar in Dakar, Senegal on professional responsibility and ethics as well as oral advocacy and oratory skills.
- On invitation, delivered a lecture on national legal capacity building in Rwanda at the annual meeting of the Rwanda Bar Association | Dec. 2009.

Computer skills

MS Word, MS Publisher, WP, Access, Excel, PowerPoint, Internet, TRIM, LiveNote, Casemap, Case-Matrix, and Ringtail Legal.

Legal databases

Lexis-Nexis and Quicklaw; Westlaw/eCarswell; Jurisprudence Express, ICTY-JDB; Legal Tools of the ICC.
