



International Criminal Justice: The State of Play

Strategy Room 320, Morris J. Wosk Centre for Dialogue
Simon Fraser University - Vancouver, Canada

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PARTICIPANTS

The Hon. Louise Arbour

Chair, *International Criminal Justice: The State of Play Conference*

Simons Visiting Chair in Dialogue in International Law and Human Security, School for International Studies
Simon Fraser University

The Hon. Louise Arbour, C.C., G.O.Q. has served on the Supreme Court and Court of Appeal of Ontario and the Supreme Court of Canada. She was Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and Rwanda, High Commissioner for Human Rights at the United Nations, and President and CEO of the International Crisis Group. She is currently a jurist in residence at Borden Ladner Gervais LLP in Montreal and a member of the Advisory Board of The Coalition for the International Criminal Court, the Global Commission on Drug Policy, and the International Commission Against the Death Penalty.

Onur Bakiner

Assistant Professor, Political Science Department
Seattle University
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Onur Bakiner is Assistant Professor of Political Science at Seattle University. His past research on truth commissions will be published under the title *Truth Commissions: Memory, Power, and Legitimacy* by University of Pennsylvania Press. Currently he has been working on a research project examining judicial actors during prolonged internal conflict in Colombia and Turkey. His research and teaching interests include transitional justice, human rights and judicial politics, particularly in Latin America and the Middle East. His articles have been published in the *International Journal of Transitional Justice*, *Nationalities Papers*, and *Memory Studies*.

Nicole Barrett

Director, Joint International Justice and Human Rights Clinic
Osgoode Hall and University of British Columbia Law Schools

Nicole Barrett is Director of the Joint International Justice and Human Rights Clinic at Osgoode Hall and University of British Columbia Law Schools. She was previously a Trial Lawyer and a Legal Officer for the International Criminal Tribunal for the former Yugoslavia and a Senior Scholar in Residence at New York University Law School's Center for Human Rights and Global Justice, where she directed clinical projects with international criminal courts and tribunals. Nicole holds a JD from Columbia Law School, a Masters in International Affairs from Columbia University and a BA from Stanford University.

The *International Criminal Justice: The State of Play Conference* is co-convened by The Simons Foundation and the School for International Studies, Simon Fraser University, and chaired by The Hon. Louise Arbour, C.C., G.O.Q., Simons Visiting Chair in Dialogue in International Law and Human Security at Simon Fraser University.

Rex Brynen

Department of Political Science
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Rex Brynen is Professor of Political Science at McGill University. He is author or editor of 11 books on politics, security, and development in the Middle East, including various aspects the Arab-Israeli conflict. In addition to his academic work, he has served as an advisor to the Privy Council Office, Department of Foreign Affairs, the World Bank, and various UN agencies.

Rachel A. Cichowski

Director, Comparative Law & Society Studies Center
and Associate Professor, Department of Political Science
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Rachel Cichowski is Director of the *Comparative Law & Society Studies Center* and Associate Professor in the Department of Political Science with a joint appointment in the Law, Societies and Justice program at the University of Washington. Her primary research interests include legal mobilization, international law and organization, comparative constitutionalism and international justice and human rights. Her research is published by Cambridge University Press, Oxford University Press and in edited volumes and various journals, including *Law & Society Review*, *Comparative Political Studies* and *Journal of European Public Policy*.

Alexander Dawson

Director, School for International Studies
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Alexander Dawson is a historian of Modern Mexico with a PhD from SUNY-Stony Brook (1997). He is the author of *Indian and Nation in Revolutionary Mexico* (Arizona, 2004), *First World Dreams: Mexico Since 1989* (Zed, 2006), and *Latin America Since Independence* (Routledge, 2010, 2014). He has published articles in the *Journal of Latin American Studies*, *The Americas*, *Latin American Perspectives*, and the *Hispanic American Historical Review*. He is currently working on a book titled *Peyote Wars* (under contract with the University of California Press) which examines the ways peyote, whiteness, and indigeneity have been linked over time in Mexico and the United States by indigenous peoples, ecclesiastical authorities, government officials, and others. It also explores the ways in which the boundaries created around peyote and policed by various authorities have been blurred or crossed by a variety of actors since the colonial period.

Richard A. Falk

Albert G. Milbank Professor of International Law and Practice Emeritus
Princeton University
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Richard Falk is Albert G. Milbank Professor of International Law and Practice Emeritus, Princeton University and currently Research Fellow, Orfalea Center of Global Studies, UCSB. He was UN Special Rapporteur for Occupied Palestine, 2008-2014. He was UN Special Rapporteur for Occupied Palestine, 2008-2014. His most recent books are *Humanitarian Intervention and Legitimacy Wars* (2014) and *Palestine: The Legitimacy of Hope* (2015).

Georgette Gagnon

Director of Human Rights for the United Nations Assistance Mission in Afghanistan (UNAMA)
and Representative of the Office of the United Nations High Commissioner for Human Rights in Afghanistan

Georgette Gagnon, a Canadian lawyer, is Director of Human Rights for the United Nations Assistance Mission in Afghanistan (UNAMA) and Representative of the Office of the United Nations High Commissioner for Human Rights in Afghanistan. She was Director of Human Rights for the UN Supervision Mission in Syria based in Damascus in 2012 serving as senior human rights advisor to Kofi Annan in his role as UN-Arab League Special Envoy for Syria, and previously worked with Human Rights Watch in New York as Executive and Deputy Director of the organization's Africa Division (2004 to 2010) and with the Organization for Security and Cooperation in Europe Mission to Bosnia and Herzegovina in Sarajevo as Director of Human Rights and Rule of Law (2001-2003). Ms. Gagnon has served as an investigator and advisor on human rights and rule of law for the Canadian government on projects in China, India and Sudan, for the United States government in Sudan and as a human rights officer with UN missions in Bosnia Herzegovina and Rwanda.

Fannie Lafontaine

Laval University; Canada Research Chair on International Criminal Justice and Human Rights and Co-director, International Criminal and Humanitarian Law Clinic

Fannie Lafontaine is a Professor at the Law Faculty at Laval University (Quebec City). She holds the Canada Research Chair on International Criminal Justice and Human Rights and is the Founder and Co-director of the International Criminal and Humanitarian Law Clinic. She previously worked with Louise Arbour in her Executive Office as the United Nations High Commissioner for Human Rights and as a law clerk at the Supreme Court of Canada. She also worked with the International Commission of Inquiry on Darfur, with NGOs and in litigation practice. She is the author of the book *Prosecuting Genocide, Crimes Against Humanity and War Crimes in Canadian Courts* (Toronto: Carswell, 2012) and of the yearly publication *Chartes des droits de la personne* (Wilson & Lafleur). She consults and acts as pro bono counsel in international justice projects and court cases.

Pacifique Manirakiza

Associate Professor
Faculty of Law (Common Law Section)
University of Ottawa

Professor Pacifique Manirakiza is an Associate Professor at the Faculty of Law (Common Law Section), University of Ottawa where he teaches Canadian criminal law and international criminal law. Professor Manirakiza was elected in 2011 member of the African Commission on Human and People's Rights. In that capacity, he is the Chairperson of the newly established Working Group on Extractive Industries, Environment and Human Rights Violations. In 2014, he has also been appointed member of the first African Union-led Commission of Inquiry on South Sudan.

Bridget Marchesi

Fellow, Carr Center for Human Rights Policy, Harvard Kennedy School
PhD Candidate, University of Minnesota, Political Science

Bridget Marchesi is a fellow at the Carr Center for Human Rights Policy, working in the Transitional Justice program. Bridget is pursuing a PhD in Political Science at the University of Minnesota. Her research focuses on explaining the global diffusion of transitional justice and how conditions of adoption affect the quality of policy design and implementation. As a Fellow, Bridget is also working on a Carr Center and Harvard Humanitarian Initiative affiliated evaluation of the Colombian *Unidad para las Víctimas* and the *Victims and Land Restitution Law*. Bridget holds a Master of Public Policy from the Humphrey School of Public Affairs and a Master of Business Administration from the Carlson School of Business. Bridget holds a Bachelor of Arts from Princeton University.

Tim McCormack

Professor of Law
Melbourne Law School

Tim McCormack is Professor of Law at the Melbourne Law School and Adjunct Professor of Law at the University of Tasmania Law School. He is the Special Adviser on International Humanitarian Law to the Prosecutor of the International Criminal Court and Law of Armed Conflict Expert Adviser to the Australian Defence Force Director of Military Prosecutions. Tim has been awarded a Fulbright Senior Scholarship to take up the position of Charles H Stockton Distinguished Scholar-in-Residence at the US Naval War College, Newport, Rhode Island (from July 2015) and he has also been appointed Visiting Professor at Harvard Law School to teach International Criminal Law in the Winter Term (January 2016).

Diane F. Orentlicher

Professor of International Law
Washington College of Law
American University

Diane Orentlicher is Professor of International Law at the Washington College of Law of American University and is Co-Director of the Law School's Center for Human Rights and Humanitarian Law. She has previously served as United Nations Independent Expert on Combating Impunity (2004-05) and as Deputy for War Crimes Issues in the U.S. Department of State (2009-11). She is currently writing a book about the impact of the International Criminal Tribunal for the former Yugoslavia in Bosnia-Herzegovina and Serbia.

David Petrasek

Associate Professor, Graduate School of Public and International Affairs
University of Ottawa

Prof. David Petrasek is Associate Professor, Graduate School of Public and International Affairs, University of Ottawa and formerly Special Adviser to the Secretary-General of Amnesty International. David has worked extensively on human rights, humanitarian and conflict resolution issues, including for Amnesty International, for the Office of the UN High Commissioner for Human Rights, and as Director of Policy at the HD Centre (2003-07).

Jennifer A. Quaid

Assistant Professor, Civil Law Section, Faculty of Law
University of Ottawa

An expert on corporate criminal liability, Prof. Quaid's research focuses on the theoretical and practical aspects of applying the criminal law to organizations. Her current work proposes a new framework within which to analyse organizational responsibility for *mens rea* crimes using an interdisciplinary approach that brings together law and elements of organization theory. A graduate of the University of Ottawa in both law and economics, Prof. Quaid holds graduate degrees from the University of Cambridge and at Columbia University and is currently completing a doctorate in law at Queen's University. Before joining the academy, she practised law for several years, first with the federal Department of Justice and then in private practice.

Ruben Reike

Research Fellow
European University Institute

Dr. Ruben Reike is a Post-Doctoral Research Fellow at the European University Institute, where he is part of the ERC-funded project: "The Individualisation of War: Reconfiguring the Morality, Law, and Politics of Armed Conflict". He holds a DPhil in International Relations from the University of Oxford, Somerville College, and a Masters in International Studies from the University of Queensland. Dr Reike has also worked for Amnesty International.

Ali A. Rizvi

Dr. Rizvi is a writer and physician who grew up in Libya, Saudi Arabia, and Pakistan before immigrating to Canada. He is a regular contributor to The Huffington Post and has also been published and made appearances on CNN, CTV, NPR, and more. He is currently writing his first book, *The Atheist Muslim*, which explores the challenges faced by secularists and reformers in Muslim majority countries.

Sheri Rosenberg

Associate Clinical Professor of Law and Director of the Human Rights and Atrocity Prevention Clinic
& the Cardozo Law Institute in Holocaust and Human Rights

Sheri Rosenberg is Associate Clinical Professor of Law and Director of the Human Rights and Atrocity Prevention Clinic & the Cardozo Law Institute in Holocaust and Human Rights ("CLIHHR"). Professor Rosenberg worked for the U.S. Department of State with the Human Rights Chamber, a quasi-international court established under the Dayton Peace Agreement, in Sarajevo, Bosnia & Herzegovina and has been the recipient of the Human Rights Fellowship at Columbia Law School, where she worked for the United Nations, Office for the Coordination of Humanitarian Affairs, Policy Branch, and completed her LL.M with honors. Her book, *Reconstructing Atrocity Prevention* is coming out with Cambridge University Press in 2015.

William Schabas

Middlesex University London and Leiden University

Prof. William Schabas, O.C. is the author of many books and articles on the abolition of capital punishment, genocide, the international criminal tribunals and the European Convention on Human Rights. Professor Schabas was a member of the Sierra Leone Truth and Reconciliation Commission and the UN Commission of Inquiry on the 2014 Gaza Conflict. He is president of the Irish Branch of the International Law Association and chair of the Institute for International Criminal Investigation. He is an Officer of the Order of Canada and a member of the Royal Irish Academy and has been awarded several honorary doctorates.

Beth Simmons

Clarence Dillon Professor of International Affairs, Harvard Government Department
Harvard University

Beth Simmons is Clarence Dillon Professor of International Affairs, Harvard Government Department. She teaches international relations, international law and international political economy. Current research interests include human rights, human trafficking, and international cooperation relating to criminal law. Books include *Mobilizing for Human Rights: International Law in Domestic Politics* (2009) and *Who Adjust?: Domestic Sources of Foreign Economic Policy During the Interwar Years* (1994). Elected to the National Academy of Sciences, 2013.

Jennifer Allen Simons

Founder and President
The Simons Foundation

Jennifer Allen Simons, C.M., Ph.D., LL.D. is Founder and President of The Simons Foundation, a private charitable foundation located in Vancouver, Canada, with a mission to advance positive change through education in peace, disarmament, international law and human security. Dr. Simons is Adjunct Professor at SFU's School for International Studies and Senior Visiting Fellow and Dialogue Associate at SFU's Centre for Dialogue, a Council Member of Pugwash Conferences on Science and World Affairs, Founding Partner of Global Zero, and serves as a board member or advisor on a number of national and international organizations. She was appointed to the Order of Canada in 2010.

Izabela Steflja

Simons Postdoctoral Fellow at the School for International Studies
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Izabela Steflja is the Simons Postdoctoral Fellow in Dialogue on International Law and Human Security at the School for International Studies at Simon Fraser University. She holds a DPhil in Political Science from the University of Toronto, where she completed a dissertation entitled "(In) Humanity on trial: on the ground perceptions of international criminal tribunals," and a Masters in Political Science from McGill University. Izabela has conducted extensive fieldwork in East-Central Africa and the Balkans and her research has been funded by a number of prestigious awards. Her recent work has been published in *Europe-Asia Studies*, *Human Rights Review*, and *Global Change, Peace, and Security*.

James G. Stewart

Assistant Professor
Faculty of Law at Allard Hall
University of British Columbia

Professor James G. Stewart has spent the past fifteen years working in international criminal justice, as either a practitioner or a scholar. He joined the University of British Columbia Law Faculty in August 2009, after spending two years as an Associate-in-Law at Columbia Law School in New York. Before then, he was an Appeals Counsel with the Prosecution of the United Nations International Criminal Tribunal for the former Yugoslavia. He also worked for the Legal Division of the International Committee of the Red Cross and the Prosecution of the International Criminal Tribunal for Rwanda. At present, he works as a Senior Legal Advisor (part-time) to judges of the Appeals Chamber of the Extraordinary Chambers in the Courts of Cambodia. He holds degrees from Victoria University of Wellington, New Zealand in both law and philosophy, a Diplôme d'études approfondies in international humanitarian law at the Université de Genève and a JSD at Columbia Law School. He has received the Cassese Prize in International Criminal Justice, a Open Society Fellowship, and was a Global Hauser Fellow at NYU Law School for his research on the relationship between atrocity commerce, and international criminal law. This research, together with a blog on associated issues, is available online at www.jamesgstewart.com.

James K. Stewart
Deputy Prosecutor
International Criminal Court

James K. Stewart was elected Deputy Prosecutor of the ICC by the Assembly of States Parties to the Rome Statute in November 2012 and took up his duties in The Hague in March 2013. For over thirty years he served as Crown counsel in Toronto, and also served for periods of time in the Office of the Prosecutor as Senior Trial Attorney and later Chief of the Appeals and Legal Advisory Division at the ICTR and Chief of the Prosecutions Division at ICTY.

Stephen J. Toope
Director of the Munk School of Global Affairs and Professor of International Law
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Stephen J. Toope is Director of the Munk School of Global Affairs and Professor of International Law at the University of Toronto. He was President and Vice-Chancellor, the University of British Columbia, from 2006-14. A former President of the Pierre Elliott Trudeau Foundation, and Dean of Law, McGill University, Professor Toope also served as Law Clerk to the Rt. Hon. Brian Dickson, of the Supreme Court of Canada. Toope also served as Chair of the United Nations Working Group on Enforced and Involuntary Disappearances. His most recent book with Jutta Brunnée, Legitimacy and Legality in International Law: An Interactional Account, Cambridge: Cambridge University Press (2010) was winner of the American Society of International Law's 2011 Certificate of Merit for Creative Scholarship.

Castro Wesamba
Team Leader
Office of the United Nations Special Adviser on the Prevention of Genocide

Mr. Castro Wesamba is the Team Leader for Africa Region in the Office of the United Nations Special Adviser on the Prevention of Genocide and the Responsibility to Protect since 2008. He has extensive experience in political affairs and human rights in the United Nations. Before joining the UN, he worked for the Ministry of Foreign Affairs of Kenya for 13 years as a diplomat. Mr. Wesamba holds a bachelor's degree in International Relations from Kenyatta University, Nairobi, Master of Arts in International Affairs and a post graduate diploma in International Law from Saint John's University, New York.