

## Judge Abdulqawi Ahmed Yusuf

(Member of the Court since 6 February 2009. Re-elected as from 6 February 2018. Vice-President from 6 February 2015 to 5 February 2018. President from 6 February 2018 to 5 February 2021)

### Education

*Docteur ès sciences politiques* (International Law), Graduate Institute of International and Development Studies, University of Geneva (1980). *Laurea di Dottore in Giurisprudenza* (Dr. Juris), Faculty of Law, Somali National University (1973). Certificate, Centre for Studies and Research in International Law, the Hague Academy of International Law, Netherlands (1974). Postgraduate studies in International Law and Relations, University of Florence, Italy (1976-1977).

### Honorary degrees

Docteur (*Honoris Causa*), Université Paris Nanterre I, France. Doctorate of Laws (*Honoris Causa*), University College London, United Kingdom. Doctor of Law (*Honoris Causa*), KIIT University, India.

### Languages

English (fluent), French (fluent), Italian (fluent), Arabic (good knowledge) and Somali (mother tongue).

### Professional affiliation

Member, Institut de droit international (IDI), Geneva (1999-). Member, panel of Arbitrators of the International Centre for Settlement of Investment Disputes (ICSID). Member of the Governing Board, International Council for Commercial Arbitration (ICCA). Founder and President of the Curatorium, African Institute of International Law, Arusha (Tanzania). Founder and Honorary General Editor, *African Yearbook of International Law*. Membre du comité de rédaction, *Annuaire français de droit international*. Fellow, The World Academy of Art and Science. Member, International Advisory Board, Eco-Forum Global (China). Member of the Advisory Board of the Hague Peace and Justice Project. Founding Member, African Association of International Law. Member of the Board of Trustees of the Permanent Court of Arbitration Financial Assistance Fund. Member of the Board of Trustees of the Cairo Regional Centre for International Commercial Arbitration. Member, Editorial Advisory Board, *Asian Yearbook of International Law*. Chairman, Executive Committee, African Foundation for International Law. Honorary Member American Society of International Law. Member of the Advisory Board, CIDS (Geneva). First Vice-President, Institut de Droit international since August 2021. Honorary Professor, Xiamen University, China.

### Past professional activities

Judge *ad hoc*, International Court of Justice, case concerning *Certain Questions of Mutual Assistance in Criminal Matters (Djibouti v. France)* (2007-2008). Presiding Arbitrator of Permanent Court of Arbitration (PCA) and ICSID Arbitral Tribunals and President or Member of several ICSID Annulment Committees.

*United Nations Educational, Scientific and Cultural Organization (UNESCO)*: Legal Adviser and Director, Office of International Standards and Legal Affairs (March 2001-January 2009).

*United Nations Industrial Development Organization (UNIDO)*: Assistant Director General and Special Adviser on African Affairs (March 1998-February 2001). Legal Adviser and Director of the Legal Services (August 1994-March 1998).

*United Nations Conference on Trade and Development (UNCTAD)*: Representative and Head, New York Office (July 1992-July 1994). Senior Liaison Officer, United Nations Programme of Action for the Least Developed Countries, New York (July 1992-July 1994). Head, Legal Policies Section, Trade & Technology Programme, Geneva (July 1988-June 1992).

### Academic positions and activities

Lecturer, International Law, Faculty of Law, Somali National University (1974-1980) and Chairman, Public Law Department (1976-1978). Assistant Professor, Faculty of Law, University of Geneva (1981-1983).

*Visiting Lecturer on Public International Law at universities and academic institutions including*: University of Siena (Italy); Graduate Institute of Development Studies, Geneva (Switzerland); University of Florence (Italy); University of Milan-Bocconi (Italy); International Development Law Institute, Rome (Italy); University of Turin (Italy); UNITAR Fellowship Programme in International Law, the Hague Academy of International Law (Netherlands) (1987-1993); Thessaloniki Institute of Public International Law and International Relations (Greece) (2004); The Hague Academy of International Law (Netherlands) (2012); International Law Seminar for Arab States (2015); United Nations Regional Courses in International Law, Addis Ababa (Ethiopia) (2011-2017); Xiamen Academy (China) (2019); IMLI (Malta) (2019).

### Experience in multilateral negotiation (as Government Representative)

Somali representative to the Third United Nations Conference on the Law of the Sea (1975-1981). Somali delegate to the Asian-African Legal Consultative Committee (1975 and 1976). Member, Somali delegation to the Organization of African Unity Summit conference (1974).

### **Adviser to multilateral negotiations and organs (as International Official)**

Legal Adviser to the UNESCO Intergovernmental Oceanographic Committee and the World Heritage Committee (2001-2009). Legal Adviser to the Executive Board and General Conference of UNESCO (2001-2009). Legal Adviser to UNESCO negotiations on the following conventions: Convention on the Protection of the Underwater Cultural Heritage, Convention for the Safeguarding of Intangible Cultural Heritage, International Convention against Doping in Sport, Convention on the Protection and Promotion of the Diversity of Cultural Expression (2001-2007). Legal Adviser to the Industrial Development Board and General Conference of UNIDO (1994-1998). Legal Adviser to the International Centre for Genetic Engineering and Biotechnology (Trieste, Italy) (1994-1997). Expert Adviser at the United Nations negotiations on a Convention on Biological Diversity (1990-1991). Expert Adviser and UNCTAD Representative at the GATT Uruguay Round Trade Negotiations on TRIPS (1989-1991). Expert Adviser, UNCTAD negotiations on a Draft International Code of Conduct on the Transfer of Technology (1982-1985).

### **Publications**

#### *Books*

*Panafricanisme et droit international*, Académie de droit international de La Haye, hors collection, 2017; *Intellectual Property and International Trade: The TRIPS Agreement*, ed. with C. Correa, 3rd edition, Kluwer Law International, 2016; *Pan-Africanism and International Law*, Brill, Nijhoff, 2014; *L'Union africaine : cadre juridique et institutionnel. Manuel sur l'organisation panafricaine*, ed. with F. Ouguergouz, Paris, Pedone, 2013; *The African Union: Legal and Institutional Framework. A Manual on the Pan-African Organization*, ed. with F. Ouguergouz, Leiden, Nijhoff, 2012; *Standard setting in UNESCO/L'action normative à l'UNESCO* (ed.), Paris, UNESCO Publishing and Leiden, Nijhoff, 2007; *Intellectual Property and International Trade: the TRIPS Agreement*, ed. with C. Correa, The Hague, Kluwer Law International, 1st edition, 1998; 2nd edition, 2007; *International Technology Transfer: The Origins and Aftermath of the United Nations Negotiations on a Draft Code of Conduct*, ed. with S. J. Patel and P. Roffe, The Hague, Kluwer Law International, 2001; *Legal Aspects of Trade Preferences for Developing States: A study in the Influence of Development Needs on the Evolution of International Law*, The Hague, Nijhoff Publishers, 1982.

#### *Articles and book chapters*

Chapter on "International Judicial Settlement" in Institut de Droit International Sesquicentennial volume, 2023; Judge Antônio Augusto Cançado Trindade: "An unwavering quest for international justice and for the universalization and humanization of international law", *Leiden Journal of International Law*, 2023, pp. 1-6; "The Chorzow Factory Case and the Protection of Industrial Property under International Law" in *The Transformation of Private Law — Principles of Contract and Tort as European and International Law: A Liber Amicorum for Mads Andenas at the Occasion of his 65th Birthday* (ed. Maren Heidemann), Springer, 2023; "The Rule of Law at the International Level: Evolution and Challenges", *Proceedings of the American Society of International Law*, Vol. 115, 215-223, 2021; The Charter of the United Nations After 75 Years: Personal Reflections / *La Charte des Nations Unies après 75 ans : réflexions personnelles*; "The Contribution of the ILC to the Evolution of International Law 'Keynote Address'" in *Seventy Years of the International Law Commission: Drawing a Balance for the Future* (United Nations), Brill, 2020; "Engaging With International Law", *International and Comparative Law Quarterly* (ICLQ), volume 69, Issue 3, July 2020, pp. 505-519, Cambridge University Press; "Foreword" to *Italian Colonization of Somalia* (eds. Prof. Tullio Scovazzi and Dott.ssa Elena Carpanelli), 2020; "Concluding Remarks" in *General Principles of International Law, in General Principles and the Coherence of International Law*, Brill Nijhoff, Andenas et al (eds.), 2019; "Reforming International Investment Arbitration: A Plea for a more Institutionalized and Coherent System" in *ICC Dispute Resolution Bulletin*, 2019, issue 2; "Compulsory Jurisdiction of the Court Under the Optional Clause" in *New Challenges to International Law, A View from The Hague*, Brill, 2018; "Balancing the Rights and Obligations of States and Investors: Challenges Facing LDCs" in *Legal Assistance to Make Foreign Investment Work Better for Sustainable Development in the Least Developed Countries*, no. 2, 2017, in *Occasional Policy Papers Series on the Least Developed Countries*; "A Contrario Interpretation in the Jurisprudence of the International Court of Justice", *Canadian Journal of Comparative and Contemporary Law*, Vol. 3, no. 1, 2017 (with D. Peat); "The Contribution of Arbitration to the Rule of Law — The Experience of African Countries", ICCA Congress Series 2016, Wolters Kluwer, 2017; "Le droit des peuples à disposer d'eux-mêmes : ne sert qu'une fois" in *Dictionnaire des idées reçues en droit international, Collectif en clin d'œil amical à Alain Pellet*, Pedone, 2017; "Unconstitutional Change of Government and the Public Law of Africa: Outlawing of Coups d'Etat in the African Continent" in *The Pursuit of a Brave New World in International Law: Essays in Honour of John Dugard*, Tladi, Maluwa and du Plessis (eds.), 2016; "L'Etat, le Coup d'Etat et l'Union Africaine", *Actes de la journée d'études en l'honneur de Pierre Michel Eisemann*, Paris, Pedone, 2016; "The Emergence of an African Public Law and Its Potential Impact on International Law", *African Yearbook of International Law*, Vol. 20, 2013-2014, pp. 141-155; "Was There Something Missed in the Decolonization Process in Africa?", *African Yearbook of International Law*, Vol. 20, 2013-2014, pp. 217-222; "Precedent & Jurisprudence Constante (AES v. Argentina, ICSID Case No. ARB/02/17)" (with G. Yusuf), *50th Anniversary of ICSID: An Overview of Landmark International Investment Law Cases*, M. Kinnear (ed.), 2015; "The Public Law of Africa and International Law: Broadening the Scope of Application of International Rules", *Essays in International Law in Honour of Judge Abdul G. Koroma*, Charles Chernor Jalloh & Olufemi Elias (eds.), 2015; "From Reluctance to Acquiescence: The Evolving Attitude of African States towards Judicial and Arbitral Settlement of Disputes", *Leiden Journal of International Law*, Vol. 28, 2015, pp. 605-621; "The Progressive Development of Peoples' Rights in the African Charter and in the Case Law of the African Commission on Human and Peoples' Rights" in F. Lenzerini and A. F. Vrdoljak (eds.), *International Law for Common Goods: Normative Perspectives on Human Rights, Culture and Nature*, Oxford, Hart, 2014; "Is there an African *Utī Possidetis Juris*?", *Zanzibar*

*Yearbook of Law*, 2014; "Diversity of Legal Traditions and International Law: Keynote Address", *Cambridge Journal of International and Comparative Law*, Vol. 2, Issue 4, 2013; "La Corne de l'Afrique, Fragmentation ou Intégration?", *Aquilon : Revue en ligne de l'Association des Internationalistes*, No. 9, February 2013; "Shepherding the Conclusion of Complex International Conventions: the Role of the Chairperson in the Negotiations on Cultural Diversity" in T. Maluwa (ed.), *Law, Politics and Rights: Essays in Memory of Kader Asmal*, Leiden, Nijhoff, 2013; "Human Rights: a Third World perspective", EUI Working Papers, Academy of European Law, *Distinguished Lectures of the Academy*, AEL 2013/1; "L'influence des Etats africains sur la formation des règles relatives à la zone économique exclusive" in M. Kamga, M. M. Mbengue (eds.), *L'Afrique et le droit international : variations sur l'organisation internationale/Africa and International Law: Reflections on the International Organization*, Liber Amicorum Raymond Ranjeva, Paris, Pedone, 2013; "The International Court of Justice (ICJ) and the Development of Human Rights Law: From Collective Rights to Individual Rights" in A. Di Stefano, R. Sapienza (eds.), *La tutela dei diritti umani e il diritto internazionale: XVI Convegno*, Catania, 23-24 June 2011, Naples, Editoriale Scientifica, 2012; "The Role That Equal Rights and Self-Determination of Peoples can Play in the Current World Community" in A. Cassese (ed.), *Realizing Utopia: The Future of International Law*, Oxford, Oxford University Press, 2012; "Walking the Road He Paved: A Tribute to Antonio Cassese", G. Acquaviva and G. Pinzauti (eds.), *Journal of International Criminal Justice*, Vol. 10, Issue 5, 2012; "The Notion of 'Armed Attack' in the Nicaragua Judgment and its Influence on Subsequent Case Law", *Leiden Journal of International Law*, Vol. 25, 2012; "The Emergence of Judicial Institutions for Inter-State Dispute Settlement in Africa", *African Yearbook of International Law*, Vol. 19, 2011-2012; "Article 1: Definition of Cultural Heritage" in F. Francioni, F. Lenzerini (eds.), *The 1972 World Heritage Convention: A Commentary*, Oxford, Oxford University Press, 2008; "La nozione di 'Beni Culturali sotto Protezione Rafforzata' e il ruolo dei Comitati dell'UNESCO per la protezione del patrimonio culturale: dalla Convenzione del 1972 al Secondo Protocollo del 1999" (with L. Cavicchioli) in P. Benvenuti and R. Sapienza, *La Tutela Internazionale dei Beni Culturali nei Conflitti Armati*, Milan, Giuffrè, 2007; "UNESCO Standard setting Activities on Bioethics: Speak Softly and Carry a Big Stick" in F. Francioni (ed.), *Biotechnologies and International Human Rights*, Oxford, Hart, 2007; "La coordination des actions dans le système des Nations Unies" in R. Chemain and A. Pellet (eds.), *La Charte des Nations Unies, constitution mondiale ?*, Paris, Pedone, 2006; "Cultural Rights as Collective Rights in International Law" in K. Koufa, *Multiculturalism and International Law: 2004 International Law Session*, Thessaloniki Institute of Public International Law and International Relations, Athens, Sakkoulas, 2006; "The UNESCO Declarations on Bioethics: Emerging Principles and Standards of an International Biolaw" in N. Boschiero (ed.), *Bioetica e Biotecnologie nel Diritto Internazionale e Comunitario*, Turin, Giappichelli, 2006; "Le Conseiller juridique d'une organisation internationale face à la pratique" in *Société française pour le droit international, La pratique et le droit international, Colloque de Genève*, Paris, Pedone, 2004; "The Right of Intervention by the African Union: A New Paradigm in Regional Enforcement Action", *African Yearbook of International Law*, Vol. 11, 2003; "Government Collapse and State Continuity: The Case of Somalia", *Italian Yearbook of International Law*, Vol. XIII, 2003; "Developing Countries and the Multilateral Trade Rules: The Continuing Quest for an Equitable Playing Field" in L. Boisson de Chazournes and V. Gowlland Debbas (eds.), *The International Legal System in Quest of Equity and Universality*, Liber Amicorum Georges Abi-Saab, The Hague, Nijhoff, 2001; "The Role of the Legal Adviser in the Reform and Restructuring of an International Organization — The Case of UNIDO" in *United Nations Office of Legal Affairs, Collection of Essays by Legal Advisers of States, Legal Advisers of International Organizations and Practitioners in the Field of International Law*, Sales No. E/F/S.99.V.13, New York, United Nations, 1999; "The UN Convention on Biological Diversity" in N. Al-Nauimi and R. Meese, *International Legal Issues Arising Under the United Nations Decade of International Law: Proceedings of the Qatar International Law Conference (22-03-1994; Doha)*, The Hague, Nijhoff, 1995; "Intellectual Property Protection in the Countries of Africa", *International Journal of Technology Management*, Vol. 10, 1995; "Reflections on the Fragility of State Institutions in Africa", *African Yearbook of International Law*, Vol. 2, 1994; "Transfer of Technology" in M. Bedjaoui (ed.), *International law: Achievements and Prospects*, Paris, UNESCO, 1991; "The Legal Framework for Stable, Remunerative and Equitable Commodity Prices in International Trade" in D. Dicke and E.U. Petersmann (eds.), *Foreign Trade in the Present and a New International Economic Order*, Fribourg, University Press Fribourg, 1988; "L'élaboration d'un code international de conduite pour le transfert de technologie : bilan et perspectives", *Revue générale de droit international public*, Vol. 88, Issue 4, 1984; "Differential and More Favourable Treatment of Developing Countries in International Trade: The GATT Enabling Clause", *Journal of World Trade Law*, Vol. 14, 1980; "Towards a New Legal Framework for Marine Research: Coastal State Consent and International Co-ordination", *Virginia Journal of International Law*, Vol. 19, Issue 2, 1979; "The Legal Status of Mercenaries in the Law of Armed Conflict" in A. Cassese (ed.), *The New Humanitarian Law of Armed Conflict*, Naples, Editoriale Scientifica, 1979.

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