SEXUAL MINORITIES UGANDA

Plaintiff,

v.

SCOTT LIVELY, individually and as President of Abiding Truth Ministries,

Defendant.

Civil Action

3:12-CV-30051

EXPERT OPINION OF PROFESSOR M. CHERIF BASSIOUNI
1. **Introduction**

   1. I have been asked by Plaintiff, Sexual Minorities Uganda, to provide an expert opinion addressing whether "Crimes Against Humanity" constitutes a category of crimes under international criminal law and is an international law norm binding upon all states, including the "persecution" of a civilian population carried out on a widespread or systematic basis. And, whether such persecution would include a civilian population on the basis of its sexual orientation and gender identity.

   2. Plaintiff's counsel made available to me the following documents, namely:

      a. "Memorandum of Law in Support of Defendant Scott Lively’s Motion to Dismiss Plaintiff’s First Amended Complaint”, and

      b. "Plaintiff’s Memorandum of Law in Opposition to Defendant’s Motion to Dismiss First Amended Complaint”


      d. "Memorandum and Order Regarding Defendant’s Motions to Dismiss”

   3. I am providing this expert opinion and any testimony in this case on a *pro bono* basis. I will only be compensated by Plaintiff for actual expenses incurred.

   4. I base my opinion about the legal status of "Crimes Against Humanity" on the basis of my knowledge, expertise and experience as a scholar studying, teaching, writing about and practicing international law for more than 50 years, and affirm, to the best of my knowledge and ability, that what follows is a true, accurate, and correct statement and interpretation of conventional and customary international law.¹

   ¹ "Conventional law" refers to the body of international norms contained in treaties.
II. Qualifications of Expert

5. My *Curriculum Vitae* is annexed hereto as Exhibit A.

6. I am currently Professor Emeritus of Law at DePaul University where I taught from 1964-2009. I am a founding member of the International Human Rights Law Institute at DePaul University, which was established in 1990. I am also one of the founders of the International Institute of Higher Studies in Criminal Sciences (ISISC) located in Siracusa, Italy, where I served as General-Secretary from 1972-74, Dean from 1974-88, and then as President to date. I also served as the Secretary General of the International Association of Penal Law from 1974-89 and as President for three five-year terms from 1989-2004, when I was elected Honorary President.


8. I served as chair of the United Nations Diplomatic Conference on the Establishment of the International Criminal Court and was directly involved in the drafting of the statute’s Article 7 on “Crimes Against Humanity”. Previously, I was chair of the Security Council Commission to investigate war crimes in the former Yugoslavia, and in that capacity I contributed to the drafting of Article 5 of the Statute of the International Criminal Tribunal for the Former Yugoslavia on “Crimes Against Humanity”.

\[\text{Signature}\]

10. My writings on International Criminal Law have been cited numerous times by the United States Supreme Court, U.S. Courts of Appeals, and Federal District courts, as well as in a number of the decisions of the world’s highest courts as indicated in the attached C.V.

11. I have been qualified as an expert on questions of International Criminal Law, more particularly on extradition, in a number of U.S. District Courts as well as before foreign courts. I
have not, however, been deposed or testified in connection with any case in a U.S. Court since 2010.

III – Opinion

A. Crimes Against Humanity Are Prohibited Under Customary and Conventional International Law and Constitute a Jus Cogens Norm.

12. “Crimes Against Humanity” [hereinafter referred to as “CAH”] is an established category of international crimes. As recently stated by the International Law Commission’s Report on Crimes Against Humanity, dated 12 February 2015,

The crime [CAH] is an international crime; it matters not whether the national law of the territory in which the act was committed has criminalized the conduct. The crime is directed against a civilian population and hence has a certain scale or systematic nature that generally extends beyond isolated incidents of violence or crimes committed for purely private purposes. The crime can be committed within the territory of a single State or can be committed across borders. Finally, the crime concerns the most heinous acts of violence and persecution known to humankind. A wide range of scholarship has analyzed these various elements.²

13. As is the case with almost all international crimes, there is an evolutionary course that varies from crime to crime.³ With respect to CAH, that evolution started in 1919 after the end of World War I until its universal recognition today.⁴

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14. The prohibition of CAH is evidenced in its inclusion in conventions and treaties and other instruments of international criminal law, judicial decisions rendered by international tribunals applying those instruments as well as by national courts applying domestic and international law.\(^1\) CAH has also been included in the statutes of international criminal tribunals established by the Security Council as well as by agreement between the United Nations and a number of states, namely the mixed-model tribunals. The statutes of these tribunals that have included CAH have done so on the basis that this crime is recognized in customary international law. In addition, national legislation has also included CAH as a crime under domestic criminal law. The combination of conventional, customary and state practice as well as the writing of the "Most Distinguished Publicists" (Article 38, Statute of the International Court of Justice, attached to the U.N. Charter) evidences the principle that CAH has risen to the level of *jus cogens*. Consequently, its prohibition is a peremptory and non-derogable norm of international law.\(^*\)

15. In conventional international law, CAH has been defined as an international crime in all the statutes that have established international criminal tribunals, namely: the International

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\(^1\) Article 38 of the Statute of the International Court of Justice is the authoritative statement on the sources of international law and directs reference to: (a) international conventions, whether general or particular, establishing rules expressly recognized by contesting states; (b) international custom, as evidence of a general practice accepted as law; (c) the general principles of law recognized by civilized nations; (d) judicial decisions and the teachings of the most highly qualified publicists of the various nations, as a subsidiary means for the determination of the rules of law. Statute of the International Court of Justice art. 38, ¶ 1, April 18, 1946. Similarly, the Restatement instructs that to determine "whether a rule has become international law, substantial weight" be accorded to:

(a) judgments and opinions of international judicial and arbitral tribunals;

(b) judgments and opinions of national judicial tribunals;

(c) the writings of scholars;

(d) pronouncements by states that undertake to state a rule of international law, when such pronouncements are not seriously challenged by other states.

RESTATEMENT (THIRD) OF FOREIGN RELATIONS LAW OF THE UNITED STATES § 103(2).

Military Tribunal (IMT)(Nuremberg),\textsuperscript{7} the International Military Tribunal in the Far East (IMTFE)(Tokyo),\textsuperscript{4} the International Criminal Tribunal for the Former Yugoslavia (ICTY),\textsuperscript{9} the International Criminal Tribunal for Rwanda (ICTR),\textsuperscript{10} and the International Criminal Court (ICC);\textsuperscript{11} and the mixed model tribunals of: The Kosovo War and Ethnic Crimes Court (KWECC),\textsuperscript{12} the Special Court for Sierra Leone (SCSL),\textsuperscript{13} the Special Panels of the Dili District Court (East Timor Tribunal),\textsuperscript{14} the War Crimes Chamber in Bosnia and Herzegovina (WCC)\textsuperscript{15} and the Extraordinary Chambers in the Courts of Cambodia (ECCC).\textsuperscript{16}

16. Further evidence of this norm can be found in the number of States incorporating CAH into their domestic legislation or where national courts have applied the international law of CAH in domestic proceedings. As of October 18, 2015, there are 123 State Parties to the Rome Statute of the International Criminal Court.\textsuperscript{17} The Rome Statute identifies CAH as an

\textsuperscript{7} Charter of the International Military Tribunal – Annex to the Agreement for the Prosecution and Punishment of the Major War Criminals of the European Axis art. 6(c), Aug. 8, 1945 [hereinafter London Agreement], in THE LAWS OF ARMED CONFLICTS 915 (D. Schindler & J. Torman eds., 1988).
\textsuperscript{4} Charter for the International Military Tribunal for the Far East art. 5(c), Apr. 26, 1946, T.I.A.S. No. 1589.
\textsuperscript{13} Statute for the Special Court of Sierra Leone art. 2, Jan 16, 2002, 2178 U.N.T.S. 137, 145.
\textsuperscript{15} Constitution of the Federation of Bosnia and Herzegovina Art. II, §§ 2-4, which the War Crimes Chamber, as part of the Court of Bosnia and Herzegovina, is based upon (see Bogdan Ivanšević, The War Crimes Chamber in Bosnia and Herzegovina: From Hybrid to Domestic Court, INTERNATIONAL CENTER FOR TRANSNATIONAL JUSTICE 30 (2008)).
\textsuperscript{17} The International Criminal Court ("ICC") was established in 2002 upon entry into force of the Rome Statute, its founding statute, which provides the court with jurisdiction over genocide, war crimes and crimes against humanity. Rome Statute, supra note 11. Ratification status can be found on the website of the ICC: The States Parties to the Rome Statute, INTERNATIONAL CRIMINAL COURT, http://www.icc-cpi.int/en_menus/asp/states%20parties/Pages/the%20states%20parties%20to%20the%20rome%20statute.aspx (last visited Nov. 1, 2015).
international crime subject to its jurisdiction. These State Parties have undertaken the affirmative obligation to prosecute persons within their territory who have committed such crimes or to surrender them to the ICC for prosecution. This obligation exists irrespective of whether a given State Party has enacted specific national legislation to define CAH, which is defined in Article 7 of the ICC Statute. A State Party may therefore prosecute or extradite a person to the ICC to stand trial for CAH on the basis of Article 7 or on the basis of any specialized national legislation. 18

17. Non-State Parties can rely on Art. 12(3) of the ICC statute to refer a “situation” to the ICC in reliance upon the definition of CAH contained in art. 7. Furthermore, non-State Parties to the ICC that have included CAH as part of their national legislation, as well as those which have not specifically included a crime in their national legislation under the rubric of “Crimes Against Humanity,” can also prosecute on the basis of provisions within their national criminal law that apply to the specifics of the conduct which falls within the meaning of CAH. 19

18. A threshold element of CAH is that the acts be committed in the context or as part of a widespread or systematic attack against a civilian population. There is no requirement in international law that there be a nexus between the crimes and an armed conflict and, further, the “attack” against a civilian population, as referenced in the threshold of CAH, need not be a military or armed attack. 20 In addition, the threshold requirement of “widespread or systematic” is disjunctive; the crime occurs if an attack is either widespread or systematic. 21

19 See Regina v. Finta, [1994] S.C.R. 701, 709-710 (Can.) (in which the Supreme Court of Canada found that “Crimes Against Humanity” existed in customary international law even before it was so defined in Article 6(c) of the Charter of the IIMT).
20 See Prosecutor v. Akayesu, Case No. ICTR-96-4-T, Opinion and Judgment, ¶ 581 (Sept. 2, 1998) (“attack” may be “non-violent in nature, like imposing a system of apartheid . . . or exerting pressure on the population to act in a particular manner).
19. Courts in the United States have recognized the prohibition of crimes against humanity as a clearly defined and widely accepted norm actionable under the Alien Tort Statute, 28 U.S.C. § 1350 ("ATS"). See e.g., Sosa v. Alvarez-Machain, 542 U.S. 692, 762 (2004) (Breyer, J., concurring) (crimes against humanity included in a subset of gross human rights offenses about which there is substantive and procedural agreement in international law); In re Chiquita Brands Int’l, Inc., 792 F. Supp. 2d 1301, 1334 (S.D. Fla. 2011) (crimes against humanity actionable under the ATS); Cabello v. Fernandez-Larios, 402 F.3d 1148, 1154 (11th Cir. 2005) (crimes against humanity part of “United States and international law long before [defendant’s] alleged actions”); Mehinovic v. Vuckovic, 198 F. Supp. 2d 1322, 1344, 1352-54 (N.D. Ga. 2002) (crimes against humanity have been recognized as a violation of customary international law since the Nuremberg trials and are actionable under the ATS).

B. Persecution Has Long Been Recognized as Crime Against Humanity.

20. The definitions of CAH in these sources of conventional international law (i.e. treaty-based law) vary in some respects, but they all include “persecution” of a given group of persons from within the civilian population, based on a state policy reflected in a widespread or systematic conduct which is directed against members of that group, for purposes of infliction of harm upon them. The forms of persecution and the types of harm are not specified in these statutes, no more than they are in any national legislation which criminalizes the infliction of harmful conduct by one person against another. The reasons for the persecution, the motives of those engaged in it, or the means employed, are not defined in international criminal law nor in national criminal legislation, because the jurisprudence of courts is relied upon to recognize or identify the means employed that are designed to achieve the intended or anticipated harmful

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21 Murphy Report, supra note 2 at 125, et seq.
results that ensue. Indeed, there is no legislation that describes all the means likely to be conjured by nefarious human imagination to produce harm to others.

21. It is conclusively established in CAH jurisprudence that persecution against a group of persons or a segment of the population so targeted, for whatever reason the perpetrator may have conjured up and acted upon, in a widespread or systematic manner, falls within the meaning of CAH.

22. The question arises, in this case, as to whether the targeting for criminal prosecution and other deprivations of fundamental rights of persons on the basis of sexual orientation or gender identity (those who do not strictly fall in a heterosexual or gender-conforming category) constitutes persecution of that group of persons. The answer is that sexual orientation and gender identity is considered a group status under the foregoing international law sources, such that members of this group are protected from persecution based on this status. The reasons are: First, this is a distinct group within a civilian population. Second, singling out this group and withdrawing legal rights and protections from them, subjecting them to criminal prosecution and imprisonment based on their status or identity constitutes physical and psychological harm brought upon them. Third, when such conduct is embodied in law it is carried out on both a widespread and systematic basis.

23. The persecutions in these types of cases are based on the status of the person, whether that status is inherent, perceived, genetically predisposed or otherwise. To criminalize a person or group of persons for being other than heterosexual is a form of status criminality, which is rejected in national legal systems. As an illustration, in the United States, this principle has been applied to laws targeting and discriminating against persons on this basis. See *Lawrence v. Texas*, 539 U.S. 558, 567, 574-75 (2003) (striking down law criminalizing same-sex sexual
conduct that is “within the liberty of persons to choose without being punished as criminals”); See also id. at 583 (O’Connor, J., concurring) (conduct targeted by the law was “closely correlated with being a homosexual” and was thus “directed toward gay persons as a class”); see also Romer v. Evans, 517 U.S. 620 (1996) (holding as unconstitutional violation of the equal protection clause an ordinance which withdrew legal protections from persons based on their sexual orientation); Obergfell v. Hodges, 576 U.S. ___ (2015) (holding that states cannot deny same sex couples the fundamental right to marry).

24. The definitions of persecution in the jurisprudence of the international tribunals and conventional law vary, but they all contain essential elements requiring intentional discrimination that infringes upon the fundamental rights of a group or individuals because of their real or perceived membership in that group. One definition that has been consistently applied in the jurisprudence requires an act or omission that (1) discriminates in fact and which denies or infringes upon a fundamental right as provided in international customary or treaty law and (2) was carried out deliberately with the intention to discriminate. This definition was applied by the ICTY in Prosecutor v. Krnojelac, Case No. IT-97-25-T, Judgment, ¶ 431 (Mar. 15, 2002), and accepted by the Appeals Chamber at the ICTR in Nahimana v. Prosecutor, Case No. ICTR-99-52-A, Appeals Judgment, ¶ 985 (Nov. 28, 2007), though in both cases the tribunals were limited to prohibited grounds of persecution provided for in their respective statutes. The Rome Statute is essentially a more specific articulation of these basic elements.22

25. A number of other international conventions have specifically prohibited discrimination based on sex or other status.23 International organizations and treaty bodies interpreting and

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22 Art. 7(2) of the Rome Statute, supra note 11, defines persecution as “the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity.”

applying these conventions have addressed prohibition of discrimination in various contexts, involving various human endeavors such as employment, as well as other activities engaged by persons whose status may be used to prevent them from enjoying the same rights and privileges that the law offers others. The African Commission on Human and Peoples’ Rights issued a resolution in 2014 condemning the “increasing incidence of violence and other human rights violations, including murder, rape, assault, arbitrary imprisonment and other forms of persecution of persons on the basis of their imputed or real sexual orientation or gender identity,” and noted the prohibition of discrimination and the right to equal protection of the law set out in the African (Banjul) Charter of Human and Peoples’ Rights in doing so.24 The Inter-American Court of Human Rights has held that art. 1(1) of the American Convention on Human Rights prohibits discrimination, including on the basis of “categories such as sexual orientation, which cannot be used as grounds for denying or restricting any of the rights established in the Convention”.25 The Human Rights Committee, the treaty body created by and to oversee implementation of the International Covenant on Civil and Political Rights, has observed that sexual orientation is a prohibited basis of discrimination as a form of sex discrimination under arts. 2(1) and 26.26


31 African Commission on Human and Peoples’ Rights, Res 275: Resolution on the Protection against Violence and other Human Rights Violations against Persons on the basis of their real or imputed Sexual Orientation or Gender Identity, May 12, 2014.


26. To identify which fundamental rights deprivations are to be considered in evaluating the incidence of persecution, the tribunals have referred to the Universal Declaration of Human Rights ("UDHR"), the International Covenant on Civil and Political Rights ("ICCPR") and the International Covenant on Economic, Social and Cultural Rights ("ICESCR"). See, e.g., Prosecutor v. Kupreskic, Case No. IT-95-16-T, Judgment, ¶ 621 (Jan. 14, 2000). Collectively these three treaties are referred to by some as the “international bill of rights.” They enshrine the rights to equality and non-discrimination (UDHR, arts. 2, 7; ICCPR, art. 2; ICESCR, art. 2, ), the rights to freedom of expression (UDHR, art. 19; ICCPR, art. 19), peaceful assembly and association (UDHR, art. 20; ICCPR, arts. 21-22), privacy (UDHR, art. 12; ICCPR, art. 17) and to be free from arbitrary arrest and detention (UDHR, art. 9; ICCPR, art. 9) and cruel, inhuman and degrading treatment (UDHR, art. 5; ICCPR, art. 7), among others. These rights are widely accepted norms of customary international law.\(^3\) While these rights are interdependent, the rights to expression, peaceful assembly and association, in particular, are essential to permit individuals to protect, vindicate, and advance other basic international human rights. See Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, arts. 5, 12, G.A. Res.53/144, annex, 53 U.N. GAOR Supp., U.N. Doc. U.N. Doc. A/RES/53/144 (1999). As such, deprivations of these fundamental rights from a targeted group can constitute persecution.

**IV - Conclusion**

Based on the above, I conclude the following:

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\(^3\) See also, African (Banjul) Charter on Human and Peoples’ Rights, supra note 23, arts. 2-3, 5, 6, 9-11, 19, 1520; Inter-American Commission on Human Rights, American Declaration of the Rights and Duties of Man, arts. 2, 4, 5, 21-22, 25 (May 2, 1958); European Convention for the Protection of Human Rights and Fundamental Freedoms, supra note 22, arts. 3, 8, 10-11, 14.
27. "Crimes Against Humanity" is a category of international crimes prohibited under conventional and customary international law. It is binding upon all states in that it constitutes part of a peremptory norm of international law and is therefore *jus cogens*. Persecution is a long-recognized crime against humanity, and is thus equally recognized as an international law violation that is clearly defined and widely accepted.

28. The identification of human beings based upon their sexual orientation or gender identity for discriminatory purposes with consequences of criminal prosecution and incarceration or other deprivations of fundamental rights, falls within the meaning of "persecution" of that group, as their identification as such is a form of criminalizing the status of such persons.

Dated: November 2, 2015

M. Cherif Bassiouni
Exhibit A
CURRICULUM VITAE

OF

M. CHERIF BASSIOUNI
# Table of Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Positions</td>
<td>1</td>
</tr>
<tr>
<td>United Nations Appointments</td>
<td>2</td>
</tr>
<tr>
<td>Governmental Appointments</td>
<td>4</td>
</tr>
<tr>
<td>United States Government Consultancies</td>
<td>4</td>
</tr>
<tr>
<td>Testimony Before the United States Congress</td>
<td>5</td>
</tr>
<tr>
<td>Honorary Degrees</td>
<td>6</td>
</tr>
<tr>
<td>Medals</td>
<td>6</td>
</tr>
<tr>
<td>Major Awards</td>
<td>7</td>
</tr>
<tr>
<td>Academic Awards</td>
<td>7</td>
</tr>
<tr>
<td>Public and Civic Awards</td>
<td>9</td>
</tr>
<tr>
<td>Publications</td>
<td>11</td>
</tr>
<tr>
<td>Books</td>
<td>11</td>
</tr>
<tr>
<td>Authored</td>
<td>11</td>
</tr>
<tr>
<td>English</td>
<td>11</td>
</tr>
<tr>
<td>Arabic</td>
<td>12</td>
</tr>
<tr>
<td>Italian</td>
<td>13</td>
</tr>
<tr>
<td>French</td>
<td>13</td>
</tr>
<tr>
<td>Spanish</td>
<td>13</td>
</tr>
<tr>
<td>Edited</td>
<td>13</td>
</tr>
<tr>
<td>English</td>
<td>13</td>
</tr>
<tr>
<td>Arabic</td>
<td>16</td>
</tr>
<tr>
<td>Italian</td>
<td>17</td>
</tr>
<tr>
<td>Monographs on History, Politics, and Religion</td>
<td>17</td>
</tr>
<tr>
<td>Monographs on Law Focused Education for High Schools</td>
<td>17</td>
</tr>
<tr>
<td>Miscellaneous Monographs</td>
<td>17</td>
</tr>
<tr>
<td>Book Reviews</td>
<td>18</td>
</tr>
<tr>
<td>Law Review and Book Articles</td>
<td>18</td>
</tr>
<tr>
<td>Other Law Related Publications</td>
<td>32</td>
</tr>
<tr>
<td>Newspapers and Magazines Articles</td>
<td>33</td>
</tr>
<tr>
<td>Editorships</td>
<td>33</td>
</tr>
<tr>
<td>Lectures at Universities and Scholarly Institutions</td>
<td>35</td>
</tr>
<tr>
<td>Selected Professional Speaking Engagements</td>
<td>35</td>
</tr>
<tr>
<td>Membership in Organizations</td>
<td>37</td>
</tr>
<tr>
<td>Bar Memberships</td>
<td>37</td>
</tr>
<tr>
<td>Professional and Scholarly Associations</td>
<td>37</td>
</tr>
<tr>
<td>Civic Organizations and Clubs</td>
<td>38</td>
</tr>
<tr>
<td>Selected Service to Profession</td>
<td>40</td>
</tr>
<tr>
<td>Legal Teaching Experience</td>
<td>41</td>
</tr>
<tr>
<td>Subjects Taught</td>
<td>41</td>
</tr>
<tr>
<td>DePaul University Awards</td>
<td>41</td>
</tr>
<tr>
<td>DePaul University Academic Committees</td>
<td>41</td>
</tr>
<tr>
<td>College of Law Committees</td>
<td>42</td>
</tr>
<tr>
<td>Select Special Academic Projects</td>
<td>43</td>
</tr>
<tr>
<td>DePaul University</td>
<td>43</td>
</tr>
<tr>
<td>International Institute of Higher Studies in Criminal Sciences</td>
<td>43</td>
</tr>
<tr>
<td>Other</td>
<td>43</td>
</tr>
</tbody>
</table>
Seventh Circuit

Ninth Circuit

Eleventh Circuit

District of Columbia Circuit

DISTRICT COURTS: ................................................................. 59

COURT OF MILITARY COMMISSION REVIEW: ........................................... 65

COURT OF CUSTOMS AND PATENT APPEALS: .......................................... 65

STATE SUPREME COURTS: ........................................................... 65

STATE COURT OF APPEALS: ............................................................ 67
ACADEMIC POSITIONS

DePaul University, College of Law
Distinguished Research Professor of Law, Emeritus (2009 to date)
  • Distinguished Research Professor of Law (2002 to 2009)
  • Professor of Law (1964 to 2002)

International Human Rights Law Institute, DePaul University
  • President Emeritus (2008 to date)
  • President (1990 to 2008)

International Institute of Higher Studies in Criminal Sciences, Siracusa, Italy
  • President (1988 to date)
  • Dean (1974 to 1988)
  • Secretary-General (1972 to 1974)

University of Cairo, Faculty of Law
  • Non-resident Professor of Criminal Law (1997 to 2007)
  • Visiting Professor of Criminal Law (1982)

Woodrow Wilson International Center for Scholars, Washington, D.C.
  • Guest Scholar (1971-72)

New York University, School of Law
  • Visiting Professor of Law and Acting Director, LL.M. Criminal Justice Program (1971)

University of Freiburg, Germany
  • Fulbright-Hays Visiting Professor of International Criminal Law (1970)
UNITED NATIONS APPOINTMENTS


7. Vice-Chair, General Assembly’s Ad Hoc Committee on the Establishment of a Permanent Criminal Court (April, August 1995); Summary of the Proceedings of the Preparatory Committee During the Period of 25 March – 12 April 1996, (7 May 1996) A/AC.249/1.


11. Chairman, Drafting Committee, Interregional Preparatory Meeting of Experts, Ottawa,


22. Consultant to the Fifth United Nations Congress on Crime Prevention and the Treatment

**GOVERNMENTAL APPOINTMENTS**


**UNITED STATES GOVERNMENT CONSULTANCIES**

4. Directed a project on *Terrorism Law Enforcement and the Mass Media*, for the Department of Justice, 1979-80 (Published report).
5. Consultant to a project at the American Society of International Law, 1976-77 on *Legal Aspects of Terrorism*, funded by the Department of State, Department of Justice (Unpublished report).
7. Directed a project for World Peace Through Law on *International Control of Drugs*, 1972-73 funded by the Department of Justice, Bureau of Narcotics and Dangerous Drugs and compiled the national laws on narcotics and dangerous drugs from 103 countries (Unpublished report).
TESTIMONY BEFORE THE UNITED STATES CONGRESS

1. Testimony before the House Committee on Foreign Relations regarding Human Rights Violations committed by the Assad regime in Syria (31 July 2014).
2. Testimony before the Tom Lantos Human Rights Commission in the House of Representatives regarding Bahrain (18 April 2012).
3. Testimony before the Joint Senate Intelligence and Foreign Relations Committee regarding War Crimes committed in the Former Yugoslavia (9 August 1995).
16. Witness before the Senate Committee on Foreign Relations regarding the Middle East (15 June 1977, Statement published in record of Hearings).
17. Witness before the Senate Committee on Foreign Relations regarding the Middle East (23 July 1975, Statement published in record of Hearings).
18. Witness before the International Organizations and Movements Subcommittee of the House Committee on Foreign Affairs regarding the Middle East (4 April 1974, Statement published in record of Hearings).
HONORARY DEGREES

2. Doctor of Law, Honoris Causa, University of Salzburg, Austria, 2013
3. Doctor of Law, Honoris Causa, University of Tirana, Albania, 2013
4. Doctor of Law, Honoris Causa, University of Ghent, Belgium, 2010
5. Doctor of Law, Honoris Causa, Case Western Reserve University, Cleveland, Ohio, USA, 2010
7. Doctor of Law, Honoris Causa, National University of Ireland, Galway, 2001
8. Doctor of Law, Honoris Causa, Niagara University, New York, New York, USA, 1997
9. Docteur d'Etat en Droit, Honoris Causa, University of Pau, France, 1988
10. Dottore in Giurisprudenza, Honoris Causa, University of Torino, Italy, 1981

MEDALS

Austria

Croatia

Egypt
3. Order of Sciences (First Class) (1984)
   Military Ribbons
4. Order of Military Valor, (Sinai Campaign) (1956)
5. Order of the Revolution (1956)
6. Order of Independence (1956)
7. Order of Evacuation (1956)

France

Germany

Italy
United States


MAJOR AWARDS

5. Lincoln Award, West Suburban Bar Association (2012)
6. The Hague Prize for International Law, the Hague, Netherlands (2007)
12. Council of Europe Medal, Strasbourg, France (1992)
13. Secretary-General of the Council of Europe Award, Strasbourg, France (1984)

ACADEMIC AWARDS

2. George Washington University Distinguished Alumni Scholar Award, Washington DC (2010-2011)
3. Washington University School of Law, World Peace Through Law Award, St. Louis, MO (2010)
4. NATO School, Outstanding Support Medal, Oberammergau, Germany, (2009)
5. Baghdad University Faculty of Law, Centennial Medal, Baghdad, Iraq (2008)
10. Case Western University School of Law, Recognition Award, Cleveland, OH (2006)
11. Command and General Staff School, Award, Cairo, Egypt (2006)
12. University of Palermo, Faculty of Law Medal, Palermo, Italy (2006)
14. Washington University School of Law, Public Interest Law, Appreciation Award, St. Louis, MO (2006-2007)
15. Fulbright Association Chicago Chapter, Certificate of Appreciation, Chicago, IL (2005)
17. Case Western University School of Law, Frederick K. Cox International Law Center, Appreciation Award, Cleveland, OH (2004)
18. Dubai Police Academy, International Recognition Award, United Arab Emirates (2004)
21. Cairo Arab Book Fair, Best Book in Arabic Award, Cairo, Egypt (2003)
22. Case Western Reserve University School of Law Frederick K. Cox International Law Center, Appreciation Award, Cleveland, OH (2003)
23. Military Academy of Egypt, Appreciation Award, Cairo, Egypt (2003)
26. Indiana University School of Law at Indianapolis, Distinguished Alumni Service Award, Indianapolis, IN (2000)
28. The John Marshal Law School, Lifetime Achievement Award, Chicago, IL (1999)
29. Nasser Academy for Military Sciences, Appreciation Award, Cairo, Egypt (1999)
30. University of El-Mansour, Faculty of Law, Appreciation Award, Egypt (1996)
31. Tel Aviv University Medal, Tel Aviv, Israel (1993)
32. Arab Republic of Egypt Command and General Staff College Medal, Cairo, Egypt (1990)
33. Arab Republic of Egypt, National Center for Judicial Studies Medal, Cairo, Egypt (1989)
34. The Police Academy of Egypt, Appreciation Award, Cairo, Egypt (1989)
35. The University of Cairo Medal, Cairo, Egypt (1989)
36. Helsinki University Medal, Helsinki, Finland (1988)
37. Arab Republic of Egypt, Graduate Center of Police Studies, Egypt, Appreciation Award, Cairo, Egypt (1987)
PUBLIC AND CIVIC AWARDS

3. Council on American-Islamic Relations of Chicago, Muslim Achievement Award, Chicago, IL (2010)
4. Council on American-Islamic Relations of Southern California, Peace and Justice Award, Los Angeles, CA (2010)
5. Ministry of Foreign Affairs of Bosnia-Herzegovina, Appreciation Award, Sarajevo, Bosnia (2009)
7. The City Council of Chicago, Commendation Resolution, Chicago, IL (2007)
10. Chicago Legal Clinic, Cardinal Bernardin Award, Chicago, IL (2005)
11. Chicago Muslim Bar Association, Lifetime Achievement Award, Chicago, IL (2005)
12. China Law Society, Award, Beijing, China (2005)
17. Cairo Governorate Medal, Cairo, Egypt (2001)
18. The Legislature of Mexico and the Commission on Human Rights of Mexico, Certificate of Recognition for Work in International Criminal Law, Mexico (2001)
20. Arab-American Organization of Metropolitan Chicago, Humanitarian Award, Chicago, IL (1999)
22. Ministry of Justice of Egypt, Commendation Award, Cairo, Egypt (1999)
23. Ministry of Justice of Egypt, Appreciation Award, Cairo, Egypt (1999)
24. The City Council of Chicago, Commendation Resolution, Chicago, IL (1999)
25. The City of Toledo Ohio, Commendation Resolution, Toledo, OH (1999)
26. The Cook County Board, Commendation Resolution, Chicago, IL (1999)
27. United States Senate Commendation, 106th Congressional Record, Washington DC (1999)
29. United Nations Diplomatic Conference on the International Criminal Court, Recognition
of Support by Developing Countries, Rome, Italy (1998)
30. The City Council of Chicago, Commendation Resolution, Chicago, IL (1997)
31. The City of Toledo Ohio, Commendation Resolution, Toledo, OH (1999)
32. Office of the Attorney General of Egypt, Appreciation Award, Cairo, Egypt (1997)
33. Egyptian-American Organization of Los Angeles, Outstanding Achievement Award, Los Angeles, CA (1994)
34. Il Club delle Donne, Ninth Premio Minvera, Rome, Italy (1994)
35. Universidad de San Carlos de Guatemala, Diploma de Reconocimiento, Guatemala (1994)
36. XV Congresso Internazionale de Direito Penal, Rio de Janeiro, Commemorative Award, Rio de Janeiro, Brazil (1994)
37. The City Council of Chicago, Commendation Resolution, Chicago, IL (1993)
38. The State Senate of Illinois, Commendation Resolution, Chicago, IL (1993)
40. Association of Egyptian-American Scholars, Special Honor (1991)
41. MidAmerica-Arab Chamber of Commerce, Achievement Award, Chicago, IL (1991)
43. City of Milan Medal, Milan, Italy (1988)
44. United Holy Land Fund of Chicago, Appreciation Award, Chicago, IL (1988)
45. Arab Republic of Egypt, Ministry of Justice Medal, Cairo, Egypt (1986)
47. Rotary Club of Palermo Medal, Palermo, Italy (1984)
48. Sicilian Region Medal, Italy (1984)
49. University of Cairo, Faculty of Law, Centennial Award, Medal, Cairo, Egypt (1980)
51. MidAmerica-Arab Chamber of Commerce, Testimonial Award of Appreciation for Outstanding Leadership as President, Chicago, IL (1979-1991)
52. Arab Community of Chicago, Appreciation Award, Chicago, IL (1974)
53. Italian Press, Medaglia d’Oro (Gold Medal), Rome, Italy (1973)
54. The Citizenship Council of Metropolitan Chicago, Outstanding Citizen of the Year Award, Chicago, IL (1967)

Honorary Professorship

1. Renmin National University of China Beijing, Honorary Professor for Life (1999)

Honorary Citizenship

1. Honorary Citizen of Siracusa, awarded by the City Council of Siracusa, Italy on May 17, 1987
2. Honorary Citizen of Noto, awarded by the City Council of Noto, Italy on October 1, 1987
PUBLICATIONS

BOOKS

To date, Professor Bassiouni has authored 24 books and co-authored 4 others in Arabic, English, French, Italian and Spanish, 264 articles which have been published in law journals and books, 18 witness statements published in the Congressional Record, and he has edited 47 books on International Criminal Law, Comparative Criminal Law, Human Rights, and U.S. Criminal Law. Additionally, he has written 14 Monographs on such subjects as history, politics, and religion. Many of the books and articles written by Professor Bassiouni and some have been translated into Arabic, Chinese, Farsi, French, German, Hungarian, Italian, Portuguese, Russian and Spanish.

AUTHORED

ENGLISH


13. **Substantive Criminal Law** (Charles C. Thomas Publisher; Springfield, IL, 1978) - (552 pages). Translated into Italian as **Diritto Penale degli Stati Uniti d’America** (Guiffré Editore; Milan, Italy, 1985).

14. **Citizen’s Arrest** (Charles C. Thomas Publisher; Springfield, IL, 1977) - (127 pages).

15. **International Extradition and World Public Order** (Sitjhoff-Ocean Publications; Dobbs Ferry, NY, 1974) - (629 pages).


17. **Al-Goumahūriyya Al-Thānīa fī Misr** (The Second Republic in Egypt) (Co-authored with Mohammad Helal; Dar El Shorouk; Cairo, Egypt, 2012) – (474 pages).

18. **Al-Qanoûn Al-Dawlī Al-Insānī** (International Humanitarian Law) (Dar al-Nahda; Cairo, Egypt, 2007) - (470 pages).


ITALIAN


26. INDAGINE SUI CRIMINI DI GUERRA NELL’EX JUGOSLAVIA: L’OPERATO DELLA COMMISSIONE DEGLI ESPERTI DEL CONSIGLIO DI SICUREZZA E IL SUO RAPPORTO FINALE (UNITED NATIONS COMMISSION OF EXPERTS ESTABLISHED PURSUANT TO SECURITY COUNCIL RESOLUTION 780), (Giustizia Penale e Problemi Internazionali, Giuffrè Editore 1997).

FRENCH

27. INTRODUCTION AU DROIT PÉNAL INTERNATIONAL (INTRODUCTION TO INTERNATIONAL CRIMINAL LAW) (Établissement Emile Bruylant; Brussels, Belgium, 2002) – (440 pages).

SPANISH


EDITED

ENGLISH


3. SIRACUSA GUIDELINES FOR INTERNATIONAL, REGIONAL AND NATIONAL FACT-FINDING BODIES (co-edited with Christina Abraham (Intersentia; Cambridge, UK, 2013) – (116 pages).

4. NEW CHALLENGES FOR UN HUMAN RIGHTS MACHINERY (co-edited with William Schabas, with a forward by UN High Commissioner for Human Rights, Navanethem Pillay, Intersentia; Cambridge, UK, 2011) – (480 pages).

5. EVOLVING APPROACHES TO JIHAD: FROM SELF-DEFENSE TO REVOLUTIONARY AND REGIME-CHANGE POLITICAL VIOLENCE IN JIHAD: CHALLENGES TO INTERNATIONAL AND DOMESTIC LAW (co-edited with Amna Guellali, T.M.C. Asser Press; The Hague, Netherlands, 2010) - (273 pages).


19. **Observations on the Consolidated ICC Text Before the Final Session of the Preparatory Committee, 13bis Nouvelles Études Pénales** (Érès; Toulouse, France, 1997) - (257 pages) (General Editor).


22. **The Contributions of Specialized Institutes and Non-governmental


26. DRAFT STATUTE INTERNATIONAL CRIMINAL TRIBUNAL, 9 NOUVELLES ETUDES PENALES (Erés Publications; Toulouse, France, 1992) - (204 pages). Translated into French as PROJET DE STATUT DU TRIBUNAL PENAL INTERNATIONAL. Translated into Spanish as PROYECTO DE ESTATUTO TRIBUNAL PENAL INTERNACIONAL.

27. INTERNATIONAL PROTECTION OF VICTIMS, 7 NOUVELLES ETUDES PENALES (Erés Publications; Toulouse, France, 1988) - (470 pages).


33. THE ISLAMIC CRIMINAL JUSTICE SYSTEM (Oceana Publications; Dobbs-Ferry, NY, 1982) - (255 pages).

34. THE CRIMINAL JUSTICE SYSTEM OF THE U.S.S.R. (co-edited with V. Savitski, Charles C.
35. INTERNATIONAL TERRORISM AND POLITICAL CRIMES (Charles C. Thomas Publisher; Springfield, IL, 1979) - (268 pages).
36. A TREATISE ON INTERNATIONAL CRIMINAL LAW: JURISDICTION AND COOPERATION (Charles C. Thomas Publisher; Springfield, IL, 1975) - (594 pages).
38. THE LAW OF DISSENT AND RIOTS (Charles C. Thomas Publisher; Springfield, IL, 1971) - (580 pages).

ARABIC

40. MANUAL ON THE COMPREHENSIVE STRATEGIC PLAN FOR CRIMINAL JUSTICE IN IRAQ (CSPI) (co-edited with Khaled M. Ahmed, Dar al Nahda; Cairo, Egypt, 2007) (Arabic and English).
42. AL-MADkHAL fī al-Qānūn al-Insānī al-Dawlī (AN INTRODUCTION TO INTERNATIONAL HUMANITARIAN LAW AND ARMS CONTROL) (Dar al-Nahda; Cairo, Egypt, 1999) - (1179 pages).
44. AL-Mu’āhadāt al-crArabiyya Li Huqūq al-Insān (THE EUROPEAN HUMAN RIGHTS CONVENTIONS, co-edited with and translated by Sayed Yamani, Council of Europe; Strasbourg, France and Dar al-īIlm li al-Malāyīn Publishers; Beirut, Lebanon, 1989).
ITALIAN


47. Il Processo Penale Negli Stati Uniti D’America (The Criminal Trial in the United States of America, co-edited with E. Amedio, Giuffrè Editore; Milano, Italy, 1987) - (381 pages).

MONOGRAPHS ON HISTORY, POLITICS, AND RELIGION


MONOGRAPHS ON LAW FOCUSED EDUCATION FOR HIGH SCHOOLS


8. Crimes and Justice (Houghton, Mifflin Co.; Boston, MA, 1970); (2d rev. ed., 1973) (Co-authored) (the Law in American Society estimates that these materials were used by nearly 2.6 million school children in more than 25 states).

9. Youth and the Law (Houghton, Mifflin Co.; Boston, MA, 1970; 2d rev. ed., 1973), translated into Spanish in 1974 (Co-authored) (the Law in American Society Foundation estimates that these materials were used by over 3.5 million school children in more than 25 states).

10. Crimes and Criminal Justice (University of Chicago, Graduate School of Education, Schwartz Citizenship Project; Chicago, IL, 1971) (prepared for teacher training).


12. Crimes and Justice (Law in American Society Foundation; Chicago, IL, 1969) (Co-authored).

MISCELLANEOUS MONOGRAPHS


BOOK REVIEWS


LAW REVIEW AND BOOK ARTICLES*

4. Misunderstanding Islam on the Use of Violence, in SOCIAL PROGRESS IN THE ISLAMIC WORLD: SOCIAL, ECONOMIC, POLITICAL, AND IDEOLOGICAL CHALLENGES (Richard Estes


39. Events Leading to the Creation of the IHT, Saddam on Trial: Understanding and Debating the Iraqi High Tribunal 9 (Michael P. Scharf & Gregory S. McNeal eds., 2006).


52. Commission on Responsibilities, 1 ENCYCLOPEDIA OF GENOCIDE AND CRIMES AGAINST HUMANITY 184 (Dinah Shelton ed., 2004).


60. Bearing Witness, PIONEERS OF GENOCIDE STUDIES 315 (Samuel Totten & Steven Leonard Jacobs eds., 2002).

79. La Cour Pénale Internationale, HUMAN RIGHTS AT THE DAWN OF THE TWENTY-FIRST

86. The Need for International Accountability, 3 INTERNATIONAL CRIMINAL LAW 3 (1999).
90. Policy Considerations on Inter-State Cooperation in Criminal Matters, 2 INTERNATIONAL CRIMINAL LAW 3 (1999).
92. The International Drug Control System, 1 INTERNATIONAL CRIMINAL LAW 905 (1999).


115. Das “Vermächtnis von Nürnberg”: eine historische Bewertung fünfzig Jahre danach [Nuremburg: Historical Assessment Fifty Years Later], STRAFGERICHTE GEGEN MENSCHHEITSVERBRECHEN: ZUM VÖLKERSTRAFRECHT 50 JAHRE NACH DEN NÜRNBERGER PROZESSEN, (Gerd Hankel & Gerhard Stuby eds., 1995).


117. Former Yugoslavia Investigating Violations of International Humanitarian Law and


120. Face à la Déviance, LES DIFFERENTS ASPECTS DE LA CULTURE ISLAMIQUE 303 (A. Bouhdiba & M. Ma’ruf al-Dawalibi eds., 1994).


162. The United Nations and Other Organizations Active in the Field of Criminal Justice, 6 NOUVELLES ETUDES PENALES 93 (1985).


185. An Analysis of Egyptian Peace Policy Toward Israel: From Resolution 242 (1967) to the
196. Treaties on the Execution of Penal Sentences Between the United States and Mexico and Between the United States and Canada, 1 COMPARATIVE LAW YEARBOOK 1 (1977).
201. A Mid-East Proposal (co-authored with Morton Kaplan) (Monograph, The University of Chicago, 1975). The proposal outlined what was later embodied in the Camp David Accords. The plan was based on consultations with heads of state and senior leaders. It was also submitted to the Senate Committee on Foreign Relations during testimony on July 23, 1975, and was printed in the CONGRESSIONAL RECORD, Vol. 121, No. 118, July 23, 1975, p. 4071, 94th Congress First Session. Second Revised Edition, 1977. Also
reprinted in various journals.


329. The Right of the Mentally Ill to Cure and Treatment: Medical Due Process, 15 DePaul L. Rev. 291 (1966) (Rouse v. Cameron, the first decision in the United States by the Circuit Court of Appeals for the District of Columbia upheld this right on the basis of this article’s thesis).


331. Recent Supreme Court Decisions Strengthen Illinois Law Enforcement, 2 Ill. Cont. Leg. Ed. 101 (1965). This article was attached to a report by this author prepared at the request of the House Judiciary Committee investigating Federal Immunity legislation in connection with the Giancana case.


**Other Law Related Publications**


344. Human Rights v. New Initiatives in the Control of Terrorism, 1985 Proceedings of the


NEWSPAPERS AND MAGAZINES ARTICLES

Authored over 100 articles and guest editorials appearing in newspapers with major circulation, including: the Christian Science Monitor, Boston Globe, Chicago Tribune, Chicago Sun-Times, Wall Street Journal, Los Angeles-Times, Al-Ahram (Cairo), Weghat Nazar (Cairo), Al-Siyassa Al-Dawliya (Cairo), and other newspapers and magazines.

EDITORSHIPS

1. Member of the Editorial Advisory Board, Transnational Publishers, Ardsley, New York (2005 to date); and General Editor, INTERNATIONAL AND COMPARATIVE CRIMINAL LAW SERIES, Transnational Publishers, Ardsley, NY (2001 to date).


4. General Editor, QUADERNI, PROCEEDINGS OF THE INTERNATIONAL INSTITUTE OF HIGHER STUDIES IN CRIMINAL SCIENCES (1976 to date) (20 vols. ed.).

5. Member of the Advisory Board, UCLA JOURNAL OF ISLAMIC AND NEAR EASTERN LAW (2002 to date).
6. Member of the International Advisory Board, INTERNATIONAL JOURNAL ON TRANSITIONAL JUSTICE, Centre for the Study of Violence and Reconciliation, Johannesburg, South Africa (2000 to date).

7. Member of the Advisory Board, DENVER JOURNAL OF INTERNATIONAL LAW AND POLICY (1974 to date).


LECTURES AT UNIVERSITIES AND SCHOLARLY INSTITUTIONS

University of Alabama; American University; American University (Cairo, Egypt); University of Bologna (Italy); Boston University; Brookings Institution; University of Cairo (Egypt); Case Western Reserve University; University of Catania (Italy); Central European University (Hungary); Centre Francais de Droit Compare (Paris, France); Charles University (Czech Republic); University of Chicago Center for Middle East Studies; University of Chicago; University of Chicago Dean’s International Council; University of Cincinnati; University of Colorado; Cornell University; Columbia University School of Law; DePaul University Law Review Symposium; University of Denver; Duke University; University of Ein-Shams (Cairo, Egypt); University of Florence (Italy); Free University of Berlin (Germany); University of Genova (Italy); George Washington University; Georgetown University; Georgia State University College of Law; Harvard University; University of Helsinki (Finland); Illinois Institute of Technology; University of Illinois; International Institute of Higher Studies in Criminal Sciences (Italy); University of Iowa; John Marshall Law School (Chicago, Illinois); Judge Advocate General School (Charlottesville, Virginia); University of Kansas; King El-Saud University; Lake Forest College; Loyola University of Chicago; University of Mansourah (Egypt); Marquette University; Maryknoll College; University of Michigan; University of Michigan Law School; University of Milano (Italy); University of Minnesota; University of Napoli (Italy); University of Nantes (France); National University of Ireland (Galway); New York University; New York University Law School; University of Northern Iowa; Northwestern University; University of Notre Dame; Oklahoma City University; University of Oslo; University of Paris at Sorbonne (France); International Institute of Human Rights (Strasbourg, France); Pace Law School; University of Pau (France); University of Pittsburgh School of Law; Polish Academy of Legal Sciences (Warsaw, Poland); University of Rome (Italy); Royal Institute of International Affairs (London, England); The Basque University of San Sebastian (Spain); U.S. Naval War College; U.S. School of Foreign Military Assistance and the Counter-Insurgency School; Stanford University; St. Louis University; Syracuse University; Santa Clara University Law School; Texas A & M University; University of Turin (Italy); Tulane University; University of Tunis (Tunisia); University of Virginia; Washington University; Webster University; University of Wisconsin; Woodrow Wilson International Center for Scholars; Yale Law School.

SELECTED PROFESSIONAL SPEAKING ENGAGEMENTS

Frequent speaker before the ABA, ISBA, CBA, other state and local bar associations; scholarly and professional associations, such as: American Society of International Law, Egyptian Society of International Law, and the International Association of Penal Law.


Frequent appearances on national, regional, and local television and radio programs.
MEMBERSHIP IN ORGANIZATIONS

BAR MEMBERSHIPS

1. Member, Illinois Bar (1967)
2. Member, District of Columbia Bar (1967)
3. Admitted before the Supreme Court of the United States (1971)
4. The Second Circuit Court of Appeals (1980)
5. The Fifth Circuit Court of Appeals (1979)
6. The Seventh Circuit Court of Appeals (1967)
7. The Ninth Circuit Court of Appeals (1992)
8. The Eleventh Circuit Court of Appeals (1986)
9. The United States Court of Military Appeals (1968)
10. The United States Court of International Trade (1985)
11. The Federal District Court of the Northern District of Illinois (practicing federal bar) (1967)
12. The Federal District Court for the District of Columbia (1968)
13. Admitted to practice before the Egyptian Supreme Court and Supreme Administrative Court

PROFESSIONAL AND SCHOLARLY ASSOCIATIONS

Association Internationale de Droit Pénal (since 1968)
- Honorary President (2004 to date)
- President (1989 to 2004)
- Secretary-General (1974-1989)
- Deputy Secretary-General (1972-1974)

International Bar Association
- Member, Task Force on Terrorism (2002)

American Bar Association (since 1967)
- Counselor, Section on International Law and Practice (1998)
- Section on International Law and Practice (since 1967)
- Chairman, Committee on International Legal Education (1974-1977)
- Chairman, Sub-Committee on the Revision of the Geneva Conventions of August 12, 1949 (1975)
- Section on Criminal Law, Member (since 1967)
- Committee on International Criminal Law, Member (since 1970)

Illinois State Bar Association (1967-1992)
- Council Member (1970 to 1976)
- Chairman, International Law Section (1973 and 1974)
- Member, Standing Committee on Corrections (1975-1976)
- Member, International Law Section (since 1970)
Chicago Bar Association (1967-1992)
- Criminal Law Committee (1967-1992)
- Chairman Sub-Committee on Use of Force (1968)
- Chairman, Sub-Committee on Criminal Procedure (1969)
- Chairman, Legislative Sub-Committee on Criminal Law and Procedure (1970-1972)
- Committee on Human Rights (1978)
- Judiciary Committee (1978)
- Committee on International Law and Practice (1970-1992)

The American Society of International Law (since 1962)
- Member, Executive Committee (1990-1993)
- Regional Administrator, Philip C. Jessup International Law Moot Court Competition, 1970 and 1972
- Member, Working Group on International Control of Terrorism (1976-1978)
- Co-chair, Public Interest Group on International Criminal Law (since 1992)
- Various committees since 1962

Association of American Law Schools
- Graduate Studies Committee (1973-1975)
- International Law Committee (since 1980)

The International Law Association (American Branch)
- Member, Committee on International Terrorism (1974-1975)
- Member, Committee on Comparative Criminal Law (1975-1985)
- Member, Committee on International Criminal Law (1975-1985)
- Member, Committee on the International Criminal Court (1996)

The American Foreign Law Association
- Member of the Board of Directors (1972 to 2002)

Arab-American Bar Association of Illinois
- Board of Directors (Honorary)

CIVIC ORGANIZATIONS AND CLUBS

International Visitors Center of Chicago
- Member of the Board (1977-1978 and 1991-1993)

Illinois Athletic Club
- Member of the Board of Governors (1978-1982)
Association of Egyptian-American Scholars
- Founding member, Vice President (1974-1978)
- President (1978-1980)
- Vice President (1982-1988)

Mid-America Arab Chamber of Commerce
- Founding member, Chairman, (1973-1974)
- President (1974-1975)
- Secretary (1975-1978)
- President (1978-1991)

Association of Arab-American University Graduates
- President (1969)
- Member of the Board (1968 - 1970)
- Member of the Advisory Board (1970 - 2000)

Islamic Center of Chicago
- Chairman of the Board (1967-1973)

National Association of Arab-Americans

Arab-American Anti-Discrimination Committee
- Member of the Advisory Board (1981-1985)

University Club of Chicago
- Member (1983-1990)

Egyptian American Society
- President (2003 to date)
SELECTED SERVICE TO PROFESSION

- Reporter, Illinois Judicial Conference (Subject: Juvenile Court (1968))
- Member, Governor’s Conference on Youth and Delinquency (1969)
- Reporter, Illinois Supreme Court Program on Criminal Law, Illinois Judges Conference (Subject: Post-Trial Remedies 1971-1972)
- Co-Respondent Member of the Canadian Inter-American Research Institute (by election in 1974)
- Honorary Member, Center for Middle-Eastern Studies, The University of Chicago.
- Member of the Advisory Board, Center for Strategic Studies, The University of Chicago
- Member, International Advisory Board, Concord Research Center for the Integration of International Law in Israel
- Consultant, Chicago Board of Education Project of Law in American Society (1965-1967)
- Chairman of the Advisory Board on Law Focused Education of the Chicago Board of Education (1972-1974)
- Consultant and Faculty Member of Law in American Society Foundation (1967-1980). The number of teachers trained since 1967 in materials relating to criminal law and juvenile delinquency exceeds 1,000. See also, Monographs, p. 5. Also lectured in several institutes on Law Focused Education, Huntsville, Alabama; Champaign, Illinois; Dallas, Texas; and Buffalo, New York.
- Member, Governor’s Conference on Youth and Delinquency (1969)
- Lecturer to the Chicago Police Department Graduate Management Program (1972-1973)
- Chairman, Organizing Committee of National Task Force on Law Focused Education (1976)
- Member, Illinois State Commission on Law and Justice Education (1976-1978)
- Member, Special Commission on the Administration of Justice in Cook County (1984-1988)
LEGAL TEACHING EXPERIENCE

• DePaul University, College of Law since September 1964
• The University of Freiburg, Germany, Summer 1970
• New York University School of Law, Summer 1971
• The University of Cairo, Faculty of Law, Spring 1982
• The University of Salzburg, Austria, Summer 2000
• The University of Thessaloniki, Greece, Summer 2001
• American University Washington College of Law, Summers 2003 and 2004

SUBJECTS TAUGHT

• Criminal Law
• Criminal Procedure
• International Criminal Law - Substantive
• International Criminal Law - Procedural
• International Protection of Human Rights
• Public International Law
• Conflict of Laws

DEPAUL UNIVERSITY AWARDS

• DePaul University Via Sapientiae Award, Chicago Illinois (2009)
• DePaul University College of Law, Distinguished Service Award (2007)
• St. Vincent DePaul Humanitarian Award (2007)
• DePaul University, Appreciation for 40 Years of Service Award (2005)
• College of Law, Distinguished Research Professor of Law (2003)
• DePaul University Law Alumni Outstanding Faculty Service Award (2000)
• DePaul University Spirit of DePaul Award (1999)
• DePaul University Board of Trustees Commendation (1999)
• Faculty Excellence in Scholarship Award (1999)
• Faculty Achievement Award (1993)
• DePaul University, Cornerstone Award (1991)
• 25 Years of Distinguished Teaching, Scholarship and Service Award (1989)
• Phi Alpha Delta Outstanding Service Award (1967, 1972, 1975, and 1979)
• Outstanding Scholaristic Achievement, Delta Tau Kappa International Social Science Honor Society (1976)
• Man of the Year Award, Kappa Beta Pi Sorority (1970)

DEPAUL UNIVERSITY ACADEMIC COMMITTEES

• University Marshall (1980 - 1985)
• Member, University Board on Awards (1976-1985); Chairman (1982-1985)
• Member, University Board of Promotions (by election from University Senate) (1970-1974)
• Member, Faculty Affairs Committee of the University Senate (1970 and 1971)
• Member, University Curriculum Revision Committee (1967)

COLLEGE OF LAW COMMITTEES

• Chairman, International Human Rights Law Institute Committee (1990 to 2010)
• Chairman, Continuing Legal Education Committee (1965-1968)
• Member, New Dean Selection Committee (1969)
• Member, New Dean Selection Committee (1970)
• Chairman, College of Law Committee on Tenure and Promotion (1970-1972)
• Chairman, Curriculum Committee (1969-1972); Member (1972-1978); Chairman (1978-1979); Member (1979-1983); Member (1993, 1994, 1996, 1997)
• Chairman, Committee on Academic Integrity (1975-1979)
• Chairman, Moot Court Committee (1964-1968 and 1975-1976)
• Chairman, Special Events Committee (1972-1975)
• Chairman, Committee on Graduate Studies (1978-1980)
• Faculty Advisor, International Moot Court Committee (1968-1999)
• Faculty Advisor, International Law Society (1970-2009)
• Faculty Advisor, Phi Alpha Delta Law Fraternity (1964-2007)
• Chairman, Faculty Development Committee (1982-1985)
• Chairman, House Committee (1986-1987)
• Chairman, Law Review Committee (1991-1993)
SELECT SPECIAL ACADEMIC PROJECTS

DEPAUL UNIVERSITY

- President, International Human Rights Law Institute (1990 to August, 2008)
- President Emeritus, International Human Rights Law Institute (Sept. 2008 to date)

In over 30 years, as President of the International Human Rights Law Institute, I was responsible or involved in the raising of approximately $20 million in funding for projects conducted in Central and Latin America, Central and Eastern Europe and the Middle East. This included significant work in Iraq after 2003 (which is still ongoing) in connection with rebuilding legal education and other judicial training and judicial reform programs. The Institute’s work over the years involved more than 300 persons as staff members and produced several publications. The academic component of the Institute’s work was focused on student work through a fellowship and internship program in which future generations of lawyers were trained.

INTERNATIONAL INSTITUTE OF HIGHER STUDIES IN CRIMINAL SCIENCES

The Institute conducts several specialized international seminars and conferences each year, and publishes its proceedings. Since 1972, the Institute has conducted over 460 programs with the participation of over 39,000 scholars, judges, researchers, government officials, and other jurists, from 140 countries, over 5,000 academics from 460 universities, over 140 IGOs and NGOs. Supervised 141 publications resulting from these programs.

OTHER

Organized and chaired conferences and seminars sponsored by scholarly and professional organizations:

The International Association of Penal Law, The American Society of International Law, The Chicago Council on Foreign Relations, The World Peace Through Law Center, The Illinois State Bar Association, The Illinois Institute of Continuing Legal Education, American Law Institute, American Bar Association, and others. Also as President of the Mid-America Arab Chamber of Commerce, organized and planned an average of 8-10 professional speaking programs and seminars per year between 1973 and 1990 on topics of Arab-American economics, trade and political relations, and cultural aspects of the Arab World and Islam.
PROFESSIONAL LEGAL EXPERIENCE

Since admission to the Illinois and District of Columbia Bars in 1967 engaged (partially) in the general practice of law with emphasis in international law and extradition. U.S. professional experience includes: State and Federal trial and Appellate Practice (with involvement in over 100 international extradition cases) in U.S. Federal District Courts and in foreign Courts of Counsel.

Specific international professional experience includes the following: drafting of contracts and licensing agreements; establishing foreign businesses in the U.S.; establishing U.S. business and trade relations in foreign countries; related corporate work; negotiations; consultations on U.S. and foreign legal aspects related to international investments and trade; expert advice on foreign law in U.S. litigation; expert advice on U.S. law in foreign litigation; and extradition.

EDUCATION

UNDERGRADUATE

- *Baccalaureat Lettres*, Collège de la Sainte Famille, Cairo, Egypt, 1955

LEGAL EDUCATION OUTSIDE THE UNITED STATES

- Dijon University, Faculty of Law, 1955 - 1957
- Second prize in *Concours des Facultés: Droit Civil et Institutions Judiciaires* (French Civil Law and Judicial Institutions), Dijon University, 1956
- University of Geneva, Faculty of Law, (one semester) 1957
- University of Cairo, Faculty of Law, 1958 - 1962 (LL.B.)

LEGAL EDUCATION IN THE UNITED STATES

- J.D. Indiana University, School of Law, 1964
- S.J.D. George Washington University, 1973 (International Criminal Law)
PERSONAL DATA

• Born in Cairo, Egypt, 1937
• United States citizen since 1967
• Married; resident of Chicago, Illinois, U.S.A. since 1963
• Son of a career diplomat (retired Ambassador); grandson of former President of the Egyptian Senate
• Widely traveled
• Languages:
  English, French, Arabic, and Italian - Fluent
  German and Spanish - Conversational
CASES CITING PUBLICATIONS

Professor Bassiouni’s books and articles have been cited in many international tribunals and foreign courts. The United States Supreme Court has cited his work in eight difference court proceedings, and United States Appellate and Federal Courts have cited him in 175 legal actions.

INTERNATIONAL COURTS

INTERNATIONAL COURT OF JUSTICE


INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA


Sentencing Judgment, (November 11, 1999) (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL LAW p. 179 (1992)).

17. Prosecutor v. Tadic, Case No. IT-94-1-T, Appellate Chamber Sentencing Judgment, at 179 (July 15, 1999) (separate opinion Judge Shahabuddeen) (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL LAW (1992)).


20. Prosecutor v. Tadic, Case No. IT-94-1-A, Defence Motion for Interlocutory Appeal on Jurisdiction, (separate opinion Judge Sidhwa) (October 2, 1995).


INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA


EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

1. Introductory Note to Extraordinary Chambers in the Courts of Cambodia Provisional Detention Order Against Kain Guek Eav, 46 I.L.M. 911, 46 I.L.M. 911 (September 2007).

EUROPEAN COURT OF HUMAN RIGHTS


NATIONAL COURTS

AUSTRALIA

HIGH COURT:


FEDERAL COURT:


ADMINISTRATIVE APPEALS TRIBUNAL:


5. Re W97/164 and Minister for Immigration and Multicultural Affairs, (1998) 51 A.L.D. 432 (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW.

SUPREME COURT OF VICTORIA, APPEALS:


CANADA

SUPREME COURT OF CANADA:


FEDERAL COURT OF APPEALS:

1. Zrig v. Canada (Ministre de la Citoyenneté & de l'Immigration), [2003] FCA 178 (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL LAW (1999); INTERNATIONAL CRIMINAL LAW, vol. 1, 2nd ed. (1999))

(citing INTERNATIONAL CRIMINAL LAW, VOL. II (1986)).


**FEDERAL COURT:**

6. *Canada (Minister of Citizenship and Immigration) v. Asghedom* 2001 FCT 972 (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (1992)).

**SUPREME COURT OF BRITISH COLUMBIA:**

1. McVey v. Rey, 30 BCLR (2d) 197 (citing INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974))

**ONTARIO COURT OF APPEALS:**


**INDIA**

**SUPREME COURT:**

ISRAEL

SUPREME COURT:


3. Cr.A 7569/00 Ygodiev v. The State of Israel, IsrSC (citing AUT DEDERE AUT JUDICARE: THE DUTY TO EXTRADITE OR PROSECUTE IN INTERNATIONAL LAW at p. 4-5; INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE at p. 384 (3rd rev. ed., 1996)).


NEW ZEALAND

COURT OF APPEALS:


REPUBLIC OF SOUTH AFRICA

CONSTITUTIONAL COURT:


2. Geuking vs. President of the Republic of South Africa and others, 2002 (1) SA 204 35 (CC) (S. Afr.) (citing INTERNATIONAL EXTRADITION IN U.S. LAW AND PRACTICE 66 (4th


**HIGH COURT, CAPE OF GOOD HOPE PROVINCIAL DIVISION:**


**TRINIDAD AND TOBAGO**

**HIGH COURT OF JUSTICE:**


**UNITED KINGDOM**

**HOUSE OF LORDS:**


**COURT OF APPEALS, ENGLAND AND WALES:**


**HIGH COURT OF ENGLAND & WALES:**


**DIVISIONAL COURT, ENGLAND AND WALES:**

1. *R (on the application of Evans) v Secretary of State for Defence*, (2010) EWHC 1445 All ER (D) 219 (Q.B.) (discussing M. Cherif Bassiouni as the IE for Afghanistan; An Assessment of Justice Sector and Rule of Law Reform in Afghanistan and the Need for a Comprehensive Plan).

**SCOTTISH HIGH COURT OF THE JUDICIARY:**


**UNITED STATES COURTS**

**SUPREME COURT:**


NEED FOR INTERNATIONAL REGULATION OF HUMAN EXPERIMENTATION 72 J. OF CRIM. L. & C. 1597, 1607 (1981)).


COURT OF APPEALS:

FIRST CIRCUIT

1. United States v. Cardales-Luna, 632 F.3d 731 (1st Cir. 2011) (citing Universal Jurisdiction for International Crimes: Historical Perspectives and Contemporary Practice, 42 VA. J. INT’L. L. 81, 152 (2001)).

2. United States v. Lui Kin-Hong, 110 F.3d 103, 110 (1st Cir. 1997) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).

3. United States v. Clotida, 892 F.2d 1098 (1st Cir. 1989) (citing CRIMINAL LAW AND ITS PROCESSES (1969)).

SECOND CIRCUIT

1. Kiobel v. Royal Dutch Petroleum Co., 621 F.3d 111, 169 (2d Cir. 2010) (citing CRIMES AGAINST HUMANITY IN INTERNATIONAL CRIMINAL LAW (2d ed. 1999)).


5. Cheung v. United States, 213 F.3d 82, 93 (2d Cir. 2000) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3d ed. 1996)).


7. Lo Duca v. United States, 93 F.3d 1100, 1104 (2d Cir. 1996) (citing INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974)).


10. *In re Extradition of McMullen*, 989 F.2d 603, 611 (2d Cir. 1993) (*citing* INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974)).


15. *Sindona v. Grant*, 619 F.2d 167, 177, 178 (2d Cir. 1980) (*citing* INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974); A TREATISE ON INTERNATIONAL CRIMINAL LAW (1973)).

**Third Circuit**


**Fourth Circuit**


**Fifth Circuit**

1. *Ntakirutimana v. Reno*, 184 F.3d 419 (5th Cir. 1999) (*citing* INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3d ed. 1996)).

2. *Escobedo v. United States*, 623 F.2d 1098 (5th Cir. 1980) (Represented Castillo, a
defendant); (citing INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974)).

SEVENTH CIRCUIT


4. **Autocephalous Greek-Orthodox Church of Cyprus v. Goldberg and Feldman Fine Arts, Inc.**, 917 F.2d 278 (7th Cir. 1990) (citing REFLECTIONS ON CRIMINAL JURISDICTION IN INTERNATIONAL PROTECTION OF CULTURAL PROPERTY 10 SYRACUSE J. INT’L L. & COM. 281 (1983)).


7. **United States v. Mavrick**, 601 F.2d 921 (7th Cir. 1979) (citing SUBSTANTIVE CRIMINAL LAW (1978)).

NINTH CIRCUIT

1. **United States v. Anderson**, 472 F.3d 662 (9th Cir. 2006) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (4th ed. 2002)).

2. **Cornejo-Barreto v. Siefert**, 379 F.3d 1075 (9th Cir. 2004) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3d ed. 1996)).


5. **Cheema v. INS**, 350 F.3d 1035 (9th Cir. 2003) (citing WORLD WAR I: “THE WAR TO END ALL WARS” AND THE BIRTH OF A HANDICAPPED INTERNATIONAL CRIMINAL JUSTICE...


8. Parretti v. United States, 122 F.3d 758 (9th Cir. 1997) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).

9. Lopez-Smith v. Hood, 121 F.3d 1322 (9th Cir. 1997) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (3d ed. 1996)).

10. Parretti v. United States, 112 F.3d 1363 (9th Cir. 1997) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).

11. United States v. Merit, 962 F.2d 917 (9th Cir. 1992) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).

12. United States v. Verdugo-Urquidez, 939 F.2d 1341 (9th Cir. 1991) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).

13. United States v. Van Cauwenberghe, 827 F.2d 424 (9th Cir. 1987) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).

14. United States v. Van Cauwenberghe, 814 F.2d 1329 (9th Cir. 1987) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).

15. United States v. Najohn, 785 F.2d 1420 (9th Cir. 1986) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (1983)).

ELEVENTH CIRCUIT


2. Gallo-Chamorro v. United States, 233 F.3d 1298, 1305-06 (11th Cir. 2000) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).


4. United States v. Puentes, 50 F.3d 1567, 1572 (11th Cir. 1995) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).


6. Martin v. Warden, 993 F.2d 824, 828 n.6 (11th Cir. 1993) (citing INTERNATIONAL EXTRADITION AND WORLD PUBLIC ORDER (1974)).

7. United States v. Herbage, 850 F.2d 1463, 1465 (11th Cir. 1988) (citing INTERNATIONAL EXTRADITION: UNITED STATES LAW AND PRACTICE (2d ed. 1987)).

DISTRICT OF COLUMBIA CIRCUIT


DISTRICT COURTS:


3. United States v. Wathne, (N.D. Cal. 2008) (citing ... [*13] the government had a legal basis to request extradition from Russia under the UN Drug Convention. See Doc # 40 at 14-15. Professor Cherif Bassiouni testified as an expert witness for defendant, who characterized Bassiouni as author of "the" book on extradition law. When asked whether the United States could have relied on the UN Drug Convention to obtain defendant's extradition from Russia, Professor Bassiouni responded, "[w]ell, the US could have relied
on the treaty to make the request; whether Russia would have conceded it is another matter." Reporter’s ...)


International Extradition: United States Law and Practice (2d ed. 1987)).

64. **In re Kasper-Ansermet**, 132 F.R.D. 622, 630 (D. N.J. 1990) (citing International
Extradition: United States Law and Practice (1983)).

International Extradition: United States Law and Practice (2d ed. 1987)).

Testimony of Prof. M. Cherif Bassiouni).

Extradition and World Public Order (1974)).


International Criminal Law (1986)).

70. **In re Mahmoud Abed Atta**, 1988 WL 66866 at *7 and *23 n. 23 (E.D.N.Y. 1988) (citing
International Extradition: United States Law and Practice (1983)).

(citing Expert Testimony of Prof. M. Cherif Bassiouni).

International Criminal Law (1973)).

73. **In re the Extradition of Sindona**, 584 F. Supp. 1437, 1446 (E.D. N.Y. 1984) (citing
International Extradition: United States Law and Practice (1983)).

Extradition: United States Law and Practice (1983)).


Criminal Law (1978)).

Criminal Law (1973)).


COURT OF MILITARY COMMISSION REVIEW:


COURT OF CUSTOMS AND PATENT APPEALS:


STATE SUPREME COURTS:


3. People v. Pastewski, 647 N.E.2d. 278 at 287 (Ill. 1995) (citing SUBSTANTIVE CRIMINAL LAW (1978)).


7. State v. Lira, 759 P.2d 869, 872 n. 6 (Haw. 1988) (citing SUBSTANTIVE CRIMINAL LAW (1978)).


21. State v. Holt, 592 S.W.2d 759 at 765 (Mo. 1980) (citing Substantive Criminal Law (1978)).


**State Court of Appeals:**


5. *State v. Young*, 25 So. 3d 256 (*citing* *Substantive Criminal Law* (1978))


