

ICC Judicial Nomination – Model curriculum vitae

FAMILY NAME:	Ben Mahfoudh	
FIRST NAME:	Haykel	
MIDDLE NAME:		
GENDER:	Male	
DATE OF BIRTH:	24/09/1971	
NATIONALITY:	Tunisian	
REGIONAL CRITERIA:	Africa	
SECONDARY NATIONALITY: (IF APPLICABLE)		
MARITAL STATUS:	Single	
LIST A/LIST B	List B	
LANGUAGES	Mother tongue: Arabic	
- ENGLISH	(written) Advanced	(oral) Advanced
- FRENCH	(written) Advanced	(oral) Advanced
- OTHERS	Spanish : (written) Basic	(oral) Basic
	Italian : (written) Basic	(oral) Basic
	: (written) Please select >>	(oral) Please select >>
	: (written) Please select >>	(oral) Please select >>
EDUCATIONAL QUALIFICATIONS: <i>Date, institution, qualification(s) obtained (starting with most recent)</i> - Please copy/paste if more entries are needed		
01/2008 - 06/2008		
- <i>Institution:</i>	Faculty of Legal, Political and Social Sciences, University of Carthage, Tunis – Tunisia.	
- <i>Qualification(s) obtained:</i>	Habilitation à Diriger des Recherches (HDR)	
09/1997 - 10/2005		
- <i>Institution:</i>	Faculty of Legal, Political and Social Sciences, University of Carthage, Tunis.	
• <i>Qualification(s) obtained:</i>	Ph.D. in International Humanitarian Law, with very honorable distinction and highly commended, dissertation proposed for a publication.	
- Title of the thesis:	Protection of the Environment during of Armed Conflict.	
09/1993 - 06/1995		
- <i>Institution:</i>	Faculty of Legal, Political and Social Sciences, University of Carthage, Tunis.	

- *Qualification(s) obtained:* Master in Public and Finance Law, with honors.
- Title of dissertation: NGO's Phenomena in Tunisia and Morocco.

09/1992 - 06/1993

- *Institution:* Faculty of Legal, Political and Social Sciences, University of Carthage, Tunis.
- *Qualification(s) obtained:* L.L.B. in Economic and Social Law (Certificat d'études spécialisées)

09/1989 – 06/1993

- *Institution:* Faculty of Legal, Political and Social Sciences, University of Carthage, Tunis.
- *Qualification(s) obtained:* L.L.M. in Law (Maîtrise en science juridique)

PROFESSIONAL EXPERIENCE: Date, employer, post title, other information (starting with most recent)

- Please copy/paste if more entries are needed

- Please indicate the relevance of the experience to the candidacy under list A or list B, as appropriate

01/2022 - Present

- *Employer:* Ministry of Higher Education and Scientific Research of Tunisia
- *Post title:* Director of the Higher Education Mission of Tunisia in North America,
- Title: Vice-Consul.
- Rank: Minister Plenipotentiary.
- Duty station: Montreal, Canada.
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- *Other information:* Management of scientific cooperation programs and student mobility between Tunisia and North American countries (Canada; USA).
- Functions of governmental representation, negotiation and conclusion of academic and scientific cooperation agreements.

09/2013 - 12/2021

- *Employer:* Ministry of Higher Education and Scientific Research of Tunisia
- *Affiliation :* Faculty of Legal, Political and Social Sciences of Tunis - University of Carthage
- *Post title:* Full Professor.
- *Others:* Director of the Research Center on International and European Law and Maghreb-Europe Relations (2014-2021). Elected member representing faculty on the Scientific Council (2014-2020).
- *Other information:* 1) Teaching activities: International Humanitarian Law; Sanctions in Public International Law; International Responsibility of the States (Principles and Reparation of Damages); Constitutional Law; International Criminal Law; Introduction to the Anglo-American Legal System; Law of International Peace and Security; Geostrategy and International Relations.
- 2) Pedagogical responsibilities: Responsible for the Master Common Law (this program is taught entirely in English). Supervision of the research and teaching teams.

- 3) Supervision of research projects (Doctoral theses and master's theses). The topics supervised are the following: Protection of minorities, Torture, Human rights violations in armed conflicts (e.g. Yemen, Libya, Sudan), Prosecution and repression of terrorism, New technologies and International Humanitarian Law, Democratic control of armed forces, Transitional justice and reconciliation, International crime and organized crime; United Nations reform)
- 4) Research activities - Relevant research topics: Rule of Law and Democratic Transitions; Constitutional Justice; Women, Equality and Gender; (Non) State Actors and Armed Conflict; Armed Groups (Mercenaries); Disarmament and Arms Control; International Criminal Accountability; Counter-Terrorism and Prevention of Violent Extremism; Protection of Victims and Minorities in International Law; Security Sector Reform; Overseas Military Operations (OPEX); International Security and Peacekeeping (Jus ad bellum, jus in bello, jus post bellum); International and Regional Organizations; Democratic Transitions.
- Visiting Professor : University of Siena (Italy); Universities of Aix-Marseille and Paris - Panthéon Sorbonne (France); University of Saint-Joseph (Lebanon); Institute of National Defense, École Supérieure de Guerre, École des États-majors, École Supérieure des Forces de Sécurité Intérieure (Tunisia).

04/2009 - 08/2013

- *Employer:* Ministry of Higher Education and Scientific Research of Tunisia
- *Affiliation:* Higher Institute of Legal and Political Studies of Kairouan - University of Kairouan
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- *Post title:* Associate Professor of Public Law - Specialization in International Public Law.
- *Other information:*
 - 1) Teaching activities: International Institutions, Law of International Organizations; Administrative Law; Comparative Law; International Litigation, Law of Armed Conflict, Law of the Sea.
 - - 2) Teaching responsibilities: Member of the Scientific Council and Director of the Public Law Department (2011-2013. Supervision of research teams and teachers.
 - 3) Supervision of research works (Doctoral theses and master's theses). The subjects supervised have been on the following topics: Protection of minorities; Torture; International and regional mechanisms for the protection of human rights; Fight against terrorism; Crimes against humanity and war crimes; Immigration, regional security, etc.).
 - 4) Research Activities - Relevant research areas: Non-State Actors; New Technologies and International Humanitarian Law; Violent Extremism and Counter-Terrorism; Human Rights Protection, Democratic Transition and Institutional Reform; Disarmament and Arms Control; International Criminal Accountability; Protection of Victims and Minorities in International Law; Security Sector Reform; International Security and Peacekeeping (Jus ad bellum, jus in bello, jus post bellum); International and Regional Organizations.

09/1996 - 03/2006

- *Employer:* Ministry of Higher Education and Scientific Research of Tunisia
- *Affiliation:* Faculty of Law and Political Science of Tunis - Tunis El Manar University
- *Post title:* 1) Senior Lecturer - Specialization in Public Law (03/2006 - 04/2009). 2) Assistant Professor in International Public Law (09/1996-03/2006)
- *Other information:*
 - 1) Doctoral research in International Humanitarian Law;
 - 2) Teaching topics: International Relations, Law of International Organizations, Administrative Law, Constitutional Law, Philosophy of Law);
 - 3) Research activities. Relevant research areas: Law of Armed Conflict, Environmental Protection,

Peaceful Settlement of Disputes, Human Rights and Public Liberties; Peace and Security Law.
Supervision of the Tunisian teams that took part in the African Human Rights Moot Court Competition.

01/1996 – 04/2023

- *Employer:* Ben Mahfoudh & Associates - Lawyers and Consultants.
- Associate Lawyer, BMCP Lawyers (2016-04/2023). Role: Strategic advice and international practice.
- *Post title:* Lawyer registered at the Tunis Bar, Courts of Appeal
 - *Other information:* Representation and defense of clients before civil, criminal, and military courts.
 - Claims for compensation and international arbitration.
 - Accompaniment and pro bono defense of women and children's victims of domestic and/or sexual violence.
- Drafting of legal notes, opinions, and conclusions.
- Training of trainers on the following topics: Access to international justice, international human rights law; Complaint mechanisms for human rights violations; Fair trial guarantees; Professional ethics; Codes of conduct for the armed forces.

OTHER PROFESSIONAL ACTIVITIES:

- Please copy/paste if more entries are needed

04/2017-12/2021: International Consultant, International IDEA

- *Activity:* Advice and support to the "Political Dialogue in Yemen" project.
- Technical support to the negotiations of peace agreements and security arrangements.
- Examination and study of the issues of impunity, protection of vulnerable groups and individuals, reparation of war damages and demobilization of combatants and post-conflict justice.
- Strengthening the mediation and negotiation capacities of political actors, etc.
- Country: Yemen.

10/2016: International Consultant, Hanns Seidel Foundation - World Relief and Cooperation Organization IOCEA.

- *Activity:* Technical Support to the Process for the Reform of Immigration and Asylum Laws in Libya.
- Country: Libya.

12/2015-03/2016: International Consultant, Police and Justice Reform, United Nations Assistance Mission for Iraq-OHCHR (UNAMI).

- *Activity:* Assessment and analysis of training programmes and complaints mechanisms in the justice and law enforcement sectors in Iraq * Drafting of a human rights training manual for the police and law enforcement personnel in Iraq * Capacity building activities: mechanisms for reporting human rights violations.
- Duty Station: Iraq (Baghdad and Erbil).

01/2015 - 03/2015: International expert, constitutional processes and security sector reform - Democracy Reporting International (DRI) in Libya.

- *Activity:* Provide legal analysis and opinions on the Constitution Draft chapter relating to the Armed and Security Forces and Security * Presentation and discussion of options for the "Disarmament, Demobilization and Reintegration (DDR)" process * Exchange with members of the Constitutional Drafting Committee on the prosecution of war crimes in Libya before the ICC.
- Country: Libya.

01/2015 - 02/2015: Consultant, World Organization Against Torture (OMCT).

- *Activity:* Training of trainers and moderation of exchange workshops between justice professionals (judges, police, forensic doctors, lawyers, psychologists, etc.) on the issue of the fight against torture and ill-treatment in Tunisia. * Drafting of the report on the implementation of the new legislation on the prevention of torture in prisons in Tunisia. Follow-up of the recommendations.
- Country: Tunisia.

2011-2012: Ministry of Justice, Member of the National Commission for the follow-up of the recommendations of the international and regional human rights rapporteurs.

02/2011 - 08/2013: Senior Adviser, Acting Head of Mission - Geneva Centre for the Democratic Control of Armed Forces (DCAF).

- *Activity:* Management, coordination, and monitoring of the portfolio of projects related to DCAF's operations in the MENA region, those at the intersection of security and human rights: Criminal and military justice reform, prison reform, police reform, complaints mechanisms, parliamentary oversight of the armed forces, implementation of UNSCR 1325.

- Country/Region: Tunisia, Maghreb, Switzerland.

MOST RELEVANT PUBLICATIONS

I. BOOKS & MONOGRAPHS :

1. Stéphane Doumbé-Billé (†), Haykel Ben Mahfoudh, Kiara Neri, (Dir.) (2020). *Le droit international actuel est-il sécurisant ?*. Editoriale Scientifica, 402 p., 2020, 9788893918824. (hal-02983614)
2. Ben Mahfoudh, H. (sld.) (2019). *Les victimes en droit international*. Publication du Laboratoire de recherche en droit international et européen et relations Maghreb-Europe (LR-DIERME) – Faculté des Sciences Juridiques, Politiques et Sociales de Tunis – Agence Universitaire Francophone.
3. Doumbé-Billé, S., Ben Mahfoudh, H. (Ed.) (2019), *Révolutions et droit international*, Presses de l'Université Toulouse 1 Capitole - France, 01/2019.
4. Ben Mahfoudh, H. (2011). *L'environnement, l'humanitaire et le droit international*. Centre des Publications Universitaires, Tunis.
5. Ben Mahfoudh, H. (2005). *La protection de l'environnement en période de conflits armés*. Thèse de doctorat en droit international humanitaire, Faculté des sciences juridiques, politiques et sociales de Tunis, 699 pages.

II. ARTICLES :

1. Ben Mahfoudh, H. (2023). "The Arab World and the International Criminal Court: Who Needs More the Other?". *Journal of International Criminal Justice*, Volume 21, Issue 1, Published in March 2023.
2. Ben Mahfoudh, H. (2022). "La confiance et la participation des victimes devant la CPI: d'une simple question de perception à un principe d'administration de la justice pénale internationale". In: *La confiance dans les procédures devant les juridictions internationales*. Actes du colloque international de Nice, 3 et 4 juin 2021, Sous la Direction de Julie Tribolo-Ferrand, Éditions Alain Pedone, Paris, 2022.
3. Ben Mahfoudh, H. (2020). "Les victimes en droit international : essai de typologie", In: *Droit, humanité et environnement: Mélanges Stéphane Doumbé-Billé (Français) Broché – 22 janvier 2020*, Mohamed Ali Mekouar (Sous la direction de), Michel Prieur (Sous la direction de).
4. Ben Mahfoudh, H. (2020). "Traverser à rebours, ou les finalités ambivalentes des accords de réadmission". *Les Cahiers de Tunisie (Dossier thématique)*, vol. 72, n. 226/227.
5. Ben Mahfoudh, H. (2020). "Réflexions sur la plainte déposée devant la CPI pour crimes contre l'humanité et de génocide pour développement d'armes de guerre biologique par la République populaire de Chine". *Research Paper in Law 1/2020*. Collège d'Europe, Études juridiques européennes.
6. Ben Mahfoudh, H. (2020). "Tunisie". In: *Annuaire international de justice constitutionnelle, 35-2019, 2020*. Dossier thématique: Constitution et environnement- La justice prédictive. pp. 547-560.
7. Ben Mahfoudh, H. (2019). "Igualdad y género en la Constitución de Túnez de 2014". *Revista Jurídica Piélagus*, 18(1), 67–84. <https://doi.org/10.25054/16576799.2639>
8. Ben Mahfoudh, H. (2018). "Tunisie". In: *Annuaire international de justice constitutionnelle, 33-2017, 2018*. Dossier thématique: Juge constitutionnel et interprétation des normes - Le juge constitutionnel face aux transformations de la démocratie. pp. 479-493.
9. Ben Mahfoudh, H. (2017). "Tunisie". In: *Annuaire international de justice constitutionnelle, 32-2016, 2017*. Dossier thématique: Migrations internationales et justice constitutionnelle - Référendums et justice constitutionnelle. pp. 501-515.
10. Ben Mahfoudh, H. (2017). "Security Sector Reform and the Struggle against Terrorism: State of Affairs, Issues and Challenges", *IEMed. Mediterranean Yearbook 2017*, pp. 233-235.

11. Ben Mahfoudh, H. (2016). "Protect, Respect and Remedy: A Framework for Accountability for Human Rights Violations Committed by Foreign Fighters", *International Community Law Review* 18 (2016) 418–430.
12. Ben Mahfoudh, H. (2015). "Le contrôle juridique et juridictionnel des opérations militaires à l'extérieur". In: *Annuaire International de Justice Constitutionnelle*, Vol. XXXI, 2015, Economica, France, pp. 591-612.
13. Ben Mahfoudh, H. (2007). "Acteurs non étatiques et droit international », In: *Acteurs non étatiques et droit international/ sous la dir. de Rafâa Ben Achour et Slim Laghmani, VIIe Rencontre internationale de la Faculté des Sciences juridiques, politiques et sociales de Tunis: 6, 7 et 8 avril 2004 /*, Publisher Paris: A. Pedone, Year 2007, Pages 215-241.

MOST RELEVANT SEMINARS

I. SEMINARS & INTERNATIONAL COURSES:

1. Forum of Legal Actors on Freedom of Expression. Organized jointly by the Ministry of Foreign Affairs of the Netherlands, UNESCO, Free Press Unlimited and the T.M.C. Asser, The Hague, October 2022.
2. "Governance of the security sector in fragile States", Master in Public Law - M2: Spécialité Droit de la reconstruction des Etats, Université Aix-Marseille, France 2016, 2017. University of Paris Panthéon - Sorbonne, 2019, 2020.
3. "Cours Général: Constitution, Sécurité et Défense", Académie Internationale de Droit Constitutionnel, XXXIII^{ème} session, 25 août – 3 septembre 2017, Tunis, Tunisie.
4. "Civilian Oversight of the Security Sector in Post-Conflict and Transitional Environments", Master in Democratic Governance - Human Rights and Democracy in the MENA Region (DE.MA) – European Inter-University Centre for Human Rights and Democratization, Venice, Tunis, Beirut, 2016, 2017.
5. "La justice pénale internationale : l'exemple de la CPI", Ecole supérieure de Guerre, Tunis, Tunisie (Cours annuel, années 2015, 2016, 2017).

II. CONFERENCES & PANELS:

1. Lecturer: Conférence Katia-Boustany 2023. " Le processus d'élection des juges à la Cour pénale internationale : Réflexions et retour d'expérience". Faculté de droit de l'Université de Sherbrooke, Québec, Canada, 30 Mars 2023. Université de Sherbrooke et en ligne, 30 Mars 2023.
2. Lecturer: "Les défis régionaux de la coopération : exemple de la zone Afrique du Nord et Moyen Orient ". Colloque: Les 20 ans de l'entrée en vigueur du statut de Rome. Le principe de complémentarité : la clé d'un système global de lutte contre l'impunité. Cour de Cassation française, 24 octobre 2022, Paris. (To be published with the Éditions A. Pedone, in 2023).
3. Rapporteur: Workshop sur "La conduite de poursuites et de procès contre les combattants terroristes étrangers, y compris ceux qui rentrent dans leur pays et ceux qui se relocalisent", organisé par le Laboratoire de recherche en droit international et européen et relations Maghreb-Europe et l'Association tunisienne pour les Nations Unies, à l'occasion célébration de la journée des Nations Unies, Tunis, 24 octobre 2019.
4. Panelist: "Transitional justice in Tunisia", Edinburgh Dialogues V: Transitional Justice and Constitution Building Processes, School of Law, International IDEA, Edinburgh, December 2018.
5. Lecturer: "Technological change and international humanitarian law – amend, implement or simply manage expectations?", 3rd Stockholm Security Conference, SIPRI, 19–20 September 2018, Stockholm, Sweden.
6. Contribution: "L'assassinat de Mohamed Zouari : un crime international ?", *Leaders Magazine*, décembre 2016.
7. Panelist: "Workshop on The evolution of mercenarism and the implications for accountability and remedy with respect to human rights violations", Office of the United Nations High Commissioner for Human Rights,

Palais des Nations, Genève, avril 2016.

8. Lecturer: "L'atteinte aux biens culturels devant la CPI", Séminaire organisé par l'Association des historiens tunisiens et l'Institut national du patrimoine, Musée du Bardo, Tunis, Décembre 2015

9. Panelist: "Les archives judiciaires et l'histoire de la prépression en Tunisie", contribution à la journée d'étude sur: "La justice transitionnelle en Tunisie et le droit international: question de la compatibilité des standards de la JT avec les règles du droit internationalé, LR-Dierme, UNHCHR, ICTJ, PNUD, 16/04/2015, Faculté des sciences juridiques, politiques et sociales de Tunis.

10. Lecturer: "Les paradoxes de la CPI: éléments de différenciation et de distinction d'une justice pénale internationale". Séminaire organisé par le Ministère de la Justice et le Centre de Genève pour la promotion des droits de l'homme et le dialogue global, Tunis, Novembre 2011.

MEMBERSHIP OF PROFESSIONAL ASSOCIATIONS AND SOCIETIES

2019-Present: Senior Nonresident Fellow, Rafik Hariri Center on the Middle East, Atlantic Council (Washington, D.C.).

2017-Present: Member of the Board of Directors of the United Nations Association of Tunisia (ATNU).

2014-2017: Nonresident Fellow, Rafik Hariri Center on the Middle East, Atlantic Council (Washington, D.C.)

2014-Present: Founding member of the Arab Organization for Constitutional Law. **Member of the Scientific Committee.**

2001-2003: Member of the American Society of International Law.

1998-2008: Treasurer of the Tunisian Association of Private Law.

1996-Present: Lawyer registered with the Council of the National Bar Association of Tunisia

AWARDS AND HONOURS

Distinguished Alumnus Award (2014) of the NESAC Centre – NDU (USA).

PERSONAL INTERESTS

Cello, Travelling and Community involvement.

OTHER RELEVANT FACTS

2009: Visiting Scholar, Civic Education and Leadership Fellowship (CELF) program, Maxwell School of Syracuse University, NY/USA.

2002: Auditor of the Courses of the Academy of International Law, Session Private International Law, The Hague - Netherlands (2002).

2001: Recipient of a Fulbright Fellowship in the USA, Lafayette College, Easton, Pennsylvania. (US Constitution) (2001).

1998: Course Auditor for the Geneva Institute for Peace Research (GIPRI) - Geneva (1998).

1997: Auditor of the Courses of the Academy of International Law, Public International Law Session, The Hague - The Netherlands (1997).