

PHAKISO MOCHOKO - RESUME

PERSONAL DETAILS

MOCHOKO, Phakiso
Ha Seoli
Maseru, 100
Lesotho

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Date and Place of Birth: 4 September 1957, Maseru, Lesotho
Gender: Male
Nationality: Lesotho
Marital Status: Married
Home Language: Sesotho
Other Languages: English (Fluent)

EDUCATIONAL BACKGROUND

M.A. in International Law and Politics, St. John's University, New York
Post Graduate Certificate in International Law and Diplomacy, St John's University
Bachelor of Law (LLB), National University of Lesotho
B.A. in Law, Administration and Politics, National University of Lesotho

RELEVANT TRAINING SEMINARS

48th Annual Seminar on International Law, UN International Law Commission (ILC)
Diplomats Seminar on Conflict Resolution and Negotiations, Institute of World Affairs (Nov. 16-19, 1995, Salisbury, Connecticut)
5th Annual Seminar on Peace-making and Peacekeeping, International Peace Academy (8-11 May 2000, West Point)
Tenth Annual Seminar, National Security Law Institute, Virginia Law School (Jun. 4-16, 2000, Charlottesville)

PROFESSIONAL SKILLS

- ability to identify problems, research solutions and make effective decisions.
- ability to interact with people, understand their needs and how best to meet them within the confines of the work environment.

- Full understanding of Corporate Governance including ethical behaviour and ability to discharge Director’s duties with integrity, fairness and transparency while taking full responsibility and being accountable to shareholders.
- ability to manage people including skills to formulate, implement, lead, and supervise substantive work programs and contribute to formulation of policies.
- ability to develop clear goals that are consistent with agreed strategies and to identify priority activities and assignments and adjust as necessary.
- practical legal and court experience as an attorney handling criminal and civil cases as well as a trainer.
- practical experience of International Law as a Sixth Committee delegate to the United Nations General Assembly (UNGA) from 1994 to 2001, culminating in the chairmanship of the UNGA Sixth Committee at its 54th session.
- diplomatic, negotiations and drafting skills gained through practice as an attorney, training, chairing and successfully negotiating various legal documents especially pertaining to the Establishment of the International Criminal Court and the formulation of its Rules of Procedure and Evidence.
- practical diplomatic and external relations experience gained *inter alia*, through ten years of supporting Prosecutors and the Court by engaging with high-level government officials from all regions, diplomatic corps, international and regional organizations, and civil society organizations to mobilize support for OTP and wider ICC operations to facilitate cooperation and disseminate key-OTP and court-wide messages.
- experience and full understanding of International Criminal Law gained through following and advising on developments within the *ad hoc* Tribunals for the former Yugoslavia (ICTY) and Rwanda (ICTR) and the Special Court for Sierra Leone (SCSL) as well as participating as a delegate to the ICC negotiations from 1994, including as a participant in various ICC Experts Meetings such as Inter-Sessional Meetings and negotiations that formulated documents which formed the basis of the various provisions of the Rome Statute;
- experience with the UN System.
- supervisory and management skills gained as Deputy Head of Mission and through leadership of the Registry’s Legal Advisory Services Section and later the Judicial Cooperation and Complementarity Division (JCCD) in the Office of the Prosecutor.

EMPLOYMENT HISTORY

Sept 2022 to Date	Retired
Feb. 2011 – Sept.2022 The Hague	INTERNATIONAL CRIMINAL COURT, Office of the Prosecutor Director, Jurisdiction Complementarity and Cooperation Division (JCCD)

Manage and supervise the work of JCCD overseeing the conduct of preliminary examinations, cooperation, diplomatic and external relations with responsibilities for advising the Prosecutor on policy development, dissemination and implementation within and outside OTP; oversee the development of and advise on cooperation strategies and plans for each situation under investigation as a member of senior management; support Prosecutor and OTP senior management on issues relating to general cooperation and external relations; engage with relevant partners and supervise follow-up on cooperation requests; oversee and supervise negotiations of cooperation agreements; galvanise support for arrests and supervise the coordination of all matters relating to diplomatic contacts and external relations including with the Hague and New York Working Groups and the Assembly of States Parties; represent Prosecutor, OTP and the Court in diplomatic and external relations engagements with partners including with high-level government officials, intergovernmental organizations and civil society; member of OTP senior management contributing to

effective management and enhancement of integrated approaches, working methods and processes within JCCD and across divisions.

Nov. 2002 – Jan. 2011 INTERNATIONAL CRIMINAL COURT, Registry

The Hague, Netherlands Senior Legal Adviser

Provide legal advice to the Registry and other Organs of the Court on the general framework of the Court, the application of the Rome Statute and other instruments of the Court, on international institutional law including privileges and immunities, international administrative law, procurement issues and contracts, draft regulations, contracts, Memoranda of Understanding and negotiate international and other agreements; represent the Registrar in diplomatic and external relations engagement activities, delivering key messages and defending the Court in various public fora; manage and organize the Legal Advisory Services Section and provide general supervision and coordination of assignments; serve as chairman of various committees and supervise research in various areas; assist the Registrar with discharge of his duties under the Rome Statute, Financial Regulations and Rules and other instruments of the Court, participate in Registry senior management meetings and provide advice on development and implementation of policies.

Jun. 2002 – Oct. 2002 UNITED NATIONS OFFICE OF LEGAL AFFAIRS

The Hague, Netherlands Legal Adviser to the Advance Team for the Preparatory Commission on the Establishment of the International Criminal Court

Serve as Deputy Coordinator and provide legal advice on all issues relating to the setting up of basic systems and mechanisms for the start-up operations of the Court. Responsibilities entailed amongst others, setting up basic human resources structures including providing advice on pension scheme and dispute resolution mechanism; undertake a review and adaptation of the UN Staff Regulations and Rules and ensure their compatibility with the Rome Statute; handle, coordinate and supervise all diplomatic and external relations activities, perform custodial functions and provide advice and support to the Coordinator on personnel and other legal issues; advise on and assist Coordinator on development and implementation of policies for the Court, assume full management responsibilities and functions and act as Officer in Charge in the absence of the Coordinator.

Dec. 1994 – Dec. 2001 GOVERNMENT OF LESOTHO

New York, USA Legal Counsel to the Permanent Mission of Lesotho to the United Nations

Represent Lesotho particularly in the Sixth Committee and advise the Government on any legal developments within the United Nations System and of action to be taken; follow closely legal developments within the various United Nations Organs including the International Law Commission (ILC), the United Nations Commission on International Trade Law (UNCITRAL) and the International Court of Justice (ICJ) and advise the Government accordingly; advise and draft opinions for Lesotho delegates to the General Assembly on positions to be taken by the Government of Lesotho and prepare necessary briefs and statements for these purposes; monitor developments, advise and draft opinions on various issues relating to the International Criminal Tribunals for the former Yugoslavia and Rwanda.

As Head of Chancery and Deputy Head of Mission, act as the Mission's and Ambassador's contact point; provide assistance and advice to the Ambassador on all diplomatic, political and administrative matters including attending diplomatic functions and representing the Ambassador; liaise with the Administrative Attaché and coordinate the Ambassador's schedule; engage in all diplomatic and external relations activities of the office including liaison with the UN Protocol and other Departments as well as with other Missions on

various issues including establishment of diplomatic relations; follow up and brief the Ambassador on developments in the UN Security Council and attend to issues pertaining to political matters especially those relating to general principles of cooperation in the maintenance of international peace and security and disarmament; assume full management responsibilities and act as Head of Mission in the absence of the Ambassador; general office administration and supervision of staff; preparing the Mission budget, administer funds and ensure proper financial records, supervise preparation of monthly financial statements and status of funds.

Positions held at the United Nations

1. Ad Hoc Chairman: Working Group on the Optional Protocol to CEDAW. Also served as the Working Group's Coordinator for Articles on Standing.
2. Vice Chairman: Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (February-March 1996);
3. Vice Chairman: Sixth Committee (53rd Session of the General Assembly);
4. Vice Chairman: Committee of the Whole for the Rome Diplomatic Conference on the Establishment of the International Criminal Court (June/July 1998);
5. Chairman: Rome Conference Working Group on International Cooperation and Judicial Assistance (June/July 1998);
6. Chairman: Preparatory Commission for the International Criminal Court's Working Group on the Rules of Procedure and Evidence Relating to Parts 9 and 10 of the Rome Statute (1999-2000);
7. Chairman: Sixth Committee (54th Session of the General Assembly);
8. Coordinator, ICC Preparatory Commission Working Group on an Agreement on Privileges and Immunities of the Court (2000-2001);
9. ICC Preparatory Commission's Contact Person for Human Resources and Administration Issues.
10. Founding Member of the Management Committee for the Special Court for Sierra Leone.

Aug. 1993 – Nov. 1994 LAWYERS FOR HUMAN RIGHTS
Durban, South Africa Para-Legal Training Project Regional

Direct, co-ordinate and administer the para-legal training project in Natal; manage and supervise over 100 paralegals and their community organizations to identify priority needs; design and conduct governance programs training materials and provide community legal education, human rights, alternative dispute resolution and voter education workshops in the rural areas; handle criminal and other case files; liaise with attorneys and assist with drafting of criminal and civil litigation papers; administer project funds, keep proper financial records and account to the national office on a regular basis; maintain liaison with and coordinate efforts with other NGO's.

Aug. 1992 – Jul. 1993 UNIVERSITY OF NATAL COMMUNITY LAW CENTRE
Durban, South Africa Trainer, and Caseworker

Manage and provide formal legal training to paralegals and paralegal committee members from rural areas; produce training materials for paralegals, paralegal committees and community legal education workshops on

human rights and alternative dispute resolution mechanisms; maintain close contact with other NGO's in the field; handle criminal and other case files, brief attorneys and counsel in matters related to indigent clients in criminal and civil matters; provide litigation support by preparing opinions and drafting litigation papers; draft contracts and other legal documents.

Oct. 1984 – Aug. 1992 WEBBER NEWDIGATE & CO
Maseru, Lesotho Practicing Attorney

1. Candidate Attorney serving articles (Oct. 1984 – Sep. 1986): general commercial and criminal litigation including collections, conveyancing, drafting opinions and processing criminal summons and civil claims through the courts and execution of judgments. Attorney's examinations passed in September 1986 and admitted to practice as an attorney for the Law Courts of Lesotho.

2. Professional Assistant and Candidate Notary Public (Oct. 1986 - Jul 1989): handling High Court and Magistrate Court Civil and Criminal actions, including but not limited to divorces, maintenance, drafting contracts, general commercial advice, registration of companies, partnerships and other commercial agreements; general attorney's work. Candidate Notary Public duties included drawing all notarial documents, Deeds Registry lodgements and attending to Registry queries. Notary examinations passed in September 1989. Joined Webber Newdigate & Co. as a partner in November 1989

3. Notary Public and Partner (Aug. 1989 – Jul. 1992): drawing and execution of all notarial documents, authentication of documents and general Notarial Practice; general estates work including appointments as executor, co-judicial manager, and liquidator of companies; preparation, lodgement and registration of trademarks and patents; general attorney's chamber work and office administration including supervision and evaluation of staff. Entitled to be admitted to practice as an attorney in South Africa.

1986 – 1992 NATIONAL UNIVERSITY OF LESOTHO
Lecturer and Researcher

1. Lecturer at the Institute of Extra Mural Studies (1986 to 1987): Produce materials and teach law of contract.
2. Lecturer in Business Law (1987-1988): Part time lecturing and providing tutorials for Business Law students.
3. Coordinator Street Law Project at the Practical Law Project for Lesotho (1988 to 1989): training, supervising and evaluating 20 trainee teachers in eight High Schools, teaching law;
4. Research Associate at the Women and Law in Southern Africa Research Project (1989 to 1992): researching and studying laws affecting women in Lesotho.
5. Conducting field research, analysis and co-author of the report on the Law of Maintenance in Lesotho.
6. Conducted a pilot study on the Law of Inheritance in Lesotho.

PUBLICATIONS

The Management Committee for the Special Court for Sierra Leone - In: Internationalized Criminal Courts and Tribunals; Oxford University Press; Edited by Cesare P.R. Romano, Andre Nollkaemper and Jann K. Kleffner

States' Cooperation with the ICC - In: The International Criminal Court: The Making of the Rome Statute, Issues, Negotiations and Results; Edited by Roy S. Lee

International Cooperation and Judicial Assistance - In: The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence; Edited by Roy S. Lee

The Agreement on Privileges and Immunities of the International Criminal Court - In: Fordham International Law Journal, Vol. 25 No. 3 (March 2002)

I CERTIFY THAT ALL INFORMATION STATED IN THIS RESUME IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.