

John Cubbon

Member of OUTLINE Chambers

Called: 1993

Qualified to accept Public Access Instructions.

Introduction

John is an international lawyer with many years' experience of criminal justice and related issues in fragile and conflict-affected states. After practising at the Bar in crime, employment and immigration, he held legal positions in the United Nations for 19 years. Since 2015 he has undertaken short-term assignments for various agencies including the UK Office for Conflict, Stabilisation and Mediation (formerly the Stabilisation Unit). John accepts instructions in public international law, international criminal law, international humanitarian law, human rights, immigration and extradition/mutual legal assistance.

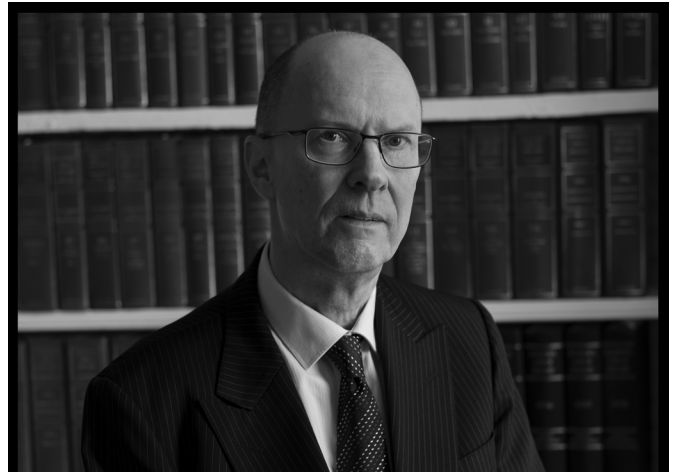
Current Work

John joined Chambers in 2021. He was Co-Counsel for Nasim Haradinaj and Haxhi Shala at the Kosovo Specialist Chambers. He is representing an Applicant in two proceedings before the European Court of Human Rights. Since April 2022 he has been engaged by the EU Project Pravo-Justice to provide assistance to the Office of the Prosecutor-General of Ukraine in addressing international crimes and serious human rights violations. He acts for Requested Persons in extradition hearings and Appellants in the immigration appeals process.

Previous experience

Since 1996 John has frequently contributed to judicial reform, legislative drafting and institutional development. He was extensively engaged in the reform of criminal legislation in both Bosnia and Herzegovina and Kosovo. Shortly after the establishment of UNMIK, he performed the functions of a Deputy Minister of Justice with responsibility for the management and organization of the whole of the judicial system of Kosovo (excluding the roughly 26 international judges/prosecutors). He has also worked on reform of the justice sector in Bosnia and Herzegovina, Ukraine and the Occupied Palestinian Territories.

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At a time when the UN Interim Administration in Kosovo held an executive mandate, he carried out a range of functions in criminal justice that government lawyers would ordinarily be responsible for. These included such matters as extradition and international legal assistance as well as sensitive individual cases often involving human rights.

John has taught adults for over 40 years in a considerable variety of contexts. As well as training members of the Malian Armed Forces, he has frequently given seminars and lectures on international criminal law and transitional justice, most recently to legal practitioners in Ukraine. From 2020 to 2022 he acted as a pro bono consultant for the Truth, Reconciliation and National Unity Commission of Seychelles and from 2013 to 2017 he was a member of the Drafting Committee of the Bar Human Rights Committee.

Before studying law John worked in health services research, including analysis of health management information and epidemiological research.



Education

Bar Vocational Course (Council of Legal Education)
Postgraduate Diploma in Law (Dip. Law) (CPE) (City University, London)
Master of Science (MSc) in Social and Educational Research Methods (Open University)
Bachelor of Philosophy (B.Phil.) degree in Philosophy (University of Oxford)
Bachelor of Arts (B.A.) degree in Philosophy and Politics (University of Oxford)

Memberships

The Honourable Society of the Middle Temple
Bar Human Rights Committee

Appointments and Awards

Admitted to the Lists of Counsel and Assistants to Counsel at the International Criminal Court
Admitted to the List of Counsel (Defence/Victims) at the Kosovo Special Chambers
Deployable Civilian Expert since 2007 on the roster maintained by the Office for Conflict, Stabilisation and Mediation (formerly the Stabilisation Unit) in the FCDO

Selected Recent Publications

'Mitigation of Dominic Ongwen's sentence: Gaps in the justification', EJIL:Talk!, 5 January 2023 (Accessible at <https://www.ejiltalk.org/mitigation-of-dominic-ongwens-sentence-gaps-in-the-justification/>).

'Standards and Interpretation' (Part II) (one of four co-authors; main author: Helene Boussard Ramos dos Santos) in *International Legal Digest: Lawyers' protection and states' obligations* (International Bar Association Human Rights Institute, 2020) (accessible at https://www.ibanet.org/Human_Rights_Institute/Toolkit-on-Lawyers-at-Risk-project.aspx)

'Journalistic freedom of expression and contempt proceedings at the International Criminal Tribunal for the former Yugoslavia', *Revue Québécoise de droit international*, 31.1. (2018): 209-220 (accessible at <https://www.canlii.org/en/commentary/journals/28/1586/>)

'The Effects of International Criminal Justice From a Domestic Justice Perspective' in Eleanor Gordon (ed.) *Building Justice and Security in Post-Conflict Environments: A Reader* (Leicester: University of Leicester, 2014) (accessible at <https://uolscid.files.wordpress.com/2014/08/scid-reader-2014-bookmarked.pdf>), pp. 152-164

'Diminished Responsibility and Loss of Control: The Perspective of International Criminal Law' in Alan Reed and Michael Bohlander (eds.) *Loss of Control and Diminished Responsibility: Domestic, Comparative and International Perspectives* (Farnham: Ashgate, 2011), 367-383

Expertise

Extradition & Mutual Legal Assistance
Rule of Law Development
Government Advisory Work
Public International Law
Atrocity Crime Prevention
International Criminal Law
International Human Rights Law