

# 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.

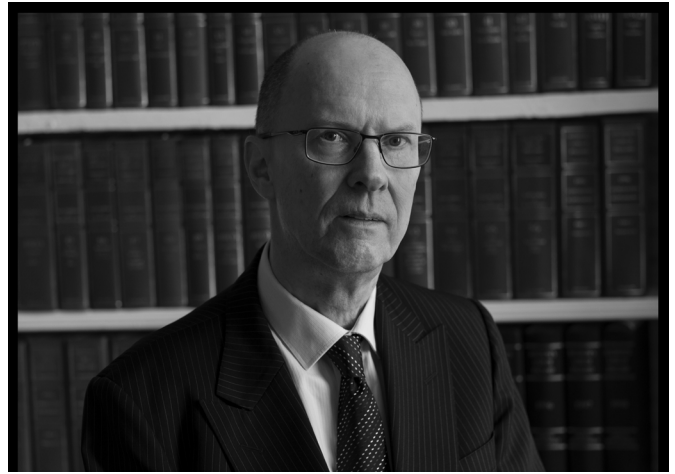
## Current Work

John joined Chambers in 2021. He has been Co-Counsel for Na-sim 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 Expertise France to provide assistance to the Office of the Prosecutor-General of Ukraine in addressing international crimes and serious human rights violations.

## Previous experience

John has a firm grounding in international humanitarian law and international criminal law. For nine years he held senior legal positions in Chambers at the International Criminal Tribunal for the former Yugoslavia (ICTY), where his main focus was on the preparation of draft judgements, decisions and orders and memoranda for the judges. As a Deployable Civilian Expert for the UK Office for Conflict, Stabilisation and Mediation he advised and trained members of the Malian Armed Forces on international humanitarian law in 2018 and 2021.

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 held a managerial role in the re-establishment of the prosecutorial and judicial system in Kosovo. He has also worked on reform of the justice sector in Bosnia and Herzegovina, Ukraine and the Occupied Palestinian Territories.

At a time when the UN Interim Administration in Kosovo had an executive mandate, he performed a range of functions in criminal justice that government lawyers would ordinarily be responsible for. These concerned 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](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