

Alex Whiting
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Experience

Kosovo Specialist Prosecutor's Office (2019 – present)

The Hague, The Netherlands

Deputy Specialist Prosecutor (September 2020 – present)

Head of Investigations (June 2019 – September 2020)

Managing prosecution office in the investigation and prosecution of war crimes and crimes against humanity occurring in Kosovo from 1 January 1998 through 31 December 2000.

Harvard Law School (2013 – present)

Cambridge, MA

Visiting Professor of Practice (2021 – present)

Professor of Practice (2013 – 2019) (on leave 2019 – 2021)

Teaching, writing and consulting on international criminal law, the International Criminal Court, ad-hoc international criminal tribunals, U.S. criminal justice, and evidence.

International Criminal Court, Office of the Prosecutor (2010 – 2013)

The Hague, The Netherlands

- **Prosecution Coordinator** (2012 – 2013)
Responsible for managing all prosecutions of crimes against humanity, war crimes, and genocide by the Office of the Prosecutor (OTP) including supervising all of the prosecutors, coordinating the approaches in all cases, providing legal and strategic guidance and direction, and reviewing all filings and significant positions advanced in court. Participated in all meetings and decision-making of the Executive Committee that managed all significant activities of the Office.
- **Investigation Coordinator** (2010 – 2012)
Responsible for managing all investigations of crimes against humanity, war crimes, and genocide by the OTP including supervising the investigators and analysts, reviewing and contributing to investigation plans, as well as providing legal and strategic guidance and direction. Participated in all meetings and decision-making of the Executive Committee that managed all significant activities of the Office.

Harvard Law School 2007 – 2010)

Cambridge, MA

Assistant Clinical Professor of Law

Taught courses on war crimes prosecution, federal prosecution, and evidence.

Supervised students working on legal projects for international criminal tribunals and non-governmental organizations focused on war-crimes prosecutions. Wrote and consulted on war crimes prosecution issues.

Int'l Crim. Tribunal for the former Yugoslavia, Office of the Prosecutor (2002 – 2007)

The Hague, The Netherlands

Senior Trial Attorney (2005 – 2007),

Trial Attorney (2002 – 2005)

Lead counsel in three investigations and prosecutions charging war crimes and crimes against humanity that resulted in trials each lasting over a year, and partial or complete convictions in all cases: *Prosecutor v. Fatmir Limaj, Isak Musliu, and Haradin Bala*;

Prosecutor v. Milan Martić; and *Prosecutor v. Dragomir Milošević*. Supervised and managed a team of twenty or more lawyers, investigators and staff during the investigation, charging, and trial phase of each prosecution.

U.S. Attorney's Office, Assistant U.S. Attorney (1995 – 2002)

Boston, MA

Investigated and prosecuted crimes in the Organized Crime Strike Force and Public Corruption and Special Prosecutions Units. Led trials, appeals, grand jury investigations, and motions work. Recipient of the Special Achievement Award (1996), Director's Award for Superior Performance (1997), U.S. Marshal's Service Award (1999), Attorney General's Distinguished Service Award (2000), and OCDEF Award (2001).

U.S. Dept. of Justice, Civil Rights Division, Criminal Sec., Trial Attorney (1991 – 1995)

Washington, D.C.

Investigated and prosecuted federal civil rights crimes around the United States. Led trials, grand jury investigations, and motions work. Recipient of Certificates of Commendation (1992, 1994) and a Special Achievement Award (1993).

U.S. Attorney's Office, Special Assistant U.S. Attorney (June – November 1992)

Washington, D.C.

Prosecuted misdemeanor cases in the Misdemeanor Section of Superior Court.

Chambers of Judge Eugene H. Nickerson, E.D.N.Y., Law Clerk (1990 – 1991)

Brooklyn, NY

Researched legal issues and drafted orders and decisions for judge.

Center for National Security Studies, Research Associate (1986 – 1987)

Washington, D.C.

Researched and wrote pieces on civil rights and national security issues.

Education

Yale Law School, J.D., June 1990

Yale Law Journal: Book Review and Comments Editor

Yale University, B.A., May 1986

Phi Beta Kappa, *summa cum laude*, Distinction in the Major

Publications

Prosecute Little Fish at the ICC, (with Ward Ferdinandusse), J. Int'l Crim. J. (2021) (advance articles) <https://academic.oup.com/jicj/advance-article-abstract/doi/10.1093/jicj/mqab046/6327070?redirectedFrom=fulltext>

The President on Trial: Prosecuting Hissène Habré (book review), J. Int'l Crim. J. (2021) (advance articles) <https://academic.oup.com/jicj/advance-article-abstract/doi/10.1093/jicj/mqab041/6306970?redirectedFrom=fulltext>

Could the Crime of Aggression Undermine Deterrence? J. Int'l Crim. J. (2021) (advance articles) <https://academic.oup.com/jicj/advance-article-abstract/doi/10.1093/jicj/mqab028/6298307?redirectedFrom=fulltext>

A Program for the Next Prosecutor, 52 Case Western Reserve J. of Int'l L 479 (2020)

Prosecution Strategy at the International Criminal Court in Search of a Theory in WHY PUNISH PERPETRATORS OF MASS ATROCITIES? THEORETICAL AND PRACTICAL PERSPECTIVES ON

PUNISHMENT IN INTERNATIONAL CRIMINAL LAW (F. Jessberger & J. Geneuss, eds.) (Cambridge U. Press 2019)

An Investigation Mechanism for Syria: The General Assembly Steps into the Breach, 15 Journal of Int'l Criminal J. 231 (2017)

Investigations and Institutional Imperatives at the ICC in THE FIRST GLOBAL PROSECUTOR (A. Whiting, M. Minow, C.T. Frost, eds.) (U. Michigan Press 2015)

Disclosure Challenges at the International Criminal Court in THE LAW AND PRACTICE OF THE INTERNATIONAL CRIMINAL COURT: A CRITICAL ACCOUNT OF CHALLENGES AND ACHIEVEMENTS (C. Stahn, ed.) (Oxford U. Press 2015)

Dynamic Investigative Practice at the International Criminal Court, 76 Law & Contemporary Problems 163 (2013)

INTERNATIONAL CRIMINAL LAW: CASES AND COMMENTARY (Oxford U. Press 2011), co-authored with Antonio Cassese, Guido Acquaviva, & Mary Fan

The ICTY as a Laboratory of International Criminal Procedure in THE LEGACY OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA (B. Swart, G. Sluiter, A. Zahar eds.) (Oxford U. Press 2011)

In International Criminal Law, Justice Delayed Can be Justice Delivered, 50 Harvard International Law Journal 323 (2009)

Lead Evidence and Discovery Before the International Criminal Court: The Lubanga Case, 14 UCLA Journal of International Law and Foreign Affairs 207 (2009)

How Prosecutors Should Exercise Their Discretion Now That the Sentencing Guidelines are Advisory, Issues in Legal Scholarship, Vol. 8: Iss. 2, Article 2 (2009) (New Directions for the Department of Justice Symposium) (<http://www.bepress.com/ils/vol8/iss2/art2>)

Note: *Controlling Tin Cup Diplomacy*, 99 Yale Law Journal 2043 (1990)

Covert Operations and the Democratic Process: The Implications of the Iran-Contra Affair, Publication of the Center for National Security Studies, Washington, D.C. (1987)

Activities

Editor, Just Security blog (justsecurity.org) (2015 – present)

Fellow, National Institute of Military Justice (2021 – present)

Stop Ecocide Foundation, Expert panel to draft definition of the crime of Ecocide (2021)

American Society of International Law International Criminal Court Task Force (published report on policy options for U.S. engagement with the ICC) (2020 – 2021)

Advisory Board, Civitas Maxima (2018 – present)

Advisory Board, Lawyers for Justice in Libya (2018 – present)

Member Board of Directors, Center for Climate Crime Analysis (2018 – present)

American Bar Association international criminal justice standards task force member

(2017 – present)

Member of the Board of Advisors of the American Bar Association’s International Criminal Court Project (2016 – present)

Member of the Independent Commission of Experts of the “Project of Commerce, Crime & Human Rights, Closing the Prosecution Gaps,” sponsored by the International Corporate Accountability Roundtable and Amnesty International (2014 – present)

Editorial Board Member, Journal of International Criminal Justice (2010 – present)

Commissioner and Member of the Advisory Panel of the Commission for International Justice and Accountability (2014 – present)

Senior fellow, University of Melbourne Law School (July 2017) (taught master’s level course).

George and Irina Schaeffer center for the study of genocide, human rights and conflict prevention fellow, the American University of Paris (summer 2017)

Harvard Law School Women’s Law Association Shatter the Glass Ceiling Award recipient (for Excellence in Engaging Students in Difficult and Important Conversations) (April 2017)

Consultant to the Office of the International Co-Prosecutor, Extraordinary Chambers in the Courts of Cambodia (ECCC) (2014 – 2015)

International Bar Association, War Crimes Committee, Co-Chair (2013-2014), Vice-Chair (2009 – 2013)

Member of Expert Initiative on Promoting Effectiveness at the International Criminal Court, sponsored by Swiss Federal Department of Foreign Affairs and University of Amsterdam (2013 – 2014)

Training of Ukrainian human rights lawyers in Kiev, Ukraine, sponsored by the International Partnership for Human Rights (September 2014)

Training of prosecutors and investigators in the International Crimes Division, Kenya, sponsored by the German Federal Foreign Office (February 2014)

Training of human rights lawyers from Sri Lanka in the investigation of war crimes, sponsored by the Commonwealth Human Rights Initiative (September 2009)

Training of human rights lawyers in Tbilisi, Georgia in the investigation of war crimes and consulting on report of investigation, sponsored by the Open Society Justice Initiative (2008-09)

Bar admissions New York; Connecticut; Massachusetts; Washington, D.C.

Languages English, French (proficient)