

**Mohammed AYAT
(Morocco)**

Date and place of birth: 1 January 1950, Rabat (Morocco)

Working languages: French/Arabic/English

Current position/function

Senior Legal Adviser in the Office of the Prosecutor, International Criminal Tribunal for Rwanda (1997 to date, more than 10 years)

Professor of Law at Mohammed V University, Faculty of Law, Rabat (from 1979 to date, currently on leave of absence)

Main professional activities

Attorney at Law before the Moroccan Supreme Court (belonging to Rabat Bar Association)

Former Vice-Dean of the Faculty of Law, Fes, from 2 February 1987 to 31 March 1991 (more than 4 years)

Former Head of Private Law Department (10 years, elected position, each term two years' mandate)

Judge and subsequently, Deputy Prosecutor (from 1971 to 1975 (4 years))

Deputy Inspector of Finance (Ministry of Finance) (1968 to 1971 (3 years))

Legal consultation to the Institute of Higher Studies in Criminal Science in Syracuse, Italy

Legal consultation to the DePaul University, Institute of Human Rights, Chicago

Consultation to Geneva Initiative, Netherlands

Consultation to the United Nations Office on Drugs and Crime

Consultation to the Conseil consultatif des droits de l'homme (Morocco)

Consultation and expertise to the Ministry of Justice of Morocco (on Moroccan penal reforms)

Educational background

Doctorat d'État en droit (mention très honorable) (PhD in Law with highest distinction), Université des sciences sociales, Faculté de droit, Toulouse, France, June 1979

Diplôme d'études approfondies en Sciences criminelles (Master in Criminal Justice), Université des sciences sociales, Faculté de droit, Toulouse, France, 1976

Diplôme d'études approfondies en Sociologie (Master in Sociology), Université Toulouse le Mirail, Toulouse, France, 1982

Certificat d'aptitude à la profession d'avocat, 1970

Diplôme de formation de l'Institut des études judiciaires à Rabat, 1971

Other main activities in the field relevant to the mandate of the treaty body concerned

I attended a multitude of national and international conferences in several countries (notably at Syracuse, Italy, at the International Institute of Criminal Science and constantly cooperated with Professor M. Cherif Bassiouni, President of the Association internationale de droit penal, and at Oxford, Cable College).

I am periodically solicited by the IBA (International Bar Association) to train lawyers. I notably did this in Uganda, in the Arab world (Dubai) and in the United Kingdom (London and Stratford).

I am contributing to training Rwandan prosecutors on international criminal law and justice (training organized by the International Criminal Tribunal for Rwanda funded by the European Union).

I collaborated in the discussion of the drafting of the Transitional Code for Post-Conflict Criminal Justice to give insight on the position of Arab and Islamic law.

I am cooperating with a group of experts in drafting a code for post-conflict justice based on Chicago Principles, sponsored by the Institute of Higher Studies in Criminal Science in Syracuse, Italy, and St. Paul Chicago University.

I am currently representing the Office of the Prosecutor of the International Criminal Tribunal for Rwanda before the Rwandan Government and the diplomatic community accredited in Rwanda. I am also occasionally mandated by the Prosecutor to represent him in international forums. Lately I represented him in Washington, D.C., at the American University, Washington College of Law in a forum on fugitives.

I am also member of several national and international legal associations and amongst the founders of some of the associations in Morocco.

List of most recent publications in the field

Manuel de procédure pénale (tome I), Babel Éditions, Rabat, 1991 (312 p.) (in Arabic)

Manuel de procédure pénale (tome II), Babel Éditions, Rabat, 1991 (330 p.) (in Arabic)

“À la recherche des racines biopsychologiques du crime”, *Savoir criminologique*, Collection (publiée sous la direction de Mohammed Ayat) No. 3, Éditions Almaarif Al Jadida, Rabat, 1998 (208 p.)

“Le crime”, *Savoir criminologique*, Collection (publiée sous la direction de Mohammed Ayat) No. 1, Éditions Ennajah AlJadida, Casablanca, 1997 (126 p.) (in French)

“Crime et société”, *Savoir criminologique* Collection (publiée sous la direction de Mohammed Ayat) No. 2, Éditions Almaarif Al Jadida, Rabat, 1997 (192 p.) (in French)

Cours de terminologie juridique, Textbook, 1995 (190 p.) (in French)

Droit pénal marocain, Textbook, 1997 (180 p.) (in Arabic)

Articles

Around 60 articles published in national and international specialized law journals, most of them written in Arabic or French. Some are written in English

“Transitional Justice: the Moroccan Experience of the Equity and Reconciliation Instance”, sent to the Institute of Higher Studies in Criminal Sciences in Syracuse, November 2007, to be published by the Institute in *Revue internationale de droit pénal*

“Justice internationale pour la paix et la réconciliation”, *International Criminal Law Review*, The Hague, 2006, vol. 7, 2007, pp. 391-424 (in French)

“Direct Application of International Criminal Law in National Courts” (book review), *International Criminal Law Review*, The Hague, 2006, pp. 303-306 (in English)

“Le droit de l’accusé d’être informé des faits qu’on lui reproche et de leur qualification juridique aux tribunaux pénaux ad hoc des Nations Unies”, *Revue de droit international de sciences diplomatiques et politiques*, Genève, vol. 79, No. 3 (septembre-décembre 2001), pp. 303-338 (in French)

“Immunity of Heads of States in Office in International Criminal Justice”, participation au Colloque “Terrorisme et responsabilité pénale internationale”, 5 février 2002, organisé par S.O.S. ATTENTATS à l’Assemblée nationale française (in French)

- “Universal Jurisdiction between Moroccan Penal Law and International Conventions” in *Crimes internationaux et juridictions nationales*, collectif publié sous la direction de Antonio Cassese et Mireille Delmas-Marty, Presses Universitaires de France, Paris, mai 2002, p. 417-434. Also published in *Les conventions internationales et la loi interne à travers la jurisprudence*, Centre de documentation d’information et de formation en droits de l’homme, Rabat, 2002 (article in French)
- “Le silence prend la parole: émergence du droit au silence en droit comparé et en droit international pénal” in *Revue de Science criminelle et de droit pénal comparé*, décembre 2002 (in French)
- “Silence is Golden: The Right to Remain Silent in International Criminal Law”, *Revue de droit international de sciences diplomatiques et politiques*, Genève, vol. 79, No. 3 (septembre-décembre 2001), pp. 303-338 (in English)
- “Independence of the Judiciary in Morocco”, *Revue marocaine de sciences administratives*, premier semestre 2000, pp. 2-9 (in Arabic)
- “Crime and Society: Conflicts of Cultures Theory”, *Revue de la Police nationale*, No. 205 (2000) (in French)
- “La criminologie sociologique du passage à l’acte criminel: théorie de l’association différentielle”, *Revue de la Police nationale*, 40^e année, No. 202 (2000) (in French)
- “Crime is a Relative Notion”, *Revue de la Police nationale*, No. 201 (2000) (in French)
- “Social Criminology”, *Revue de la Sûreté nationale*, No. 200 (1999) (in French)
- “The Roots of Violence”, *Revue de la Sûreté nationale*, No. 199 (1999) (in French)
- “The Features of Crime”, *Revue de la Police nationale*, No. 197 (jan.-fév. 1999) (in French)
- “International Cooperation and the Fight against Organized Crime” in a Colloquium on Organized Crime, Onãti, Spain, 3-6 June 1997, published in *Al Ichaa Kénitra*, Morocco, 1998 (in French)
- “Introduction to an Understanding of Criminal Behaviour”, *Revue de la Sûreté nationale*, No. 198 (1998) (in French)
- “Testimony in Moroccan Penal Procedure” in *Revue de la Sûreté nationale*, No. 190 (1997) (in Arabic)
- “Reflection on Acquittal Based on Doubt”, *Al moulhak alkadai*, No. 32, April 1997, pp. 75-78 (in Arabic)
- “Psychiatry and Criminology”, *Al moulhak alkadai*, No. 32, April 1997, pp. 3-7 (in French)
- “Book Review of Pr. Amzazi’s Book: *La peine*” in *Al Ichaa*, No. 15, January 1997, pp. 61-67 (in Arabic)
- “Opening Report of the Colloquium ‘Procedure before Administrative Courts’”, *Revue marocaine de l’administration et du développement local*, No. 9, septembre 1996, pp. 11-14 (in Arabic)
- “The Protection and assistance provided to former detainees”, *Al moulhak alkadai*, No. 31, June 1996, pp. 23-37 (in Arabic)
- “Reflection on Fair Trial”, Published in *Al Alam*, 29 June and 11 July 1996, and in *Al Ittihad Al Ichtiraki*, 30 June 1996. Also published in *Al Ichaa*, No. 15, January 1997 (in Arabic)
- “Defence Lawyer’s Role during the Interview of Suspects by the Prosecutor: in Light of the 30/12/1991 Reform”, *Al Ichaa*, 7th year, No. 13, December 1995, pp. 105-116 (in Arabic)
- “Outline of the Moroccan Criminal Justice System”, paper presented at Saint Cloud State University (Minnesota, United States) (in English)
- “Articulation de la responsabilité pénale dans les jugements du TPIR” (to be published by the Institute of Strategic Studies, Amman) (in French)