



Nobuo Hayashi

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PROFILE

Nobuo Hayashi is a well-experienced professional with a broad background in teaching at a range of internationally recognized academic institutions. Mr. Hayashi holds an LL.M. from the University of Cambridge and has specialized in international law, international humanitarian law, international criminal law, international relations and ethics. He regularly speaks at conferences and seminars on international humanitarian law, international criminal law and legal philosophy, and trains military as well as civilian personnel in Asia, Europe, the Middle East and North America. Additionally, he has experience as a Legal Officer in the ICTY Office of the Prosecutor where he was responsible for authoring court submissions, performing advanced research, advising prosecutors and training staff and interns.

WORK EXPERIENCE

Senior Advisor, International Law and Policy Institute, Norway

Nov 2012
— Present

- Proposes projects, prepares scholarly publications and delivers training on weapons of mass destruction. Delivered expert presentations on the ethics of nuclear weapons at the 2014 Vienna Conference on the Humanitarian Impact of Nuclear Weapons and at a side event during the 2015 NPT Review Conference in New York. Published *Huffington Post* blogs on the ethics of nuclear weapons and disarmament and a scholarly article on the law of occupation and security detention from a peer-reviewed law journal. Also authored two chapters, one on threatening force by means of nuclear weapons under the law on recourse to force (*jus ad bellum*), and the other on using force by means of nuclear weapons and the *ad bellum* principles of necessity and proportionality, in an anthology published from Cambridge University Press (2014).

Researcher, Centre for the Study of the Legitimate Roles of the Judiciary in the Global Order (PluriCourts), University of Oslo (UiO)

Nov 2014
— Present

- Prepares one book chapter on assessing the performance of international criminal tribunals. Co-edits an anthology on the legitimacy of international criminal tribunals, to be published from Cambridge University Press (2016). Also authors one chapter in that volume on the ICTY's role in the development and enforcement of international humanitarian law.

Visiting Lecturer, University of Turin Law Faculty/United Nations Interregional Crime and Justice Research Institute (UNICRI), Italy

March 2007
— Present

- Teaches intensive introductory modules on international humanitarian law and international criminal law at the LL.M. program offered by UNICRI in conjunction with the University of Turin Law Faculty. Also evaluates the program's moot court components, both written and oral, and advises students on their thesis topics.

Researcher, Peace Research Institute Oslo (PRIO), Norway

March 2008
— Oct 2012

- Wrote three 45,000-word law journal articles on military necessity and one 10,000-word law journal article on threats under international law. The former work was done in his capacity as the recipient of a four-year grant from the Norwegian Ministry of Defense; the latter was a project for which PRIO secured funding from the Norwegian Ministry of Foreign Affairs. His responsibilities also included teaching international humanitarian law, international criminal law and public international law both inside and outside PRIO; supervising LL.M., MA and Ph.D. theses; developing a database of victim-related rulings for the Registry of the International Criminal Court; judging at various international law moot court competitions; and coaching University of Oslo students participating in the Telders International Law Moot Court Competition.

Legal Advisor, Norwegian Centre for Human Rights, University of Oslo, Norway

Aug 2006
— Jan 2008

- Co-designed, implemented and expanded a research project on the development of jurisprudence, legislation and scholarship in international criminal justice. The International Criminal Court, as well as numerous other war crimes jurisdictions, military establishments and scholars, now uses the database.

Legal Officer, Office of the Prosecutor, International Criminal Tribunal for the Former Yugoslavia (ICTY), The Netherlands

Aug 2000
— June 2006

- Authored and co-authored numerous court submissions for the ICTY Office of the Prosecutor, including, in particular, the definition and elements of crimes, modes of liability, fair trial rights, jurisdictional matters and issues of public international law generally. Also advised and trained international prosecutors, national judges, government officials, military personnel and NGO workers on international humanitarian law and international criminal law. His responsibilities also included recruiting, supervising and evaluating law clerks.

EDUCATION

Leiden University, The Netherlands

Expected 2016

- Doctor of Philosophy (Ph.D.), Faculty of Law.

University of Cambridge, United Kingdom

Jun 1999

- Master of Laws (LL.M.), Faculty of Law.
- Specialization in international law.

Institut de hautes études internationales et du développement (HEI), Switzerland

Oct 1998

- Diplôme d'études supérieures en relations internationales (concentration: international law).
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Georgetown University, Washington D.C. United States

May 1995

- BA of Science in Foreign Service (concentration: international relations, law and organization), Edmund A. Walsh School of Foreign Service.

Tokyo Metropolitan Hachioji Higashi Senior High School, Tokyo, Japan

Mar 1989

- Certificate.

LANGUAGES

- **Japanese** — Fluent (mother tongue)
- **English** — Fluent
- **French** — Intermediate

PUBLICATIONS

- Hayashi, N., 2016, "Threats of force in *jus ad bellum* and *jus in bello*," *Journal of Conflict & Security Law*.
- Hayashi, N. (Co-editor), 2016, *Legitimacy of International Criminal Tribunals*, Cambridge University Press.
- Hayashi, N. (Co-author), 2016, "Introduction," *Legitimacy of International Criminal Tribunals*, Cambridge University Press.
- Hayashi, N., 2016, "Is the Yugoslav Tribunal really guilty of hyper-humanizing international humanitarian law?," *Legitimacy of International Criminal Tribunals*, Cambridge University Press.
- Hayashi, N., 2016, "Basic principles," *Routledge Handbook on the Law of Armed Conflict*, Routledge.
- Hayashi, N., 2015, "Issues relating to admissibility of evidence," *Annotated Leading Cases of International Criminal Tribunals: Extraordinary Chambers in the Courts of Cambodia (7 July 2007-26 July 2010)*, vol. XLIII, Intersentia.
- Hayashi, N., 2015, "Eliminating v. prohibiting nuclear weapons? Debunking a false dilemma," *The Huffington Post*.
- Hayashi, N., 2015 (Co-author), "The NPT disarmament fallacy," *The Huffington Post*.
- Hayashi, N., 2015, "Torture, hostage taking, and the fundamental immorality of nuclear weapons," *The Huffington Post*.
- Hayashi, N., 2015, "On the ethics of nuclear weapons: Framing a political consensus on the unacceptability of nuclear weapons," ILPI-United Nations Institute for Disarmament Research (UNIDIR) NPT Review Conference Series.
- Hayashi, N., 2015, "Catholic church pivots on the acceptability of nuclear deterrence," *Effective Measures for Nuclear Disarmament*, ILPI-United Nations Institute for Disarmament Research (UNIDIR).
- Hayashi, N., 2014, "Do the good intentions of European human rights law really pave the road to IHL hell for civilian detainees in occupied territory?," *Journal of Conflict & Security Law*.
- Hayashi, N., 2014, "Using force by means of nuclear weapons and the requirements of necessity and proportionality *ad bellum*," *Nuclear Weapons under International Law*, Cambridge University Press..
- Hayashi, N., 2014, "The legality under *jus ad bellum* of the threat of use of nuclear weapons," *Nuclear Weapons under International Law*, Cambridge University Press.
- Hayashi, N., 2013, "Contextualizing military necessity," *Emory International Law Review*, Emory University.
- Hayashi, N., 2013, "Military necessity as normative indifference," *Georgetown Journal of International Law*, Georgetown University.
- Hayashi, N., 2010 "Continuous attack liability without right or fact of direct participation in hostilities – the ICRC *Interpretive Guidance* and perils of a pseudo-status," *International*

Humanitarian Law – Antecedences and Challenges of the Present Time, Oficyna Wydawnicza Branta.

- Hayashi, N., 2010, “Requirements of military necessity in international humanitarian law and international criminal law,” *Boston University International Law Journal*, Boston University.
- Hayashi, N., 2009, “Eve La Haye on War Crimes in Internal Armed Conflicts,” *Nordisk Tidsskrift for Menneskerettigheter/Nordic Journal of Human Rights*, Universitetsforlaget.
- Hayashi, N. (Editor), 2008, *National Military Manuals on the Law of Armed Conflict*, PRIO.
- Hayashi, N., 2008, “Introduction,” *National Military Manuals on the Law of Armed Conflict*, PRIO.
- Hayashi, N. (Co-editor), 2007, *Importing Core International Crimes into National Criminal Law*, PRIO.
- Hayashi, N., 2007, “Role of judges in determining the status of combatants,” *Acta Societatis Martensius*, The Martens Society.
- Hayashi, N. (Assistant editor), 2000, *Multilateral Treaty-Making: The Current Status of Challenges to and Reforms Needed in the International Legislative Process*, Martinus Nijhoff.
- Hayashi, N. (Joint author), 2006, *Response to Request of Dr Vojislav Šešelj for the Revocation of the Decision to Assign Standby Counsel*, Prosecutor v. Vojislav Šešelj (pre-trial), ICTY-OTP.
- Hayashi, N. (Joint author), 2005, *Response to Defence Interlocutory Appeal against the Trial Chamber’s Decision on Savo Todović’s Application for Provisional Release, with Annex Attached*, Prosecutor v. Savo Todović and Mitar Rašević (interlocutory appeal), ICTY-OTP.
- Hayashi, N., 2005, *Response to “Motion by the Accused for Trial Chamber II to Request the International Court of Justice to Rule whether the International Criminal Tribunal for the Former Yugoslavia May Try Nationals of the Federal Republic of Yugoslavia for Alleged War Crimes Committed at a Time When the Federal Republic of Yugoslavia Was Not a Member of the United Nations,”* Prosecutor v. Vojislav Šešelj (pre-trial), ICTY-OTP.
- Hayashi, N. (Joint author), 2004, *Response to Joint Defense Interlocutory Appeal of Trial Chamber Decision on Enver Hadžihasanović and Amir Kubura’s Rule 98bis Motion for Acquittal*, Prosecutor v. Enver Hadžihasanović and Amir Kubura (interlocutory appeal), ICTY-OTP.
- Hayashi, N. (Joint author), 2004, *Submissions Concerning Armed Conflict and Elements of Crimes*, Prosecutor v. Enver Hadžihasanović and Amir Kubura (trial), ICTY-OTP.
- Hayashi, N. (Joint author), 2002, *Respondent’s Brief to the “Supplement to Dario Kordić’s Appellant’s Brief,”* Prosecutor v. Dario Kordić and Mario Čerkez (appeal), ICTY-OTP.
- Hayashi, N. (Joint author), 2002, *Reply to Defense Responses to the Prosecution’s Brief Concerning Issues Raised in the Joint Challenge to Jurisdiction Arising from the Amended Indictment*, Prosecutor v. Enver Hadžihasanović and Amir Kubura (pre-trial), ICTY-OTP.
- Hayashi, N. (Joint author), 2002, *Response to Defense Submissions on Joint Challenge to Jurisdiction Arising from the Amended Indictment*, Prosecutor v. Enver Hadžihasanović and Amir Kubura (pre-trial), ICTY-OTP.
- Hayashi, N. (Joint author), 2002, *Final Trial Brief*, Prosecutor v. Milomir Stakć (trial), ICTY-OTP.
- Hayashi, N. (Joint author), 2002, *Supplementary Respondent’s Brief*, Prosecutor v. Dario Kordić and Mario Čerkez (appeal), ICTY-OTP (2002).
- Hayashi, N., 2002, *Submissions on the Law with Respect to “Violence to Life and Person,”* Prosecutor v. Mitar Vasiljević (trial), ICTY-OTP.
- Hayashi, N. (Joint author), 2001, *Final Trial Brief*, Prosecutor v. Miroslav Kvočka et al. (trial), ICTY-OTP.

ADDITIONAL EXPERIENCE AND TRAINING

- Council of Europe Project on Human Rights Education for Legal Professionals (HELP); Member of the Working Group on Transitional Justice (2015 – Present).
- *Belarusian Yearbook of International Law*; Member of the Board of Review (2015 – Present).
- Belarusian International Law Association; Member of the Academic Council (2015 – Present).
- Asia Centre; Member of the Advisory Board (2013 – Present).
- International Association of Professionals in Humanitarian Assistance and Protection (PHAP); Member, speaker at training sessions held worldwide (2012 – Present).
- *Acta Societatis Martensius*; Member of the Editorial Board (2007 – Present).

- International Committee of the Red Cross-College of Europe Bruges Colloquium on International Humanitarian Law; Expert speaker on the legal treatment of objects in urban warfare (2015).
- ILPI-UNIDIR Side Event at the 2015 Non-Proliferation Treaty Review Conference; Expert speaker on the ethics of nuclear weapons (2015).
- Vienna Conference on the Humanitarian Impact of Nuclear Weapons; Expert speaker on the ethics of nuclear weapons (2014).
- Nordic Expert Consultation on the Human Right to Peace; Expert participant (2012 – 2013).
- Forum for International Criminal and Humanitarian Law *Publications Series*; Series Co-editor (2008 – 2012).
- Norway – Indonesia Human Rights Dialogue; Member of the Norwegian delegation, working group on human rights and the military (2007 – 2009).
- UNICRI; Scientific Coordinator, ICC Judicial Summaries Project (2008 – 2009).
- Institut de hautes études internationales et du développement (HEI) – enrolled in the Docteur en relations internationales program (concentration: international law) (1998 – 2004).
- International Criminal Court Informal Working Group of Experts on Draft Preliminary Regulations of the Office of the Prosecutor; Expert member (2003).
- Japanese Red Cross Society – completed the basic training course for delegates (2003).
- Foundation for Advanced Studies in International Development – completed the international organizations course (2000).
- The Hague Academy of International Law – completed the summer course on public international law (1999).
- Columbia University School of Public and International Affairs – enrolled in the Master of International Affairs (MIA) program (concentration: human rights and humanitarian affairs) (1995 – 1996).