

# Gillian Higgins

Head of the International Practice Group

CALLED 1997

*"One of the foremost minds in international law, current and emerging, with an unrivalled experience."*

LEGAL 500, 2025



**Gillian is a senior international criminal lawyer and Head of the International Practice Group with extensive experience at the International Criminal Court (ICC) and the UN international tribunals.**

## **Background and Expertise**

She has been instructed in some of the leading cases in international criminal law including the first trial of a former Head of State (former President of Serbia, Slobodan Milosevic) and the first case at the ICC of an incumbent Head of State (President Uhuru Kenyatta of Kenya). Before the International Criminal Tribunal for the Former Yugoslavia, she represented Ivan Cermak in a case that has been described as the most important trial in the history of Croatia. Before the Rwanda Tribunal (ICTR), she acted for the defence in the trials of Alfred Musema (the first trial of a civilian alleging command responsibility for genocide) and Ferdinand Nahimana (a trial concerning the responsibility of the media for genocide in Rwanda in 1994). In 2019, she was appointed as an independent commissioner to the Special Tribunal for Lebanon. Gillian is currently advising the Government of South Sudan on international legal issues. She also provides interactive Witness Familiarisation sessions for both experts and

witnesses of fact in any legal forum. These sessions include cross-examination experience and are intended to give individuals confidence in giving evidence in legal proceedings.

In 2023, Gillian launched the [Cultural Heritage Desk](#) which she leads at 9BR Chambers. She provides legal services and lends her mediation and negotiation skills to resolving issues arising in this field including cultural restitution. She also reviews publications in this field for Oxford University Press. See [here](#).

Gillian's advisory practice involves assisting states to investigate allegations of corruption and human rights abuses, capacity building, advising on transitional justice, sanctions, improving relations between governmental institutions and assisting states to fulfil their human rights obligations. Her recent work includes the following significant reports set out below:

- **Libya:** Report entitled "Libya: Voice of the Tribes". Read the report [here](#).
- **South Sudan:** An investigation and report on the causes of the 2013 and 2016 conflicts in South Sudan. Read report [here](#).
- **South Sudan:** A report entitled "Setting the Record Straight". Read report [here](#).
- **Sudan:** Preparation of a report on the Lundin case concerning universal jurisdiction proceedings in Sweden alleging war crimes committed in Sudan from 1997-2003 against Lundin Oil company, its chairman and its CEO. This report was commissioned by the Board of Directors for Lundin Energy. Read report [here](#).
- **Algeria:** A Human Rights Abuse Alert report on Algeria, July 2019. This alert was submitted to the United Nations Human Rights Council, Human Rights Watch and Amnesty International. Read report [here](#).
- **Egypt:** Reports on the Muslim Brotherhood in Egypt commissioned by the State Lawsuit (Litigation) Authority of Egypt, 2015. Read all four reports [here](#).
- **Sri Lanka:** Submissions to the OHCHR investigation on Sri Lanka (OISL) relating to the 30-year conflict between the Government of Sri Lanka and the LTTE (Tamil Tigers). Read one of the reports [here](#).

In 2019, Gillian and Steven Kay KC established the Interpol Red Notice Desk at 9BR Chambers. She has also served as a member of the steering committee for Oxfam's Lawyers Against Poverty programme and provided advice and legal services to a range of organisations including the Extraordinary Chambers in the Courts of Cambodia, the State Court of Bosnia and Herzegovina and the Kurdish Human Rights Project.

Gillian is registered to accept instructions under Direct Public Access.

Gillian is also registered as Counsel before the African Court on Human and Peoples' Rights.

As an accredited civil and commercial mediator, Gillian employs this skillset throughout her legal practice, assisting clients with 'difficult conversations', brokering agreements and empowering institutions and government agencies to facilitate better communication. She is

also a faculty member of the [London School of Mediation](#).

In addition to her legal practice, Gillian is a recognised pioneer of wellbeing at the Bar as an accredited mindfulness teacher. For the past 6 years, she has designed and developed presentations, workshops, and courses for a broad range of legal institutions and bodies including The International Criminal Court, Gray's Inn, Women in Criminal Law, The Criminal Bar Association, The South-Eastern Circuit, civil and commercial chambers, Barclays Bank and JPM Chase. Gillian is the author of [Mindfulness at Work and Home](#) and a [Champion of LawCare](#).

## Notable Cases

International Crime

### **Libya, 2024**

Member of the International team led by Steven Kay KC producing the report "Libya: Voice of the Tribes" commissioned to support the peace and unification process for Libya after the failure of the UN and international community to provide the pathway for elections and reunite a divided Libya.

Libya: Voice of the Tribes the report available [here](#)

### **Government of South Sudan, 2021-present**

Provision of international legal services to the Government of South Sudan covering advice on international legal issues. Read "[Pushing the Reset Button for South Sudan](#)" in respect of the conflicts of 2013 and 2016. Advising Company X on Criminal Liability for Pollution, 2023 Provision of confidential written advice and in conference on international and domestic criminal liability for oil pollution. Natalie Chang et al v Republic of South Sudan, Ministry of Defence and Veteran Affairs - US District Court of Columbia, 2023 Claim for damages by 9 Claimants in US District Court for District of Columbia against Republic of South Sudan and Ministry of Defence and Veteran Affairs alleging liability for serious crimes by South Sudan Defence Forces. Successful challenge to claim based upon state immunity.

Read more: [The Standard Media Sudans Post Reuters Hausfeld Case Text](#)

### **Lundin Oil Company, 2021**

Universal jurisdiction proceedings in Sweden alleging war crimes committed in Sudan 1997-2003 against Lundin Oil Company, its Chairman and CEO. Preparation of a report on the Lundin case.

Read [here](#)

## **The Prosecutor v Uhuru Kenyatta, 2010-15**

International Criminal Court proceedings commenced in December 2010 against President Uhuru Kenyatta of the Republic of Kenya, and son of the first President of the nation, Jomo Kenyatta. The case alleged that President Kenyatta had a leading role in the post-election violence of 2007-2008 for which he was charged with crimes against humanity. At the confirmation of charges hearing the Defence challenged the prosecution's case theory comprehensively and called Uhuru Kenyatta to give evidence in his own defence. Although the Pre-Trial Judges confirmed the charges, it was subsequently established that the defence contentions at the confirmation hearing had been correct. In January 2015 the charges were finally withdrawn by the Prosecution, having admitted there was an insufficiency of evidence upon which to proceed to trial. Read the Defence report [here](#). To view extracts of Gillian's presentation of submissions from the Confirmation Hearing, see below:

[Gillian Higgins Presents Evidence at the Confirmation Hearing in the Trial of Uhuru Kenyatta](#) (Part 1)

[Gillian Higgins Presents Evidence at the Confirmation Hearing in the Trial of Uhuru Kenyatta](#) (Part 2)

[Gillian Higgins Presents Evidence at the Confirmation Hearing in the Trial of Uhuru Kenyatta](#) (Part 3)

## **Sri Lanka, 2014-15**

Submissions to the OHCHR Investigation on Sri Lanka (OISL), on behalf of three Sri Lankan NGOs, relating to the 30-year conflict between the Government of Sri Lanka and the LTTE (Tamil Tigers). 9BR Chambers submitted detailed reports on aspects of the conflict, supported by evidence from open sources.

Read one of the reports [here](#).

## **Egypt, 2015**

Member of the 9BR Chambers team commissioned by the State Lawsuit (Litigation) Authority of Egypt to provide a series of reports upon the Muslim Brotherhood: The History of the Muslim Brotherhood, The Egyptian Experience of the Muslim Brotherhood in Power 2012-2013; The Egyptian Revolution against the Muslim Brotherhood 2013; and The Current Situation in Egypt. Read reports [here](#).

## **The Prosecutor v Ivan Cermak, 2007-11, ICTY**

International Criminal Tribunal for the Former Yugoslavia (ICTY). Instructed to represent Ivan Cermak, who was acquitted of all charges in 2011. This case has been described as the most

important trial in the history of Croatia and concerned the prosecution of Ante Gotovina, Ivan Cermak and Mladen Markac in respect of the military action that resulted in the liberation of the Croatian territories from the Republic of Serbian Krajina (RSK). To view extracts of Gillian's submissions from the trial, see below.

[Gillian Higgins argues before the ICTY in The Hague regarding the issue of admissibility of evidence in Cermak et al.](#) [Gillian Higgins examines the Prosecution's final brief in the closing argument for Ivan Cermak at the ICTY](#)

### **The Prosecutor v Slobodan Milosevic, 2001-05, ICTY**

Trial of Slobodan Milosevic on 66 counts of war crimes, crimes against humanity and genocide at the ICTY. Appointed as Court-Assigned Defence Counsel with Steven Kay KC from 2004, having previously been appointed Amicus Curiae (in 2003) and instructed as a Legal Consultant to the Amici Curiae (2001).

### **Osmanoglu v Turkey, 2008, ECoHR**

Instructed as Counsel before the European Court of Human Rights by the Kurdish Human Rights Project (KHRP), in a case concerning alleged multiple breaches of the European Convention on Human Rights. The applicant was a Turkish national of Kurdish origin who alleged that his son was taken into police custody and subsequently disappeared.

Read the judgment [here](#).

### **The Prosecutor v Ferdinand Nahimana, 2000-02, ICTR**

Member of the defence team before the International Criminal Tribunal for Rwanda (ICTR) representing Ferdinand Nahimana in a trial concerning the responsibility of the media for genocide in Rwanda in 1994 – which came to be known as the “media trial”. Nahimana, who had acted as Director of the Rwandan Office of Information in 1990–92, was one of three people charged with genocide, conspiracy to commit genocide, direct and public incitement to commit genocide, complicity in genocide and crimes against humanity.

### **The Prosecutor v Alfred Musema, 1999-2000, To date, ICTR**

The first trial of a civilian alleging command responsibility for genocide. Gillian was engaged as a member of the defence team, the first to enter Rwanda to conduct investigations. At present, Gillian is instructed with [Steven Kay KC](#) as Review Counsel before the UN International Residual Mechanism for Criminal Tribunals.

### **FBME, Saab and Saab v Dangate, Brown and Leighton, 2019**

Litigation in the Commercial Court concerning two ex-Metropolitan police officers, sued by the owners of FBME bank. The litigation concerns an alleged breach of a confidentiality agreement in relation to the provision of information to Central Bank of Cyprus and US FINCEN of serious criminal conduct and regulatory breaches revealed within the accounts held by the Cyprus branch of the bank referencing: money laundering, Magnitsky money, terrorist accounts, fraud, sarin gas and extreme pornography.

News story [here](#)

### **Top Zinc Ltd v Hilton Hotels, Alix Partners et al, 2018**

Instruction concerning legal action by Vincent Tchenguiz in relation to a portfolio of Hilton hotels bought by Mr Tchenguiz, leased back to Hilton and eventually put into administration upon default of a loan scheme hedged by Bayerische Landesbank, in circumstances where the value of assets was believed to be undersold.

News story [here](#)

[International Fraud, Bribery and Corruption](#)

### **LT Interpol-Related Proceedings**

Instructed to advise on visa eligibility, breaches of human rights, asylum and status of extradition agreements.

### **Report on Extradition Bars**

Report on extradition bars between Cyprus and China and breaches of Article 3 and 6 of the ECHR.

### **DW Interpol Proceedings**

Chinese national in Interpol proceedings seeking information and challenging a Red Notice.

### **Individual X, 2023-2024**

Challenging the arrest and arbitrary detention of an individual against whom the subject state has made large demands of payment for release. Widescale abuse of Rule of Law by the state.

## **Alfred Musema at International Residual Mechanism for International Criminal Tribunals, 2023-2024**

Application for early release from life sentence after conviction for the offences of genocide, extermination and crimes against humanity in Rwanda Genocide.

Read more on [International Crimes Database](#)

## **Abuse of human rights in Algeria, 2019**

Report was commissioned by an individual whose family member had been arbitrarily detained with related attempts to extort money from the family.

[Human rights abuse alert Algeria;](#)

## **Virunga National Park Democratic Republic of Congo, 2012**

Pro-bono project for Virunga National Park in DRC to challenge a UK FTSE 200 company, prospecting for oil and gas in the famous UNESCO heritage site and home to the last species of mountain gorillas. This matter involved international environment law, the national laws of DRC and national laws of the company.

[International Human Rights](#)

# Achievements

## Memberships

- Gray's Inn
- List Counsel at the International Criminal Court
- List Counsel before the African Court on Human and Peoples' Rights
- Criminal Bar Association
- Founding member of the International Criminal Law Bureau

## Appointments

- Independent Commissioner to the Special Tribunal for Lebanon

- Accredited civil and commercial mediator
- Member of the steering committee for Oxfam’s Lawyers Against Poverty programme, 2015–16
- Member of the Faculty of the London School of Mediation, 2016–date
- Investigative Interviewer – Accredited Course Part 1, Intersol Global, 2016

## Associated Work

### **Extraordinary Chambers of the Courts of Cambodia, 2007**

Legal consultant for the Defence Support Section advising on strategy and international criminal law.

### **Office of Defence Counsel (OKO) in Sarajevo, 2006**

Legal consultant for the Office of Defence Counsel providing advice on strategy and international criminal law.

### **Kurdish Human Rights Project, 1998**

Legal advisor and trial observer for KHRP of the HADEP trial in Ankara, Turkey.

## Publications

- South Sudan Reports:
  - Pushing the Reset Button - Read [here](#)
  - The Government of South Sudan's Response to The Sentry Report - Read [here](#)
  - Setting the Record Straight - Read [here](#)
- Oxford University Press Book Review: International Cultural Heritage Law by Janet Blake, 2023. Read review [here](#)
- Counsel Magazine, “How to Tame Your Inner Critic”, September 2019. Read review [here](#).
- [Mindfulness at Work and Home](#), Reddoor Press, 2019.
- Blog editor and publisher for the International Criminal Law Bureau.
- Book review of Interpreting the Nuclear Non-Proliferation Treaty by Daniel H Joyner, 2012. Read review [here](#).
- Examination-in-Chief and Cross-Examination, chapter in Transferring War Crimes Cases From the ICTY, UNICRI 2011. Read [here](#).
- The Development of the Right to Self-Representation before the International Criminal Tribunals, chapter in Judicial Creativity at the International Criminal Tribunals, OUP, 2011. Read chapter [here](#).
- The Impact of the Size, Scope and Scale of the Milosevic Trial and the development of Rule 73bis



before the ICTY, Northwestern University Law Review, 2009. Read [here](#).

- Entries on The Prosecutor v Slobodan Milosevic and The Prosecutor v Ferdinand Nahimana in the Oxford Companion to International Criminal Law, Oxford University Press (OUP) 2009. Read [here](#).
- Fair and Expedient Pre-Trial Proceedings: The Future of International Criminal Trials, Journal of International Criminal Justice 2007. Read [here](#).
- The Impact of the Size, Scope and Scale of the Milosevic Trial, special edition, Criminal Law Forum 2006. Read [here](#).
- Life Beyond the Crown Court Grind, The Times 11 October 2005. Read [here](#).
- The Intoxication Defence and Theories of Criminal Liability: A Praxeological Approach by Martin Shain and Gillian Higgins, Contemporary Drug Problems, Volume 24, Issue 4, pages 731-736, 1999.

## Education

- LLB, Exeter University, 2001–04
- LLM, Trinity Hall, University of Cambridge, 2004–05
- Inns of Court School of Law, 2006–07
- Accredited Mediator – 2016