

Ambassador Kriangsak Kittichaisaree, LL.B., LL.M., Ph.D.

Before coming to Canberra, Ambassador Kriangsak was Thailand's Ambassador Extraordinary and Plenipotentiary to the Islamic Republic of Iran from 1 October 2007-December 2009.

After graduating in law from universities in the UK, the USA, and again the UK, on a full scholarship from the Royal Thai Government, Kriangsak joined the Thai Ministry of Foreign Affairs in Oct. 1986 as a legal officer at the Division of Legal Affairs.

From Dec. 1994 to Jan. 1999, Kriangsak was Minister-Counsellor at the Royal Thai Embassy in Washington, D.C., overseeing economic, political, and consular affairs.

From Feb. 1999-March 2002, he was Director of the Division of Legal Affairs, and from March 2002-Nov. 2004, Deputy Director-General of the Department of Treaties and Legal Affairs in the Thai Ministry of Foreign Affairs.

From 18 November 2004 to 2 March 2006, he was Ambassador Attached to the Ministry of Foreign Affairs of Thailand responsible for international legal issues, counter-international terrorism, and was the Chief Legal Counsel and Head of the Investment Chapter team of the Thai Delegation negotiating with New Zealand on the Closer Economic Partnership Agreement (in 2004) and with the Members of the European Free Trade Area (EFTA, i.e., Switzerland, Norway, Liechtenstein, and Iceland) on the Thai-EFTA Free Trade Area Agreement (in 2005-2006). In this ambassadorial position also, the Ambassador was the Coordinator of the International Legal Cooperation against Terrorism stream of the Legal Issues Working Group (LIWG) of the Bali Regional Ministerial Meeting on Counter-Terrorism (BRMCT), open to countries from Asia, North America, Europe and the Oceania and international organizations that participated in the BRMCT on 4-7 February 2004 and/or the LIWG Meeting in August 2004, in response to the Bali Bombing of 12 October 2002 and subsequent terrorist activities in the Asia-Pacific region and beyond. (These countries were: the 10 ASEAN Member States, Australia, Canada, China, Fiji, Germany, India, Japan, the Republic of Korea, the Netherlands, New Zealand, Papua New Guinea, the Russian Federation, Timor Leste, and the USA. The UN Counter Terrorism Committee, the UN Office on Drugs and Crime, the Pacific Islands Forum Secretariat, and the Southeast Asia Regional Centre for Counter-Terrorism also participated.)

He served as Director-General of the Department of International Organizations, Ministry of Foreign Affairs of Thailand, from 3 March 2006-30 September 2007, in charge of the law and constitution of international institutions, international human rights and the rule of law, transnational organized crimes, and the workings of global economic and political institutions in all aspects including arms control and disarmament, international security under the UN framework, and UN reform. He was concurrently Ambassador and Permanent Representative of Thailand to the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP).

The Ambassador teaches part-time, as a Visiting Professor, at the University of New South Wales School of Law in Sydney, Australia (since January 1999), and at the National University of Singapore in 2006 and 2009. He also taught at Duke

University School of Law's Asia-America Institute in Transnational Law in July 2000 (Course: The World Trade Organization: The Adjudication of International Trade Disputes), and July 2004 (Course: Global Commerce and Freedom of the Seas).

At the end of July 2008, when Thailand did not have a Foreign Minister, the Prime Minister of Thailand appointed Kriangsak Special Envoy of the Royal Thai Government to attend the 15th Ministerial Meeting of the Non-Aligned Movement (NAM), which was the annual meeting of 118 NAM member countries at the foreign minister level.

Other Positions Held Include:

- 2007: Adviser, Select Committee on the Draft Bill on Anti-Human Trafficking, Thailand's National Assembly (Parliament)
- 2006: Eminent adviser of the Constitutional Court of Thailand
- Thailand's chief legal counsel in maritime boundary delimitation negotiations
- August 1999-present, Member of the Advisory Body of Experts on the Law of the Sea and an arbitrator of the Special Arbitration on marine scientific research, Intergovernmental Oceanic Commission, UNESCO, Paris
- Chairman of the Group of 77 of the Whole of the 9th Session of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea
- Chairman, Foundation for the Development of International Law in Asia and Member of the Editorial Board of the *Asian Yearbook of International Law*, 1 December 1999 - 2006
- 1995-present, Member, Regional Network on the Legal Aspects of Marine Pollution, UNDP/IMO Regional Programme for the Prevention and Management of Marine Pollution in the East Asian Seas, Manila, The Philippines

INTERNATIONAL DIPLOMATIC CONFERENCES AND NEGOTIATIONS

ATTENDED INCLUDE: -

- Chairperson, 303rd Session of the Advisory Committee of Permanent Representatives and Other Representatives Designated by Members of the Commission, United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP), 23 June 2006
- Alternative Representative of Thailand in the Steering Committee of the Four Nations (Chile, South Africa, Sweden and Thailand) Initiative on Governance and Management of the United Nations Secretariat, May 2006-Jan. 2008
- 2006-2007: Head of the Thai Delegation to Senior Officials' Meetings of the Human Security Network (HSN) and the Helsinki Process on Globalization and Democracy, held in Thailand, USA, Japan, and Slovenia
- Delegate, Thai delegation to the 84th Session of the Human Rights Committee of the International Covenant on Civil and Political Rights, Geneva, July 2005
- Head of the Delegation of Thai Senior Officials, Asia-Africa Summit, Jakarta, March-April 2005
- Head of the Thai Delegation, negotiations with Australia and Italy on mutual legal assistance in criminal matter treaties, 2004

- Alternate Representative of Thailand to the 56th Session of the United Nations General Assembly, Sept.-Dec. 2001; Representative, 61st Session, Sept.-Dec. 2006; Alternative Representative, 62nd Session, Sept.-Dec. 2007
- Head of the Thai Delegation, 40th Session, Asian-African Legal Consultative Organization, New Delhi, 20-25 June 2001
- Head of the Thai Delegation, UN Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS), United Nations, New York, 7-11 May 2001
- Head of the Thai Delegation, 5th and 8th Sessions of the Preparatory Commission for the International Criminal Court, United Nations, New York, 12-30 June 2000, and 24 September-4 October 2001, respectively
- Deputy Head of the Thai Delegation, 33rd Session of the United Nations Conference on the International Trade Law (UNCITRAL), United Nations, New York, 12 June-7 July 2000
- Thai delegate to the sixth and final round of negotiation to conclude the Convention between the Kingdom of Thailand and the United States of America for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Income, 26-29 August 1996
- Delegate, United Nations Environment Programme's Intergovernmental Conference to Adopt a Global Programme of Action for the Protection of the Marine Environment From Land-Based Activities: Washington, DC, 23 October- 3 Nov. 1995
- Delegate, negotiation to conclude the agreement between Thailand and Switzerland on the transfer of prisoners and co-operation to enforce judicial judgments in criminal cases: Bern, Switzerland, Oct. 1992
- Delegate, fisheries co-operation negotiation with Vietnam: Hanoi, Sept. 1991
- Delegate and subsequently Head of the Thai Delegation, Preparatory Commission of the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea, 5th Session (July-August 1987, New York); 6th Session (March-April 1988, Kingston, Jamaica; August-September, New York); 7th Session (February-March 1989, Kingston, Jamaica; August-September 1989, New York); 8th Session (August 1990, New York); 9th Session (March 1991, Kingston, Jamaica; August 1991, New York)
- Delegate, negotiations with Malaysia on the Constitution of the Thailand-Malaysia Joint Authority on the Joint Development Area in the Gulf of Thailand and Its Implementing Legislation (Dec. 1989, Chiang Mai, Thailand, and May 1990, Kuala Lumpur, Malaysia)
- Sole negotiator to conclude an agreement on the exchange of the premises of the Royal Thai Consulate-General in Hong Kong, October 1989
- Member and sometimes head of delegation, Informal Sessions of the International Tin Council [May-July 1989, September 1989, October-November 1989, December 1989, March 1990]
- Monitoring and instructing legal counsel in the litigation against the International Tin Council and Thailand in the House of Lords, England, May-July 1989

- Secretary, fisheries negotiations with Malaysia, Jan. 1988-1993
- Adviser, land boundary negotiations with Malaysia, Burma (Myanmar), and Laos, 1987-1994
- Delegate and Secretary to the President, Inter-Sessional Meeting, Asian-African Legal Consultative Committee, New Delhi, 30-31 March 1987

CONFERENCES/WORKSHOPS/SEMINARS (SELECT)

The keynote speaker on the topic “Support for the UN, focusing on the Security Council’s Committee on Counter Terrorism: The work of the CTC in light of partners’ experience”, at the 4th Asia-Europe Conference on Counter Terrorism, Copenhagen, Denmark, 26-27 June 2006

One of the 5 panellists, High-Level Panel on ‘Terrorism: Threat to a Civilized Society’, moderated by the UN Undersecretary-General for Legal Affairs, at the UN Headquarters, New York, on 9 June 2005. (The other panelists included: Judge Baltasar Garzon of the ‘Pinochet’ fame, and the Deputy Secretary-General of the Council of Europe. Webcast of this annual Treaty Event is available at: http://untreaty.un.org/English/Panel_2005.asp.)

A keynote speaker, Workshop on the legislative implementation of universal instruments against terrorism and regional experiences in promoting international cooperation against terrorism, organized by the Terrorism Prevention Branch of the UN Office on Drugs and Crime in cooperation with the Anti-Terrorism Center of the Commonwealth of Independent States, held in Moscow, Russian Federation, on 28-30 Nov. 2005

Panellist, ‘Transnational Maritime Issues in Armed Conflict and Peace Operations’, 15th Annual United States Pacific Command International Military Operations and Law Conference, Bangkok, 3-6 June 2002

Participant, East-West Center’s Policy and Research Planning Workshop on Military and Intelligence Gathering Activities in Exclusive Economic Zones: Consensus and Disagreement, Bali, 27-29 June 2002

Speaker, ‘The International Criminal Court’, 4th International Law Seminar of the Singapore International Law Society, 2 September 2000. (The other three Speakers were: Professor Peter Malanczuk of Erasmus University; Professor Thomas Franck of New York University School of Law; and Sir Franklin Berman, Visiting Professor of Public International Law, Oxford University, and Former Legal Adviser of the UK Foreign and Commonwealth Office.)

Speaker, The Oslo Conference on Human and Regional Security Around the South China Sea, organized by the University of Oslo, Norway, 2-4 June 2000

Arbitrator, ‘Who owns the Henrietta Reef?’, Mock International Arbitration organized by the London-based International Bar Association, Section on Energy and Resources Law, held in Hong Kong on 6 April 2000 (Counsel for the parties appearing before the Tribunal included Professor Gillian Triggs of the University of Melbourne Faculty of Law and Mr. Rodman Bundy of the law firm Eversheds, who argues cases regularly before the International Court of Justice and other international tribunals.)

Speaker, International Law Association-Australia/New Zealand Society of International Law’s Joint International Conference on Security, Wealth, and Survival: Implementation, Compliance and Enforcement of International Law, Wellington, New Zealand, 8-10 July 1999

- Panellist*, 'International Criminal Court', 6th Annual Conference of the Australia-New Zealand Society of International Law, Australian National University, Canberra, 19-21 June 1998
- Panellist*, 'How can the United States utilise international organisations and treaties to protect and transfer intellectual property with its Asian trading partners?', organised by the International Law Society of Georgetown University and George Washington University Law School, Washington, DC, 25 January 1997
- Speaker*, the 1st-3rd Meetings of the Technical Working Group on Legal Matters on Managing Potential Conflicts in the South China Sea, organised by the Canadian International Development Agency (CIDA) and the University of British Columbia, (held in Phuket, Thailand, July 1995; Chiang Mai, Thailand, June 1997; and Pattaya, Thailand, October 1998)
- Panellist*, 'Law Reform and Environmental Protection', Conference on Southeast Asia: Law Reform and Societies in Transition, organised by the Harvard International Law Society, Harvard Law School, Cambridge, MA, USA, 22 April 1995
- Panellist*, Conference on Trade and the Environment in Pacific Rim Nations, co-sponsored by the American Bar Association's Standing Committee on Environmental Law, the Inter-Pacific Bar Association, and the United States-Asia Environmental Partnership: Hong Kong, 15-17 February 1993
- Regular Panellist and Speaker* at international conferences and academic workshops organised by the Southeast Asian Programmes on Ocean Law and Policy (SEAPOL), financed by the Canadian International Development Agency (CIDA), e.g. at the conferences in Bali (May 1990), Kuala Lumpur (July 1993), Singapore (May 1994)
- Commentator and Speaker*, Workshop on Managing Potential Conflicts in the South China Sea, organised by the Indonesian Government, 1st Workshop, 1990 - 4th Workshop, 1993
- Co-ordinator and Speaker*, International Symposium on 'Regional Co-operation on the Law of the Sea: ASEAN and the EC Perspectives', 23-25 November 1988, held in Cha-Am, Petchburi Province, Thailand, organized by the International Studies Centre, Institute of Foreign Affairs, Bangkok

Publications

(a) Books

- International Criminal Law*, Oxford University Press: Oxford, July 2001
[Excellent review by *Yale Journal of International Law*] 2nd edition is in preparation.
- Research Report to Thailand's Law Reform Committee on Development of The Legislation on the Continental Shelf and the Exclusive Economic Zone*, Bangkok, 1995. (As chief author; 467 pp., Thai language)
- Deep Seabed Mining and Its Reflections on Contemporary International Law*, International Study Centre, Institute of Foreign Affairs: Bangkok, 1989
- Regional Co-operation on the Law of the Sea: ASEAN and the EC Perspectives*, International Studies Centre, Institute of Foreign Affairs: Bangkok, 1988.
Editor.

The Law of the Sea and Maritime Boundary Delimitation in South-East Asia, Oxford University Press, 1987. [Reviewed by, e.g., Professor Daniel Bardonnet in *Annuaire français de droit international*, Vol. XXXIV, 1988, at 1031.]

The textbook *International Criminal Law* (Oxford University Press: Oxford, 2001) authored by Kriangsak is used as a textbook on the subjects of war crimes, crimes against humanity and genocide at, for instance, Harvard University, and several law schools in Europe, Canada, Australia and New Zealand. It was the only treatise quoted in the legal notice to the British Prime Minister, Foreign Secretary and Defence Secretary by a coalition of human rights NGOs in relation to the alleged commission of war crimes in Iraq by the British armed forces {Google search: "Hoon, Kittichaisaree" for more details}. The book was also the only textbook quoted by the US Government in the prosecution of David Matthew Hicks (the "Australian al Qaeda"), who was the first Guantanamo prisoner convicted and sentenced by the controversial Military Commission of the United States of America. The textbook was quoted in the legal brief submitted by 20 U.S. law professors to the Supreme Court of Chile in June 2006 for the extradition of former Peruvian President Alberto Fujimori to stand trial for human rights violations in Peru. More recently, it has been cited by the Supreme Court of Canada alongside classic law textbooks in its judgment in the case of *R. v. Hape*. It was cited by the International Criminal Court in *Situation in the Central African Republic in the Case of the Prosecutor v. Jean-Pierre Bemba Gombo: Decision on Confirmation of Charges*, 15 June 2009.

ARTICLES PUBLISHED IN 4 CONTINENTS) INCLUDE: -

- 'International Criminal Law', being a chapter in the Diplomatic Training Programme Manual, University of New South Wales, February 2002.
- 'A Code of Conduct for Human and Regional Security around the South China Sea', 32 *Ocean Development & International Law* 131-147 (2001).
- 'The NATO Military Action and the Potential Impact of the International Criminal Court', 4 *Singapore Journal of International & Comparative Law* 498-529 (2000).
- 'Armed Conflict Before International Tribunals', *Proceedings of the Fourth International Law Seminar*, jointly organized by the Legal Services, Ministry of Defence, and the Society of International Law, Singapore, 2 September 2000: 102-143.
- 'International Legal Order in a Changing World', *Proceedings of the International Law Association-Australia/New Zealand Society of International Law Conference*: Wellington, July 1999.
- 'Practical Difficulties for the International Criminal Court to Overcome', *Proceedings of the 6th Annual Conference of the Australia-New Zealand Society of International Law*, Canberra: Australian National University, June 1998: 79-89.
- 'International Law on the Protection of Nationals Abroad', *Saranrom*, February 1998: 273-286 (in Thai)
- 'Effectuation of international law in the municipal legal order of Thailand', 4 *Asian Yearbook of International Law* 171-184 (1994).

- 'Trade And The Environment In Pacific Rim Nations', *American Bar Association, Standing Committee on Environmental Law*: Washington, DC, 1994: 35-38.
- 'Using Trade Sanctions and Subsidies to Achieve Environmental Objectives in the Pacific Rim', 4 *Colorado Journal of International Environmental Law and Policy* 296-322 (1993)
- 'Marine Resources Management', *Foreign Relations Journal*, Philippine Council for Foreign Relations: Manila, Vol. VIII, Number 1, March 1993: 83-89.
- 'Development of ocean law, policy and management in Thailand', *Marine Policy*, July 1990, Butterworth-Heinemann: Surrey, UK: 315-323.

Kriangsak's biography is featured in both *Marquis Who's Who in the World* (since 2003) and *Who's Who in Public International Law* (Grotius: Cambridge, 2007).

He is interested in getting in touch with other alumni of Harvard University and Cambridge University living in Australia.