

Judge Phoebe OKOWA

(Member of the Court since 12 November 2025)

Born in Kericho, Kenya, on 1 January 1965.

Education

Doctor of Philosophy (DPhil) in Public International Law, University of Oxford (1994); Bachelor of Civil Law (BCL), University of Oxford (1990); Diploma in Legal Practice, Kenya School of Law (1988); Bachelor of Laws (LLB – First Class Honours), University of Nairobi (1987).

Professional Qualifications

Advocate, Member of the Kenyan Bar (called in October 1990).

Academic Positions and Activities

Queen Mary University of London: Professor of Public International Law (2014- on leave of absence from September 2025 to February 2027), Reader in Public International Law (2006-2014), Senior Lecturer (2002-2006); University of Bristol: Lecturer in Law (1994-2001).

Special Course on “Historic Responsibility in International Law”, The Hague Academy of International Law (2026); Fellow in Law and Normative Thinking, University Center for Human Values, Princeton University (2024-2025); Lecturer, Tokyo International Law Seminar, Ministry of Foreign Affairs, Tokyo (2025); Lecturer, United Nations Regional Course in International Law for Latin America and the Caribbean, Santiago (2024); Visiting Professor, Graduate Institute of International and Development Studies, Geneva (2024); Lecturer, United Nations Regional Course in International Law for Asia-Pacific, Bangkok (2023); Global Visiting Professor, Katholieke Universiteit Leuven (2023); Lecturer, United Nations Regional Course in International Law for Africa (for Diplomats and Government Officials), Addis Ababa (2020 and 2023); Lecture on Protection of Natural Resources in Situations of Armed Conflict, United Nations Audiovisual Library of International Law (2019); Visiting Lecturer, Law and Development Programme, University of Antwerp (2018); Global Visiting Professor, New York University School of Law (2015-2016); Adjunct Professor, Pace University School of Law (2012-2013); Global Visiting Professor, New York University School of Law (2011-2012); Adjunct Professor, Catholic University of Lille (2009-2010); Lecturer Summer Programme, Erik Castrén Institute of International Law and Human Rights, University of Helsinki (2009); Visiting Fellow, Lauterpacht Centre for International Law, University of Cambridge (2007); Visiting Professor, University of Stockholm (2006); Visiting Fellow, St John’s College, University of Oxford (1995).

Professional Positions and Activities

Member, United Nations International Law Commission (2023-November 2025); Chair of the Drafting Committee, 75th Session of the United Nations International Law Commission (2024); Associate Member, Institut de droit international (2025-present); Member, Permanent Court of Arbitration (2017-2022); Member, International Law Association Committee on Transnational Enforcement of Environmental Law (1997-2006).

Member, Advisory Committee on International Dispute Resolution, Centre for International Law, National University of Singapore (2023-present); Member, Advisory Board, British Institute of International and Comparative Law (2021-present); Member, Advisory Board, African Association for International Law (2015-present); Member, Executive Committee, International Society of Public Law (2013-2022); Member, International Advisory Board, Stockholm Centre for International Law and Justice (2006-present); Member, African Society of International Law (2000-present); Member, British Branch of the International Law Association (1995-present); Member, Society of Legal Scholars (1993-present).

Joint Editor (with Roger O’Keefe), Oxford Monographs in International Law, Oxford University Press (2024-2025); Member, Editorial Advisory Board, Max Planck Yearbook of United Nations Law (2022-present); Member, Editorial Advisory Board, African Yearbook of International Law (2020); Joint Editor (with Professor Malcolm Evans), Foundations of Public International Law, Oxford University Press (2005-2020); Member, Board of Editors, International Community Law Review, Brill Nijhoff (2005-2018); Joint Editor (with Professor Malgosia Fitzmaurice), Queen Mary Studies in International Law, Brill Nijhoff (2002-2018).

Selected Experience as Counsel

Before the International Court of Justice: Counsel for Namibia, *Obligations of Israel in relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in relation to the Occupied Palestinian Territory* (2024-2025); Co-counsel for the International Trade Union Confederation, *Right to Strike under ILO Convention No. 87* (2024-2025); Co-counsel and Advocate for Kenya, Co-counsel for Namibia, Co-counsel for Sierra Leone, Co-counsel for The Gambia, Co-counsel for the Commission of Small Island States, *Obligations of States in respect of Climate Change* (2023-2024); Counsel and Advocate for Namibia, *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, Including East Jerusalem* (2024);

Co-counsel for Kenya, *Maritime Delimitation in the Indian Ocean (Somalia v. Kenya)* (2019-2021); Co-counsel and Advocate for Myanmar, *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)*, Provisional Measures (2019-2020).

Before other international or regional courts and tribunals: Co-counsel for Mozambique, Co-counsel for Sierra Leone, Co-counsel for the Commission of Small Island States, International Tribunal for the Law of the Sea, *Request for an Advisory Opinion submitted by the Commission of Small Island States on Climate Change and International Law* (2023); Co-counsel and Advocate for the Democratic Republic of the Congo, East African Court of Justice, *Democratic Republic of the Congo v. Rwanda* (2023-2025).

Selected Experience as Legal Advisor

Member of the Expert Group on the Future Development of the Permanent Court of Arbitration (2025); Member, UNESCO Expert Group for Study on the Legal Consequences for Violation of the Immunity of Cultural Property under Enhanced Protection (2025); Member, Legal Advisory Committee, Commission of Small Island States and International Law (2023-2025); Training for Eritrean lawyers and diplomats on the basis of obligations under international law, UN Department of Peacebuilding and Political Affairs, Asmara, Eritrea (2023); Member, International Council for Commercial Arbitration Panel of Experts to Develop a Paris Agreement Conciliation Annex (2022-2025); Amicus Brief for counsel on the Domestic Implementation of Treaties with Conflicting Obligations, Federal Court of Canada (2020); Adviser to Government on the legal consequences of denunciation and withdrawal from the Convention on the Prevention and Punishment of the Crime of Genocide (2019); Legal Opinion for the Solicitor General of Kenya in preparation for its participation in *Legal Consequences of the Separation of the Chagos Islands Archipelago from Mauritius in 1965* before the International Court of Justice (2018); Legal Advisor to a non-governmental organization on questions of international law, especially the domestic implementation of international obligations under the Rome Statute of the International Criminal Court, in relation to a putative claim of immunity (2015); Legal Consultant, Birdlife International/Nature Kenya, on the revision of the 1968 African Convention on Conservation of Nature and Natural Resources (2002); Delegate, Nature Kenya, Conferences of the Parties, Convention on International Trade in Endangered Species of Wild Fauna and Flora and Convention on Biological Diversity (2000); Consultant, African Centre for Technology Studies, research on the relationship between private property rights and environmental protection (1990-1993).

Academic Awards, Prizes and Honours

Doctor of Laws (*Honoris Causa*), University of Stockholm (2024); Elder of the Order of the Burning Spear for Distinguished Service in International Law, Government of Kenya (2022); CB Madan Laureate for Contributions to the International Rule of Law, Strathmore University, Kenya (2022); Research grant for a project on "International Law Questions Arising out of the Disintegration of the Democratic Republic of Congo", Arts and Humanities Research Council (2005-2006); Wingate Research Grant, Award for research on "State Responsibility in the Environmental Field", Harold Hyam Wingate Foundation (1990); Foreign and Commonwealth Office Scholarship (1988-1993); Kaplan and Stratton Prize, Best Final Year Student in the Moots Court and Fourth Term Programme Essay in the Faculty of Law (1988); Gandhi Memorial Prize, Best University of Nairobi Final Year Student in the Faculty of Law (1987).

Selected Publications

Books

Phoebe Okowa and Britta Sjöstedt, *Protection of Natural Resources in Situations of Armed Conflict* (forthcoming); Phoebe Okowa and Jonas Ebbesson (eds.), *Environmental Law and Justice in Context* (Cambridge University Press, 2009); Phoebe Okowa, *State Responsibility for Transboundary Air Pollution in International Law* (Oxford University Press, 2000).

Book Chapters

Phoebe Okowa and Sean O'Reilly, "Implementing Principle 21 of the Stockholm Declaration: Regional Efforts to Regulate Transboundary Air", in J. Ebbesson and D. Langlet, *Fifty Years of International Environmental Law: Developments since the 1972 Stockholm Conference* (Cambridge University Press, 2026); Phoebe Okowa, "Act of State and Diplomatic Protection in the Modern Constitution: Two Case Studies", in S. Choudhry, M. Hailbronner and M. Kumm, *Global Canons in an Age of Uncertainty: Debating Foundational Texts of Constitutional Democracy and Human Rights* (Oxford University Press, 2024); Phoebe Okowa and Olivia Flasch, "Reflections on Ecocide as a Fifth Crime Under the Rome Statute of the International Criminal Court", in Carsten Stahn and Rafael Braga da Silva (eds.), *The International Criminal Court in Its Third Decade: Reflecting on Law and Practices* (Brill/Martinus Nijhoff, 2024); Phoebe Okowa, "Issues of Admissibility and the Law on International Responsibility", in Malcolm Evans (ed.), *International Law* (Oxford University Press, 2024); Phoebe Okowa, "Transboundary Air Pollution", in Jacqueline Peel and Lavanya Rajamani (eds.), *The Oxford Handbook of International Environmental Law* (Oxford University Press, 2021); Phoebe Okowa, "Principle 18: Notification and Assistance in Case of Emergency", in Jorge E. Viñuales (ed.), *The Rio Declaration on Environment and Development: A Commentary* (Oxford University Press, 2015); Phoebe Okowa, "The International Court and the Legacy of the *Barcelona Traction Case*", in Charles C. Jalloh and Olufemi Elias (eds.), *Shielding Humanity: Essays in International Law in Honour of Judge Abdul G. Koroma* (Brill, 2015); Phoebe Okowa, "The Security Council, the African Union and the International Criminal Court: Anatomy of a Problematic Relationship", in Jonas Ebbesson, Maries Jacobsson et al. (eds.), *International Law and Changing*

Perceptions of Security: Liber Amicorum Said Mahmoudi (Brill Nijhoff, 2014); Phoebe Okowa and Malcolm Evans, "Approaches to Responsibility in International Courts", in Malcolm D. Evans and Panos Koutrakos (eds.), *The International Responsibility of the European Union: European and International Perspectives* (Hart Publishing, 2013); Phoebe Okowa, "Responsibility for Environmental Damage", in Malgosia Fitzmaurice et al. (eds.), *Research Handbook on International Environmental Law* (Edward Elgar, 2010); Phoebe Okowa, "Interpreting Constitutive Instruments of International Criminal Tribunals: Reflections on the Special Court for Sierra Leone", in Malgosia Fitzmaurice et al. (eds.), *Treaty Interpretation and the Vienna Convention on the Law of Treaties: 30 Years On* (Martinus Nijhoff, 2010); Phoebe Okowa, "The Legal Framework for the Protection of the Environment Against Transboundary Air Pollution: A Reflection on Customary and Treaty Law", in Harry Post (ed.), *The Protection of Ambient Air in International and European Law* (Eleven International Publishing, 2009); Phoebe Okowa, "Environmental Justice in Situations of Armed Conflict", in Phoebe Okowa and Jonas Ebbesson (eds.), *Environmental Law and Justice in Context* (Cambridge University Press, 2009); Phoebe Okowa, "The Legal Framework for the Protection of Natural Resources in Situations of Armed Conflict", in Willem J. M. van Genugten et al. (eds.), *Criminal Jurisdiction 100 Years after the 1907 Hague Peace Conference: 2007, Hague Joint Conference on Contemporary Issues of International Law* (T.M.C. Asser Press, 2009); Phoebe Okowa, "The Legacy of Trail Smelter in the Field of Transboundary Air Pollution", in Rebecca M. Bratspies and Russell A. Miller (eds.), *Transboundary Harm in International Law: Lessons from the Trail Smelter Arbitration* (Cambridge University Press, 2006); Phoebe Okowa, "United States Unilateralism in a Multilateral Legal Order", in Mary Buckley and Robert Singh (eds.), *The Bush Doctrine and the War on Terrorism: Global Responses, Global Consequences* (Routledge, 2006); Phoebe Okowa, "Defences in the Jurisprudence of International Tribunals", in Guy Goodwin-Gill and Stefan Talmon (eds.), *The Reality of International Law: Essays in Honour of Ian Brownlie* (Oxford University Press, 1999); Phoebe Okowa, "Environmental Dispute Settlement: Some Reflections on Recent Developments", in Malcolm D. Evans (ed.), *Remedies in International Law: The Institutional Dilemma* (Hart Publishing, 1998); Phoebe Okowa, "Legal Consequences of EC Participation in International Environmental Agreements", in Malcolm D. Evans (ed.), *Aspects of Statehood and Institutionalism in Contemporary Europe* (Dartmouth Press, 1997); Phoebe N. Okowa and Albert M. Mwangi, "Land Tenure and Forest Resource Management", in Calestous Juma and J. B. Ojwang (eds.), *In Land We Trust: Environment, Private Property and Constitutional Change* (Zed Books, 1996).

Journal Articles, Shorter Commentaries and Reviews

Phoebe Okowa and Sean O'Reilly, "Arguing for Systemic Integration of the UN Climate Regime at the ICJ", *International Institute for Sustainable Development* (2025); Phoebe Okowa, "The Pitfalls of Unilateral Legislation in International Law: Lessons From Conflict Minerals Legislation", *International and Comparative Law Quarterly*, Vol. 69, Issue 3 (2020); Phoebe Okowa, "Blood Oil: A Plea for Progressive Reform or a Philosopher's Utopia?", review on Leif Weinar, *Blood Oil: Tyrants, Violence, and the Rules that Run the World* (Oxford University Press, 2015); Phoebe Okowa, "Sovereignty Contests and the Protection of Natural Resources in Conflict Zones", *Current Legal Problems*, Vol. 66, Issue 1 (2013); Phoebe Okowa, "The International Court of Justice and the Georgia/Russia Dispute", *Human Rights Law Review*, Vol. 11, Issue 4 (2011); Phoebe Okowa, "State and Individual Responsibility in Internal Conflicts: Contours of an Evolving Relationship", *Finnish Yearbook of International Law*, Vol. 20 (2009); Phoebe Okowa, "Case Concerning Ahmadou Sadio Diallo (Republic of Guinea v. Democratic Republic of Congo)", *International and Comparative Law Quarterly*, Vol. 57, Issue 1 (2008); Phoebe Okowa, "Natural Resources in Situations of Armed Conflict: Is there a Coherent Framework for Protection?", *International Community Law Review*, Vol. 9, Issue 3 (2007); Phoebe Okowa, "Congo's War: The Legal Dimension of a Protracted Conflict", *British Yearbook of International Law*, Vol. 77, Issue 1 (2006); Phoebe Okowa, "Case Concerning Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)", *International and Comparative Law Quarterly*, Vol. 55, Issue 3 (2006); Phoebe Okowa, "Necessity, Proportionality and the Use of Force by States, by Judith Gardam", *Modern Law Review*, Vol. 69, Issue 4 (2006); Phoebe Okowa, "The Responsibility of States for International Crimes By Nina H. VB Jorgensen", *International and Comparative Law Quarterly*, Vol. 50, Issue 4 (2001); Phoebe N. Okowa and Malcolm D. Evans, "Case Concerning the Gabčíkovo-Nagymaros Project (Hungary/Slovakia)", *International and Comparative Law Quarterly*, Vol. 47, Issue 3 (1998); Phoebe Okowa, "Procedural Obligations in International Environmental Agreements", *British Yearbook of International Law*, Vol. 67, Issue 1 (1996); Phoebe Okowa, "The European Community and International Environmental Agreements", *Yearbook of European Law*, Vol. 15, Issue 1 (1995); J. B. Ojwang and Phoebe N. Okowa, "The One-Party State and Due Process of Law: The Kenyan Case in Comparative Perspective", *African Journal of International and Comparative Law*, Vol. 1 (1989).
