



# SERGEY SAYAPIN

JURIS CONSULTUS

## CONTACT

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## OVERVIEW

Dr. Prof. Sergey Sayapin teaches and researches in the areas of international and criminal law and is among Central Asia's leading experts on international conflict and security law. In 2000-2014, he worked in the Communication Department at the Regional Delegation of the International Committee of the Red Cross (ICRC) in Central Asia. Dr. Sayapin regularly advises the ICRC, UNODC and Central Asian States' authorities on international law issues, and appears in national and international mass media. In 2019, he contributed to the revised edition of the Criminal Code of the Republic of Uzbekistan, and an entry about him was included in the third volume of the Ukrainian Encyclopedia of International Law. Dr. Sayapin is the founding Editor-in-Chief of the Central Asian Yearbook of International and Comparative Law, and the sub-editor for Central Asia of the Brill Encyclopedia of International Law in Asia. He is an Associate Professor and Associate Dean of the School of Law at Kazakhstan Institute of Management, Economics, and Strategic Research (KIMEP).

He accepts appointments as arbitrator in investment arbitration.

## EXPERIENCE

- Associate Professor, School of Law, Kazakhstan Institute of Management, Economics, and Strategic Research (KIMEP), 2019 to date
- Associate Dean, School of Law, KIMEP University, 2020 to date
- Programme Director, LLB in International Law, School of Law, KIMEP University, 2016 to 2020
- Visiting Associate Professor of International Law, Suleyman Demirel University (Almaty, Kazakhstan), 2021 to date
- Research Director, School of Law, KIMEP University, 2014 to 2016
- Visiting Assistant Professor of International Conflict and Security Law, Ukrainian Catholic University (Lviv, Ukraine), May 2019
- Member, PhD Examination Council on International Law, KAZGUU University (Nur-Sultan, Kazakhstan), 2016 to date

- Assistant Professor, School of Law, KIMEP University, 2014 to 2019

## • COURSES TAUGHT [IN ENGLISH]

- Criminal Law in Kazakhstan and Foreign States
- Criminology
- Law and the Arts
- Sociology of Law
- International Institutions and Law
- International Human Rights Law
- Public International Law (Advanced)
- International Conflict and Security Law (undergraduate)
- Public International Law
- Introduction to Law
- International Criminal Law
- Law of the WTO (undergraduate and postgraduate)
- Anti-corruption Law (postgraduate)

## • ACADEMIC SUPERVISION AND EXAMINATION

Since 2014, supervised sixty LLM and LLB theses [written in English] on international institutions and law, criminal law and criminology, comparative law, law and economics, international trade law, anti-corruption law, law and technology, and law and society.

Since 2014, external examiner of twelve PhD and LLD theses submitted at the American University of Central Asia (Kyrgyzstan); Higher School of Economics (Russian Federation); Kazan Federal University (Russian Federation); National University "Odesa Law Academy" (Ukraine); Tashkent State University of Law (Uzbekistan); University of the Western Cape (South Africa); and the University of World Economy and Diplomacy (Uzbekistan).

## • EDITORIAL APPOINTMENTS

- Founding Co-Editor-in-Chief: Central Asian Yearbook of International Law and International Relations (Eleven International Publishing), 2022 to date
- State Practice Rapporteur for Central Asia: Asian Yearbook of International Law (Brill), 2021 to date
- Sub-editor for Central Asia: Encyclopaedia of Public International Law in Asia (Brill), 2018 to date

#### • MEMBER OF EDITORIAL BOARDS

- Asian Journal of International Law (Cambridge University Press), 2020 to date
- Evrigenis Yearbook of International and European Law; Pravova Derzhava, 2019 to date
- China and WTO Review; Journal of East Asia and International Law; Law and State; Ukrainian Journal of International Law, 2018 to date
- Belarusian Yearbook of International Law, 2015 to date
- European Political and Law Discourse, 2014 to date
- International Justice Journal, 2011 to 2013

#### • ACADEMIC REFEREE

- Review of Central and East European Law (Brill), 2021 to date
- Journal of International Criminal Justice (Oxford University Press); Journal of International Peacekeeping (Brill), 2019 to date
- International Review of the Red Cross (Cambridge University Press), 2017 to date
- Newsletter of the Institute of Legislation under the Ministry of Justice of the Republic of Kazakhstan, 2016 to date

## EDUCATION

- Doctor of Philosophy (PhD) in International Law – Control Committee in Education and Science under the Ministry of Education and Science of the Republic of Kazakhstan (reaffirmation of the Dr. iur. degree), 2019
- Dr. iur., magna cum laude (first Dr. iur. graduate from the post-Soviet space at Professor Gerhard Werle's Chair), Humboldt-Universität zu Berlin (Germany), 2013
- Democracy, the Rule of Law and Security, Chevening Fellowship (best final paper since the Fellowship's inauguration), University of Birmingham (United Kingdom), 2008
- LL.M. in International Human Rights Law, merit, 2001
- LL.B. in International Law, summa cum laude (graduated top two), University of World Economy and Diplomacy (Uzbekistan), 1999

## SELECTED CONSULTANCIES, PUBLIC AND PROFESSIONAL SERVICE

- Foundation for International Business Administration Accreditation (FIBAA), Expert, 2021 to date
- Chatham House, The Royal Institute for International Affairs, Expert, 2020 to date
- Working Group on the Quality of Academic Journals under the Ministry of Education and Science of the Republic of Kazakhstan, Member, 2020 to date
- Working Group on the New Generation of Law Textbooks, KAZGUU University (Nur-Sultan, Kazakhstan), Chairman, 2019 to date
- Working Group on the Revision of the Criminal Code of the Republic of Uzbekistan, Member, Member, 2018 to date

- United Nations Office on Drugs and Crime (UNODC), Education for Justice (E4J) Initiative, Expert, 2017 to date
- Global Rights Compliance, Expert, 2018 to date
- ICRC Regional Delegation in Central Asia, Expert, 2014 to date

## PUBLICATIONS

Sergey Sayapin has written numerous articles, monographs, book chapters, encyclopedia entries, and expert reports on international and criminal law, a more detailed list of which could be found here: <https://kimep.academia.edu/SergeySayapin>. Here is some representative examples of his written works:

#### • SINGLE-AUTHORED BOOKS / MONOGRAPHS

1. Pravovye aspekty operatsiy po podderzhanuyu mira [Legal Aspects of Peace Support Operations] (Ministry of Defence of the Republic of Kazakhstan, ICRC Regional Delegation in Central Asia, 2016) [in Russian and English], 325 pp.
2. The Crime of Aggression in International Criminal Law: Historical Development, Comparative Analysis and Present State (T. M. C. Asser Press / Springer, 2014) [in English], xxiv + 334 pp., see: <http://www.springer.com/law/international/book/978-90-6704-926-9>

#### • CO-AUTHORED TEXTBOOKS AND MANUALS

1. Mezhdunarodnoye ugolovnoye pravo [International Criminal Law] (Ministry of Justice of the Republic of Uzbekistan, Tashkent State University of Law, 2021) [in Russian], 305 pp.
2. Lichnost' i obshchestvo. Metodicheskoe posobie dlya prepodavateley [Individual and Society. Methodology manual for teachers] (Tashkent, 2006) [in Russian and Uzbek], 168 pp.
3. Uchebno-metodicheskie materialy po mezhdunarodnomu gumanitarnomu pravu dlya prepodavateley i studentov obshchestvenno-gumanitarnykh distsiplin [Teaching and learning materials on international humanitarian law for professors and students of socio-humanitarian disciplines] (Tashkent, 2003) [in Russian and Uzbek], 144 pp.

#### • CO-EDITED BOOKS

1. International Conflict and Security Law: A Research Handbook (T. M. C. Asser Press / Springer, 2022) [in English], x + 1590 pp., see: <https://link.springer.com/book/9789462655140> [with Rustam Atadjanov, Umesh Kadam, Gerhard Kemp, Nicolás Zambraña-Tevar, and Noëlle Quéniwet]
2. Encyclopedia of Public International Law in Asia, Volume III: Central & South Asia (Brill, 2021) [in English], xiv + 725 pp., see: <https://brill.com/view/title/39529> (print), <https://brill.com/view/db/epil> (online) [with Seokwoo Lee, Hee Eun Lee, Muhammad Ekramul Haque, Rajesh Babu Ravindran, Jamal Seifi, and Wasantha Seneviratne]

#### • TRANSLATED BOOKS

1. Gerhard Werle, Printsypy mezhdunarodnogo ugolovnogo prava [Principles of International Criminal Law] (Odessa – Moscow, 2011) [in Russian], 910 pp. – translator and editor

## • BOOK CHAPTERS IN ENGLISH

1. "Human Rights in Post-Soviet Central Asia", in L. Leontiev and P. Amarasinghe (eds.), *Thirty Years Looking Back: State-Building, Rule of Law, Good Governance and Human Rights in the Post-Soviet Space* (Routledge, 2022), pp. 135 – 149, doi: 10.4324/9781003198024-13
2. "The Impact of Professor Werle's Doctrine of International Criminal Law in the Post-Soviet Central Asia", in F. Jessberger, M. Vormbaum and B. Burghardt (eds.), *Festschrift für Gerhard Werle* (Mohr Siebeck Verlag, 2022), pp. 271 – 277
3. "Institutional Attitudes Towards Acts of Aggression", in S. Bock and E. Conze (eds.), *Rethinking the Crime of Aggression: International and Interdisciplinary Perspectives* (T. M. C. Asser Press / Springer, 2022), pp. 139 – 151, doi: 1007/978-94-6265-467-9\_8
4. "Kazakhstan", in M. Porsche-Ludwig and Ying-Yu Chen (eds.), *Handbook of Asian States: Geography – History – Culture – Politics – Economy, Part 1* (LIT Verlag, 2021), pp. 267 – 276
5. "Uzbekistan", in M. Porsche-Ludwig and Ying-Yu Chen (eds.), *Handbook of Asian States: Geography – History – Culture – Politics – Economy, Part 2* (LIT Verlag, 2021), pp. 737 – 744
6. "Russian Approaches to International Law and Cyberspace", in N. Tsagourias and R. Buchan (eds.), *Research Handbook on International Law and Cyberspace*, 2nd edition (Edward Elgar, 2021), pp. 525 – 546
7. "The Crime of Aggression in the African Court of Justice and Human and Peoples' Rights", in C. Jalloh, M. K. Clarke and V. Nmeielle (eds.), *The African Court of Justice and Human and Peoples' Rights in Context: Development and Challenges* (Cambridge University Press, 2019), pp. 314 – 335
8. "International Law on the Use of Force: Current Challenges", in L. N. Sadat (ed.), *Seeking Accountability for the Illegal Use of Force: Challenges and Future Prospects* (Cambridge University Press, 2018), pp. 273 – 282, doi: 10.1017/9781316941423.014
9. "International Law and the Use of Force: an Essay to Honour the 35th Anniversary of the United Nations Definition of Aggression", in D. C. Fabríz, J. P. Filho, J. P. F. Homem de Siqueira, P. R. Ulhoa, H. V. Fuchs (eds.), *O Tempo e os Direitos Humanos* (Lumen Juris Editora, 2011), pp. 827 – 865

## • BOOK CHAPTERS IN RUSSIAN AND UKRAINIAN

1. "Perspektivy kriminalizatsii mejdunarodno-protivopravnogo primeneniya informatsionnyh tehnologiy v kontekste vooruzennykh konfliktov" [The Prospects of Criminalising the Internationally Wrongful Use of Information Technologies in the Context of Armed Conflicts], in *Borba s pravonarusheniyami v globalnykh kommunikatsionnyh setyah: opyt Respubliki Kazahstan i zarubejnykh stran* [The Suppression of Infractions in Global Communication Networks: the Experience of the Republic of Kazakhstan and Foreign States] (Almaty, 2012), pp. 95 – 98 [in Russian]
2. "K voprosu ob opredelenii prestupleniya agressii: promejutochnaya otsenka raboty Spetsialnoy rabochey gruppy Assamblei gosudarstv-uchastnikov Rimskogo statuta Mejdunarodnogo ugolovnogogo suda" [The Definition of the Crime of Aggression Revisited: a Preliminary Assessment of the Work Accomplished to Date by the Special Working Group under the Assembly of States Parties to the Rome Statute of the International Criminal Court], in G. Bogush, E. Trikoz (eds.), *Mezhdunarodnoe ugolov-*

*noe pravosudie: sovremennye problemy* [International Criminal Justice: Contemporary Issues] (2009), pp. 157 – 173, published by the Institute of Law and Public Policy (Moscow, Russian Federation) [in Russian]

## • ENCYCLOPAEDIA ENTRIES

1. "Collective Security Treaty Organisation (CSTO)", in S. Lee, E. Lee, M. E. Haque, R. B. Ravindran, S. Sayapin, J. Seifi, W. Seneviratne (eds.), *Encyclopedia of Public International Law in Asia, Volume III: Central & South Asia* (Brill, 2021), pp. 184 - 185
2. "Commonwealth of Independent States (CIS)", in S. Lee, E. Lee, M. E. Haque, R. B. Ravindran, S. Sayapin, J. Seifi, W. Seneviratne (eds.), *Encyclopedia of Public International Law in Asia, Volume III: Central & South Asia* (Brill, 2021), pp. 183 - 184
3. "Convention on the Legal Status of the Caspian Sea", in S. Lee, E. Lee, M. E. Haque, R. B. Ravindran, S. Sayapin, J. Seifi, W. Seneviratne (eds.), *Encyclopedia of Public International Law in Asia, Volume III: Central & South Asia* (Brill, 2021), pp. 200 - 201
4. "Crime of Aggression", in S. Lee, E. Lee, M. E. Haque, R. B. Ravindran, S. Sayapin, J. Seifi, W. Seneviratne (eds.), *Encyclopedia of Public International Law in Asia, Volume III: Central & South Asia* (Brill, 2021), pp. 212 - 214
5. "Patriocide", in S. Lee, E. Lee, M. E. Haque, R. B. Ravindran, S. Sayapin, J. Seifi, W. Seneviratne (eds.), *Encyclopedia of Public International Law in Asia, Volume III: Central & South Asia* (Brill, 2021), pp. 215 - 216
6. "Shanghai Cooperation Organisation (SCO)", in S. Lee, E. Lee, M. E. Haque, R. B. Ravindran, S. Sayapin, J. Seifi, W. Seneviratne (eds.), *Encyclopedia of Public International Law in Asia, Volume III: Central & South Asia* (Brill, 2021), pp. 188 - 189
7. "State Report Overview", in S. Lee, E. Lee, M. E. Haque, R. B. Ravindran, S. Sayapin, J. Seifi, W. Seneviratne (eds.), *Encyclopedia of Public International Law in Asia, Volume III: Central & South Asia* (Brill, 2021), pp. 169 - 173
8. "The Aral Sea", in S. Lee, E. Lee, M. E. Haque, R. B. Ravindran, S. Sayapin, J. Seifi, W. Seneviratne (eds.), *Encyclopedia of Public International Law in Asia, Volume III: Central & South Asia* (Brill, 2021), pp. 198 - 199
9. "Russie" [Russia], in O. Beauvallet (ed.), *Dictionnaire encyclopédique de la justice pénale internationale* [Encyclopaedic Dictionary of International Criminal Justice] (Berger Levrault, 2017), pp. 869 – 870 [in French]
10. "Torture" [Torture], in O. Beauvallet (ed.), *Dictionnaire encyclopédique de la justice pénale internationale* [Encyclopaedic Dictionary of International Criminal Justice] (Berger Levrault, 2017), pp. 926 – 927 [in French]
11. "Werle, Gerhard", in Y. S. Shemshuchenko and V. N. Denisov (eds.), *Entsyklopediya mizhnarodnogo prava* [Encyclopaedia of International Law], in 3 volumes, volume 1 (Kyiv, 2014), pp. 375 – 379 [in Ukrainian] – with V. N. Denisov

## • REFEREED JOURNAL ARTICLES IN ENGLISH AND FRENCH

1. "The Yanukovych Trial in Ukraine: A Revival of the Crime of Aggression?", in *50 Israel Yearbook on Human Rights* (2020), pp.
2. "Why a Crimes against Humanity Convention from a Perspective of Post-Soviet States?", in *6 African Journal of International Criminal Justice* (2020), pp. 125 - 135, doi: 5553/AJ/2352068X2020006002004

3. "Crimes against the Peace and Security of Mankind in the Revised Edition of the Criminal Code of the Republic of Uzbekistan", in 45 *Review of Central and East European Law* (2020), pp. 36 - 58, doi: 10.1163/15730352-04404004
4. "The Implementation of Crimes against the Peace and Security of Mankind in the Penal Legislation of the Republic of Kazakhstan", in 10 *Asian Journal of International Law* (2020), pp. 1 - 11, doi: 10.1017/S2044251319000110
5. "Critical Analysis, Strict Discipline and Personal Responsibility": Some Reflections on Strengthening the Independence of the Judiciary in Central Asia", in *Law and State*, № 3 (84), December 2019, pp. 18 - 27
6. "Réflexions sur le renforcement de l'indépendance de la magistrature en Asie centrale" ["Reflections on the Reinforcement of the Independence of the Judiciary in Central Asia], in 14 *Les Cahiers de la justice*, № 2019/4, pp. 655 - 665
7. "The General Principles of International Criminal Law in the Criminal Code of the Republic of Kazakhstan", in 9 *Asian Journal of International Law* (2019), pp. 1 - 9, doi:10.1017/S2044251318000036
8. "The United Nations General Assembly Resolution 68/262 in the Context of General International Law", in 2 *Evropsky politicky a pravni diskurz* (2015), pp. 19 - 30
9. "The Compatibility of the Rome Statute's Draft Definition of the Crime of Aggression with National Criminal Justice Systems", in 81 *Revue internationale de droit pénal* (2010), pp. 165 - 188
10. "A Short Tribute to Professor Raphael Lemkin (1900 - 1959)", in 7 *Journal of International Criminal Justice* (2009), pp. 1149 - 1152, doi:10.1093/jicj/mqp066
11. "Raphael Lemkin: a Tribute", in 20 *European Journal of International Law* (2009), pp. 1157 - 1162, doi:10.1093/ejil/chp088
12. "International Law and the Use of Force: from the Charter of the United Nations to the Rome Statute of the International Criminal Court", in 15 *Asian Yearbook of International Law* (2009), pp. 3 - 42
13. "The International Committee of the Red Cross and International Human Rights Law", in 9 *Human Rights Law Review* (2009), pp. 95 - 126, doi:10.1093/hrlr/ngn044
14. "Revisiting the Definition of the Crime of Aggression", in 22 *Humanitäres Völkerrecht - Informationsschriften* (2009), pp. 21 - 29
15. "A Development in International Law or a Misnomer: Who is the Combatant Adversary Referred to in Article 8(2)(e)(ix) of the Rome Statute of the International Criminal Court?", in 21 *Humanitäres Völkerrecht - Informationsschriften* (2008), pp. 130 - 133
16. "The Definition of the Crime of Aggression for the Purpose of the International Criminal Court: Problems and Perspectives", in 13 *Journal of Conflict and Security Law* (2008), pp. 333 - 352, doi:10.1093/jcsl/krp008
17. "A Great Unknown": the Definition of Aggression Revisited", in 17 *Michigan State Journal of International Law* (2008), pp. 375 - 398
18. "The Varvarin Case: Compensation Impossible?", in 3 *Journal of Military Ethics* (2004), pp. 188 - 193
19. "The Application of the Fair Trial Guarantees to Alleged Terror-

ists in Non-International Armed Conflicts", in 17 *Humanitäres Völkerrecht - Informationsschriften* (2004), pp. 152 - 159

#### • LANGUAGES

- English, German, Uzbek (Full Professional)
- French, Ukrainian (Professional Working)
- Kazakh, Kyrgyz, Belarusian (Limited Working)
- Russian (Native)