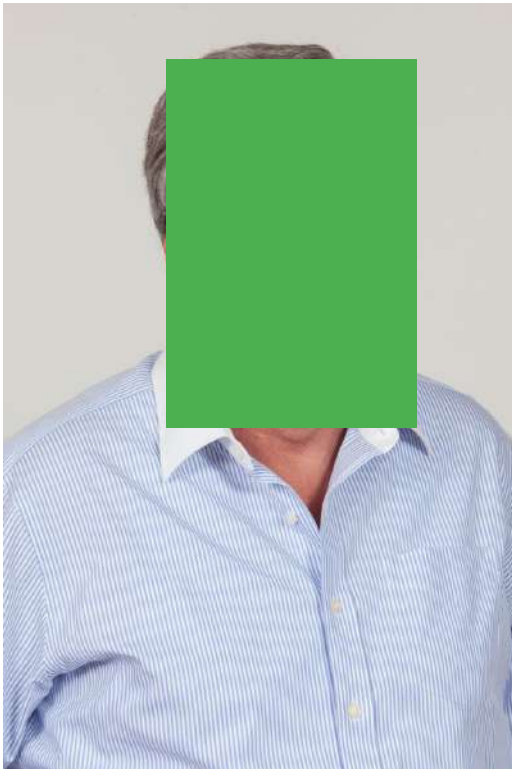
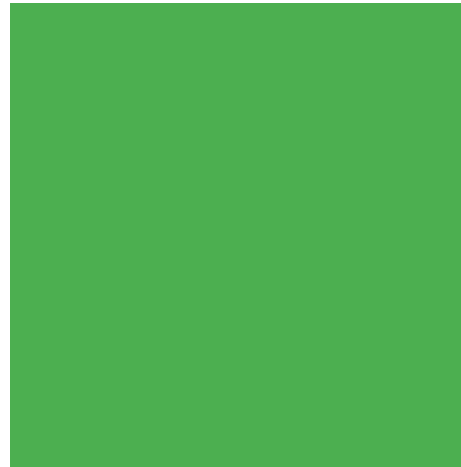


RESUME FOR JOHAN JACOB DU TOIT



DATE OF BIRTH



Education

B-IUR LLB (1979) – University of the Free State, Bloemfontein

On 17 April 1980 admitted as an advocate of the High Court of South Africa

Legal Practice Membership Number (53853)

Summary of Resume

Adv. Johan J du Toit was a Prosecutor from 1977 until his retirement in November 2019.

He was also the lead counsel and evidence leader at the Goldstone Commission of Inquiry that investigated the causes of public violence in South Africa during 1991 to 1994.

In November 1994 he joined the International Criminal Tribunal for the former Yugoslavia in The Hague, Netherlands ("ICTY") as a team leader and trial attorney, where he, inter alia, was responsible with others in setting up the first International Criminal Court since WW II.

From 1994 to 2011 he worked at the court on the investigation and trial phases of many cases of persons most responsible for serious human rights abuses in the former Yugoslavia.

PREVIOUS LEGAL EXPERIENCE

Deputy Director of Public Prosecutions, Gauteng Local Division of the High Court, Johannesburg. Coordinator Extraditions and Mutual Legal Assistance.

July 2011 to November 2019

Apart from normal work as a Deputy with this office, he was also responsible for the portfolio of extraditions and Mutual legal assistance (MLA) within the office. He was also personally appeared on behalf of the Director of Public Prosecutors (DPP) office in some high-level extradition's applications e.g. extradition request from Czech Republic for the extradition of Radovan Krejcir and extradition request from USA and Mozambique for extradition of Mr. Manuel Chang.

In August 2019, successfully argued in the Constitutional Court that common purpose can be part of common law rape – S v Tshabalala and others

Trial Attorney, Office of the Prosecutor – International, Criminal Tribunal for the former Yugoslavia (ICTY) 1999 – 2011

1999 to 2006

Member of various investigation/legal teams involved in preparing numerous cases for trial during the investigation and indictment phases, in particular:

- Radovan Karadzic, former President of the Serbian Republic of Bosnia and Herzegovina, later convicted for genocide, crimes against humanity and war crimes in Bosnia between 1992 to 1995.
- General Ratko Mladic, former Military Commander of the Army of the Serbian Republic of Bosnia and Herzegovina, later convicted for crimes in Bosnia between 1992 to 1995.
- Momcilo Krajisnik, former Speaker of Parliament of the Serbian Republic of Bosnia and Herzegovina, later convicted on counts on extermination, persecution and war crimes for events within Bosnia in 1992.
- Generals Gvero and Militic, former members of the Bosnian Serb Army, later convicted for crimes of persecution for events in Srebrenica during 1995.
- General Tolimir, former member of the Bosnian Serb Army, later convicted for crimes of genocide and persecution for events in Srebrenica during 1995.
- Miodir Meakic, former Camp Commander of the Omarska Prisoner Camp and other guards from the Trnopolje and Keraterm Prisoner Camps, responsible for acts of persecution and other war crimes. They have also been convicted in the State Court in Sarajevo.

2005 to 2011

Chairperson of the legal advisors meeting (LAM) – a weekly meeting attended by lawyers and interns to reflect on ongoing jurisprudence, investigation and trial work. Participated in indictment reviews since 1995 to 2001.

PREVIOUS LEGAL EXPERIENCE

2007 to 2011

- Coordinator of the legal interns program within the Office of the Prosecutor. Selecting 100 – 120 interns per year from all over the world to work between 3 to 6 months within the Office of the Prosecutor. Preparing induction courses and inviting various speakers to address the interns on topics of interest to our work.
- Member of the trial team prosecuting Generals Gotovina, Cermak and Markac for crimes against humanity and war crimes allegedly committed during Operation Storm, Krajina, Croatia during August to September 1995. Judgement was delivered in April 2011. General Gotovina and Markac were convicted of crimes against humanity and war crimes and sentenced to 24 and 18 years respectively. General Cermak was found not guilty. The matter went on appeal and the convictions and sentences were set aside in a 3 – 2 decision.

Team leader, Strategy Team, Office of the Prosecutor – ICTY

1995 to 1998

- Assist in the setting up of ICTY, the first International Criminal Tribunal since the Nuremberg trials during the Second World War, in particular in preparing the investigation strategy to be followed and collecting evidence for the leadership cases.
- Participate in meetings with representatives of various countries from the former Yugoslavia in order to set up structures to assist the Office in providing information/evidence to investigation teams.
- Assist in the creation of two expert teams, the leadership research team and the military analysis team, that played a key role in the preparation of the leadership cases through analysis and expert testimony.

Lead Counsel and Member of Staff of the Commission for the Prevention of Public Violence and Intimidation (Goldstone Commission) that investigated the causes of public violence in South Africa

1991 to 1994

- Overall responsible for assisting the commission in the investigation and leading of evidence before many committees of the commission including collecting evidence that eventually led to the successful prosecution in the Supreme Court, Pretoria of Col Eugene de Kock for various counts of murder etc. Led the evidence in many committees of the commission e.g. persons attacking the building housing the CODESA talks, Bisho shootings, Boipatong massacre, attacks on the police, violence that erupted in Mooi River, Kwa-Zulu Natal, to name just a few.
- Seconded to the International Criminal Tribunal for the former Yugoslavia, The Hague, Netherlands (ICTY) in November 1994 on request by the first Prosecutor, Justice Richard Goldstone.

PREVIOUS LEGAL EXPERIENCE

Deputy Attorney General, Office of the Attorney General Johannesburg

1991 to 1999

Performing general Deputy responsibility in making and reviewing decisions.

Responsible as supervisor for a group of about 8 lawyers working within the office, but soon thereafter seconded to the Goldstone Commission.

Senior State Advocate, Office of the Attorney General, Johannesburg

1985 to 1990

- Prosecute many cases within the Supreme Court in Johannesburg and also during 1990 led the evidence for a commission of inquiry dealing with a shooting incident that occurred in Sebokeng, Vereeniging.
- During 1986 to 1987, acted as one of the Senior Public Prosecutors at the Magistrate Court Johannesburg, co-responsible for the overall management of the courts comprising of more than 100 prosecutors, in particular those working in the regional courts.
- Successfully prosecute Leon de Beer, a member of Parliament, for electoral fraud in Hillbrow.
- Promoted to Deputy Attorney General in 1991.

State Advocate, Office of the Attorney General, Bloemfontein

1981 to 1984

- Prosecute and appear as appeals counsel in many cases before the Supreme Court in Bloemfontein.
- At the end of 1984 promoted to Senior State Advocate and transferred to Johannesburg.

District Court Prosecutor, Regional Court Prosecutor and Regional Court Control Prosecutor, Magistrate Court, Bloemfontein

1977 to 1980

- Prosecute many cases in the magistrate and regional court and from 1979 to 1980 responsible as Control Prosecutor for the overall management of the regional courts within the Free State.
- Transferred in the late 1980 to the Office of the Attorney General in Bloemfontein and promoted to State Advocate.

AWARDS

September 2019

Human Rights Institute of South Africa (HURISA) Award for Contributions to the Goldstone Commission and Human Rights in South Africa.

Constitutional Court, Johannesburg.

PRESENTATIONS

October 2019

Henry Okah, Chang extradition hearing, International Crimes Bill and Malabo Protocol.

Law Faculty, University of Stellenbosch, Stellenbosch.

September 2019

Extradition and Mutual Legal Assistance.

Association of Certified Fraud Examiners (ACFE) Conference, Johannesburg.

April 2019

International Criminal Justice – a journey from Nuremberg to the Malabo Protocol.

Law Faculty, University of Johannesburg, Johannesburg.

November 2018

Extradition and Mutual Legal Assistance.

Institute for Security Studies (ISS), Pretoria.

October 2018

Part of Panel Discussion on Commissions of enquiry versus criminal proceedings.

ACFE African Conference, Johannesburg.

September 2018

Professional standards for prosecutions during charging and decisions not to prosecute.

International Association of Prosecutors (IAP) Conference, Johannesburg.

May 2018

International Criminal Justice – a journey from Nuremberg to the Malabo Protocol.

Law Faculty, University of Cape Town, Cape Town.

October 2017

Inclusion of a module on management, leadership and soft skills in the LLB curriculum

Law Deans Conference, University of Johannesburg, Johannesburg.

March 2017

Requests for MLA in collecting information and evidence

Intelligence Transfer Conference, Johannesburg.

November 2016

Request for Mutual Legal Assistance

ISS, Pretoria.

September 2016

MLA and Extradition relevant to cases of corruption.

Africa Prosecutors Association (APA), Pretoria.

September 2015

- Victim participation - ISS, Pretoria.
- Requests for extradition and MLA - transformation since 1994 – Law Faculty, University of Potchefstroom, Potchefstroom.

May 2015

Participant in expert consultations of the judicial sector and International Humanitarian Law.

International Committee of the Red Cross (ICRC), Geneva, Switzerland.

March 2015

Practical aspects of international justice – case study from ICTY and International Criminal Court (ICC).

ISS, Pretoria.

February 2015

International Corporation and the role of the Prosecutor.

APA, Pretoria.

January 2015

Requests for extradition and MLA transformation since 1994.

Law Faculty, University of Witwatersrand, Johannesburg

October 2014

- Strafbproses, Bewysreg en Uitlewering – internasionale en nasionale perspektiewe. Regslui vir Afrikaans, Pretoria.
- Successes in terror financing tracking. APA, Kinshasa Republic of Congo.

August 2014

Managing the investigation phase of cases – organized crime and human rights abuses.

Intelligence Transfer Conference, Johannesburg.

November 2013

Practical aspects of international justice – case study from ICTY and ICC.

ISS, Pretoria.

October 2013

Formal and Informal International co-operation.

APA, Praia, Cape Verde,

January 2013

Investigation and Prosecution of Corruption – structures, legal systems and training.

Law Faculty, University of the Free State, Bloemfontein.

November 2011

Lessons from the ICTY for South African Prosecutors.

Law Faculty, University of Stellenbosch, Stellenbosch.