



Legal Profile

Mark Muller QC is a senior advocate at Garden Court Chambers in London and the Faculty of Advocates in Edinburgh, Scotland, where he specialises in criminal, terrorism, and public international law, and regularly advises on humanitarian and conflict resolution issues. He was appointed to the rank of Queen's Counsel in October 2006 and is currently Chairman of the Bar Human Rights Committee of the Bar Council of England and Wales, a member of the UK Attorney General's International Committee, a Senior Advisor to the Centre for Humanitarian Dialogue, Secretary-General of the Kurdish Human Rights Project ("KHRP"), and Patron of the Zimbabwe Aid Foundation. Examples of cases in which he has appeared are listed below.

Mediator Profile

Mark also acts as an adviser and mediator for a variety of international bodies concerned with conflict resolution and post-conflict justice issues. Since 2005 he has principally acted as a Senior Advisor and Mediator for the Centre for Humanitarian Dialogue in Geneva which has mediated a number of conflicts around the world. He is also a Senior Advisor to Intermediate, a new non-state mediation organization run by Jonathan Powell, and a member of the FCO Post Conflict Network Group. Mark has also worked with numerous other peace support groups such as the Berghof Foundation, Conciliation Services, the Project on Justice in Times of Transition and the Council of Europe. He is a recognized expert on proscription procedures and policy. Most recently, Mark has been extensively engaged in a number of national dialogue processes relating to the Arab Spring. In April 2011 he negotiated a number of agreements with the Rebel Leadership in Libya in Benghazi on crucial legacy issues, including Lockerbie, transitional justice and the rule of law. In June 2011 Mark took part in a high level delegation to Bahrain which offered advice to all parties various involved in that country's national dialogue processes.

Cultural Diplomacy

Additionally, Mark is also extensively engaged in the promotion of international cultural and artist exchange as a means to overcome conflict. He is a founding Director of the Delfina Foundation, which established a unique network of international artistic residencies both in the Middle East and the West. He is also Executive Director of Beyond Borders, a Scottish based initiative dedicated to the promotion of small nation dialogue and cultural exchange. Beyond Borders works across seven mediums including the visual arts, performing arts, literature, dialogue, heritage and sports and runs numerous international cultural festivals and dialogue events. Mark also works closely with numerous other international cultural organisations, including with The British Council.

International Human Rights

Mark has appeared before UN, OSCE, EU, and Council of Europe bodies on behalf of numerous NGO's and led fact-finding and training missions to Afghanistan, Sudan, Palestine, Iraq, India, Syria, Turkey, Armenia, Azerbaijan, Cuba, Zimbabwe and Afghanistan.

Year of Call

1991

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Telephone

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Queen's Counsel

2006

Education

BSc Economics (LSE); Post Graduate Diploma in Law (1989) (City University)

Practice Areas:

Mark Muller QC is a member of the following Practice Areas:

- Courts Martial
- Crime
- Extradition Law
- International Advice and Litigation

Garden Court Chambers

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Recent Publications

Mark has written numerous human rights reports.

Recent missions and reports include the 2010 English Bar Council Report entitled: "*A Place in the Sun*," regarding the rule of law in Zimbabwe and *The Civilian Toll of Cross-Border Operations in Iraq: Fact-Finding Mission* a 2010 Report (ISBN: 978-1-905592-26-5L).

Recent books include "*Turkey, European Union and the Kurds*" (2008) Pluto Press and "*The Kurds: Through the Photographers' Lens*" (2009) published by Trolley Books. He has also written numerous articles including "*Terrorism, Proscription and the Right to Resist in the Age of Conflict*" (2008) for the Denning Law Journal. Mark is due to take up a Visiting Fellowship at Harvard University Law School in September 2011 where he intends to work on a book about the rise of non-state mediation, the failure of conventional diplomacy and its impact on international law and counter-terror strategies.

Notable Cases

European Court of Human Rights Cases include:

Chiragov v Armenia (rights of internally displaced people)

Meltex Ltd v Armenia (32283/04) (violation of article 10 in respect of restrictions imposed on a private TV station)

Issa v Turkey (the extra-territorial reach of the Convention where Member States exercise de facto military control over a non-member state's territory)

Michael Kyprianou -v- Republic of Cyprus (Grand Chamber 73797/01) (test case on contempt of court and an advocate rights under Article 10)

Sinan Tanrikulu v Turkey (29918/96, 29919/96 and 30169/96) confirmed 14 day detention time limit even during states of emergency situations

Abdullah Ocalan v. Turkey (46221/99) (Grand Chamber - 12 May 2005) which concerned the abolition of the death penalty, the extra-territoriality of Convention jurisdiction, conditions of detention, and a fair trial norms under Article 6.

Recent Terror and Proscription Related Cases include:

PKK and KNK v Council of the European Community (Case T-229/02)

Kongra-Gel v Council of the European Union (EU proscription order quashed)

Lord Alton of Liverpool and Others. v Secretary of State for the Home Department [2008] 2 Cr. App.R. 31 CA (Civ.Div) (proscription of the PMOI (MeK) quashed)

R v Christanthkumar & Others (2009) (terrorist fundraising of the LTTE)

R v Zafar & Others (Central Criminal Court) (2007) See R v Zafar [2008] 2 Cr.App.R. 8, (CA) (Jihadist literature)



Barrister profile

Mark Muller QC



Hamdan v Rumsfeld (U.S. Supreme Court)

For a list of criminal cases please contact the clerks at Garden Court Chambers.

What Others Say

Mark's contribution towards human rights and the rule of law has been recognized by a number of human rights and legal organizations.

In the 2006 and 2007 Lawyer of the Year Awards Liberty, JUSTICE and The Law Society twice commended Mark for his "*commitment to fighting against the excesses of the war on terror*" and "*continued contribution to the promotion of human rights and commitment to the defence of vulnerable ethnic and minority communities*". Nominators included Noam Chomsky and Harold Pinter. In 2008 he won the Bar Council's Sydney Elland Goldsmith Award for his work in promoting the rule of law in Afghanistan.

Since 2009 Mark has been extensively involved in international mediation.

Chambers and Partners has noted that: "*Mark Muller QC has acted in a number of freedom of expression and terrorism-related cases, and regularly conducts cases before the ECHR. He has been to the ECHR literally hundreds of times and never let anyone down*" and described him as a "*highly organised practitioner who works phenomenally hard and is able to take account of the political and legal sides of an argument. This political awareness is particularly relevant as he has handled several terrorism-related cases.*" (2009).

The Legal 500 has consistently ranked him as a leading silk in Civil Liberties and Human Rights.

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