

# Curriculum Vitae

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## **Vijitha Fernandes-Veerakatty**

Attorney at Law, PhD in international humanitarian law and CAS in peacebuilding

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Nationality	Swiss
Birthdate/ place	6 October 1983 in Sri Lanka

## Profile in short

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- PhD in international humanitarian and human rights protection (graduated with *summa cum laude*)
- Title of the doctoral thesis: "Arbitrary withholding of consent to relief actions in situations of non-international armed conflicts - legal regulations and consequences for the affected state, non-state armed groups, humanitarian actors, non-belligerent states and civilians."
- Attorney at Law (Swiss Bar Exam)
- CAS on Peacebuilding Essentials at swisspeace (graduated in October 2022)
- Work experience as a Scientific Assistant at the Chair of international law and Swiss constitutional law at the University of Bern and at the Swiss Center of Expertise on human rights (SCHR)
- Current position: Legal Advisor for the Swiss government at the Federal Office of Justice and Consultant at Ximpulse
- Research stay from Mai to June 2022 at the University of the Western Cape in South Africa. Research topic "promoting and securing peace through participation of the rural population in decision-making processes in South Africa and Switzerland"
- Publications in human rights law (see publication list SCHR below)
- Excellent knowledge of German, English, French and Tamil

## Professional Experience

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04/2022 – today

### **Consultant at Ximpulse, Bern**

I support and advise various projects at Ximpulse with my broad expertise ranging from local governance and federalism to international human rights protection and peacebuilding.

07/2018 – today

### **Legal Advisor at the Federal Office of Justice, Bern**

Unit: European Law and Schengen/Dublin Coordination

My tasks include coordinating and supporting projects in the adoption and implementation of developments of the Schengen/Dublin acquis. I further support the lead offices in other national implementations of international law, e.g. in the implementation of obligations under bilateral agreements with the EU or in the autonomous transposition of EU law into national law.

In bilateral negotiations and expert meetings between Switzerland and the EU, I undertake an advisory function for the competent working groups of the federal administration. In preliminary ruling proceedings before the Court of Justice of the European Union, I am responsible for drafting legal opinions for Switzerland.

07/2018 – 09/2018

### **Legal Advisor at the Federal Office of Justice, Bern**

Unit: International Human Rights Protection

As a maternity replacement, I had the opportunity to work as a lawyer in the Unit for International Human Rights Protection for three months (parallel to my work in the Unit for European Law and Schengen/Dublin).

I was responsible for preparing legal opinions for Switzerland on complaints against Switzerland before the European Court of Human Rights (ECHR) and the UN Committee against Torture (CAT).

- 03/2013 – 02/2018 **Scientific Assistant at the University of Bern**  
 Chair of Prof. Dr. Jörg Künzli for Constitutional and International Law  
 My tasks included supervision of research and teaching in constitutional law, international law and international human rights law, collaboration on teaching materials and publications, correction and review of scientific theses
- 03/2013 – 02/2018 **Scientific Assistant at the Swiss Centre of Expertise in Human Rights (SCHR), Bern**  
 Thematic area: Police and Justice  
 My tasks included writing articles and legal opinions on the national implementation of international human rights law in Switzerland in the field of police and justice (see list of publications).
- 11/2011 – 11/2012 **Jurist at Weblaw AG, Bern**  
 Legal and management assistant  
 My tasks included clarification of legal questions concerning contract and labor law, organization of expert hearings and support of marketing projects.
- 04/2011 – 09/2011 **Judicial Intern at the Regional Court of Bernese Jura - Seeland, Biel**  
 My tasks included editing judgments in civil and criminal law, taking minutes at hearings and negotiations, research on specific legal questions
- 03/2010 – 02/2011 **Trainee Lawyer at the Law firm Anliker, Flückiger & Lehmann, Bern**  
 My tasks included forensic activities: advising and representing clients before court, drafting lawsuits and general legal research activities.
- 09/2009 – 02/2010 **Judicial Intern at the Federal Criminal Court, Bellinzona**  
 My tasks included assistance in the redaction of judgments, taking minutes, assisting the court clerk in giving reasons for the verdict.

## **Education and Training**

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- 10/2021 - 10/2022 **Certificate of Advanced Studies (CAS) on Peacebuilding Essentials**  
 at swisspeace (associated Institute of the University of Basel)
- 05/2022 -06/2022 **Visiting Researcher at the University of Western Cape (South Africa)**  
 I was seconded by Ximpluse to the Dullah Omar Institute at the University of the Western Cape (South Africa) as a visiting researcher for the EU RISE project "Local Government and the Changing Urban-Rural Interplay" (LoGov). In my research project, I explored the topic of "Promoting and securing peace through participation of the rural population in decision-making processes in South Africa and Switzerland".
- 03/2014 – 05/2021 **PhD in Law (Dr. iur); fields: humanitarian and human rights law**  
 Graduated with highest praise: summa cum laude  
 First supervisor: Prof. Dr. Jörg Künzli, University of Bern  
 Second supervisor: Prof. Dr. Judith Wyttenbach, University of Bern  
 Title: "Arbitrary withholding of consent to relief actions during non-international armed conflicts - legal regulations and consequences for the affected state, non-state armed groups, humanitarian actors, non-belligerent states and civilians."

The thesis examines the legal provisions on humanitarian relief in non-international armed conflicts. It addresses the question of whether and when consent to humanitarian assistance can be refused by parties to the conflict (i.e. the affected state or the non-state armed groups) in non-international armed conflicts and what consequences these actors can expect if the refusal of consent is to be regarded as arbitrary. At the same time, the thesis also examines the rights and duties of the other actors involved in the humanitarian response. This includes the various humanitarian actors (namely the ICRC, but also NGOs and UN agencies active in the field of humanitarian assistance), the non-belligerent states and the civilian population affected by the armed conflict. The aim of the work was to identify existing legal gaps and, in doing so, to define ways and means of promoting compliance with international humanitarian law and human rights law. The publication of the thesis is planned for 2022.

- 08/2013 – 09/2013 **Certificate on Federalism, Decentralization and Conflict Resolution**  
Summer University at the Institute for Federalism, University of Freiburg  
Thesis: “Compulsory deportation of rejected asylum seekers in Switzerland – challenges and weakness of a federal system”
- 09/2009 – 10/2012 **Attorney at Law**  
Training and Bar exam. License to practice law by the Supreme Court of the Canton of Bern on October 26, 2012.
- 10/2007 – 07/2009 **Master of Law, Certificate with specialization in International and European Law**  
University of Bern and Université René Decartes Paris (Erasmus)
- 10/2003 – 07/2007 **Bachelor of Law**  
University of Bern

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**Publication list** (publications related to the work at SCHR, available at [www.skmr.ch](http://www.skmr.ch))

- 20/11/2017 **Controls of persons by the Zurich City Police - Standards and good practices to avoid racial and ethnic profiling** (in German);  
Authors: Prof. Dr. Jörg Künzli, Prof. Judith Wyttenbach, Vijitha Fernandes-Veerakatty, Nicola Hofer; Expertise
- 08/03/2016 **Human rights standards in involuntary placement of people in old people's and nursing homes, illustrated by the example of people with dementia in old age** (in German);  
Authors: Prof. Dr. Jörg Künzli, Nula Frei, Vijitha Fernandes- Veerakatty; Expertise
- 15/09/2015 **Lack of an offence of torture in the Swiss Penal Code - discussion on the recommendation of the UN Committee against Torture** (in German);  
Author: Vijitha Fernandes-Veerakatty; Newsletter Article
- 31/07/2014 **Legal protection and deprivation of liberty - Legal study for the Swiss Prison Training Centre SAZ** (in German);  
Authors: Prof. Dr. Jörg Künzli, Anja Eugster, Vijitha Veerakatty, Expertise
- 05/06/2014 **New UN Human Rights Council resolution on peaceful protests,**

- UN Human Rights Council advocates for promotion and protection of human rights in peaceful demonstrations** (in German);  
Author: Vijitha Veerakatty; Newsletter Article
- 21/02/2014 **Legal Protection against Police Abuses - A Presentation of the Complaint Mechanisms in Switzerland** (in German);  
Authors: Prof. Dr. Jörg Künzli, Evelyne Sturm, Vijitha Veerakatty; Expertise
- 11/12/2013 **Call for better medical documentation and reporting in cases of suspected ill-treatment of detainees - Principles of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)** (in German);  
Author: Vijitha Veerakatty; Newsletter Article
- 13/06/2013 **When does overcrowding in prisons violate the ECHR - The NCPT describes the conditions in two prisons in Lausanne and Geneva as intolerable** (in German);  
Author: Vijitha Veerakatty; Newsletter Article

### **Voluntary work**

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- 05/2022 – today **Board Member at Back to the Roots (BttR)**  
Association for adopted persons from Sri Lanka in Switzerland
- 03/2022 – today **Member at the Swiss Society for Military Law and the Law of War**  
International non-profit association, think tank for humanitarian law, military law and the law of peace.
- 11/2021 – today **Volunteer at the Mazay Project**  
Association for the support of asylum seekers and refugees
- 03/2013 – 12/2017 **Legal Advisor at the Aid Office for Sans-Papiers**  
Association supporting people living in Switzerland without documentation
- 05/2010 – 11/2011 **Legal Advisor at INFRA**  
Aid office for woman

### **Language skills**

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**English** (C2)  
**French** (C2)  
**Tamil** (Native)  
**German** (Native)  
**Italian** (A1)