

Jelia Sané



Call: 2013

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Profile

Jelia Sané practices in international law, and immigration and asylum law. A member of Chambers' Children's Rights Group, she is particularly interested in the nexus between these areas and child rights.

Jelia's international law practice is based around international criminal law and international human rights law and includes victim/claimant representation before international courts and tribunals; human rights and criminal investigations; policy-oriented research; and training and capacity-building. She is instructed by individuals, NGOs, and United Nations and other inter-governmental organisations. Recent and ongoing instructions include representing victims of the Rohingya genocide before the International Criminal Court; advising an international human rights NGOs on EU sanctions for perpetrators of international crimes and other gross human rights abuses in Sri Lanka; and advising the **Centre for Women's Justice** on the UK's obligations to investigate and prosecute sexual violence against black and other ethnic minority women under international law.

Jelia has a particular interest in international crimes against/affecting children and sexual and gender-based crimes. In 2023, she worked as a legal consultant in Ukraine with **Global Rights Compliance** and advised Ukrainian prosecutors on the conduct of investigations into conflict-

related crimes against/affecting children allegedly perpetrated by Russian officials since 2014. Between 2020 and 2022, she was the Senior Legal and Policy Adviser at the **All Survivors Project**, an international NGO working on accountability for conflict-related sexual violence against men and boys. In addition, Jelja has advised on cases before the Inter-American Commission and Court of Human Rights, and the UN treaty monitoring mechanisms, and has delivered training on international human rights law to lawyers in Mauritania, Nigeria, Colombia and Argentina. In 2019, she was named **International Law Barrister of the Year** by Advocate, the Bar's leading pro bono charity.

Complementing her international law practice, Jelja has a broad immigration practice and acts in appeals and judicial reviews related to asylum, human rights, deportation, trafficking, as well as unlawful detention claims. She has particular experience working with vulnerable claimants, including children and victims of torture and sexual violence.

Jelja has a particular interest in children's rights. She represents age disputed migrant children, children in need of support and accommodation under the Children Act 1989, and unaccompanied minors seeking family reunification in the UK under Dublin III. Between 2017-2019, Jelja served as Junior Counsel to the **Independent Inquiry into Child Sexual Abuse**, on the Roman Catholic Church investigation (led by Riel Karmy Jones QC).

Prior to joining Doughty Street, Jelja worked for a number of international organisations and NGOs, including the International Criminal Court, the Extraordinary Chambers in the Courts of Cambodia, the Centre for Justice and International Law in Argentina and the Political Prisoner's Solidarity Committee in Colombia.

Jelja holds a first class LLM degree in Public International Law from University College London. She is a native French speaker and is fluent in Spanish and accepts instructions in both of these languages.

What the directories say

"Jelja is a first-class lawyer, with a great knowledge of international criminal law, and she is passionate in her protection of the victims of international crimes." - Legal 500 2024

Education

LLB Law with Spanish (2:1), University of Sheffield and University of Barcelona (2004-2008)

LLM Public International Law (1st), University College London (2008-2009)

Barrister Professional Training Course (Very Competent), City University (2012-2013)

Languages

French
Spanish

Related practice areas

International Law
Immigration
International Criminal Law
International Human Rights Law
Public International Law
Inquests and Public Inquiries
Children's Rights Group
Immigration Detention Group
Anti-Trafficking

International Law

Jelia has a broad international criminal and human rights law practice. Selected instructions include:

Litigation and advisory

- ***Situation in Bangladesh/Myanmar (International Criminal Court)***: Representing Rohingya genocide victims before the ICC (2020-ongoing).
- ***Global Rights Compliance, Consultant Senior Legal Adviser (Ukraine)***: Advising the Ukrainian Office of the Prosecutor General on the investigation and prosecution of international crimes in line with best practice and international standards, with a focus on crimes against children and sexual and gender-based crimes (April 2023-December 2023).
- ***International Truth and Justice Project, Consultant Senior Legal Adviser (Sanctions)***: Advising on EU sanctions for alleged perpetrators of international crimes committed during the Sri Lankan civil war (February 2023-January 2024).
- ***Al Ameri v USA (Inter-American Commission on Human Rights)***: Instructed by Reprieve to represent Yemeni civilians in a challenge against US drone strike policy.

Investigations and research

- **Global Coalition to Protect Education from Attack, *Accountability for Crimes Against Education***- Research consultancy on the investigation and prosecution of attacks against schools, students, teachers and educational personnel as international crimes (July 2022-ongoing)
- **Save the Children and Oxford Institute for Law, Ethics and Armed Conflict, *“Advancing justice for children: innovations to strengthen accountability for violations and crimes affecting children in conflict”***- Research consultancy on the investigation and prosecution of core international crimes against/affecting children by UN fact-finding bodies and international criminal courts and tribunals (with Sareta Ashraph, February 2020-March 2021)
- **World Organisation Against Torture, *‘The Torture Roads: the cycle of abuse against people on the move in Africa’***- Led a human rights investigation into incidents and patterns of torture and other ill-treatment against ‘people on the move’ along migration routes and transit settings in West and North Africa (with Maria Holmblad, September 2019-September 2022).
- **UN Special Rapporteur on extrajudicial, summary or arbitrary executions-** Supported the mandate in its follow up to the investigation into the assassination of journalist Jamal Khashoggi (A/HRC/41/CRP.1) by conducting in-depth research into States’ due diligence obligation to prevent extra-territorial threats to the right to life and to protect journalists, human rights defenders and dissidents at risk; drafted report with guidelines for States (2020-2021).
- **International Committee of the Red Cross, *‘Mandatory reporting and access to healthcare for victims of conflict-related sexual violence’***- Investigated the human rights and humanitarian impacts of mandatory reporting laws and/or practices on access to healthcare for victims of conflict related sexual violence (April 2019-April 2020, with Maria Holmblad).

Training and capacity-building

- Jelja has delivered training on a broad range of international human rights law and international criminal law matters to lawyers, humanitarian workers and civil society organisations, including Diakonia, Global Rights Compliance, Minority Group International and the Nigerian Bar Association.

Immigration and Asylum

Jelia's specialist practice spans the whole spectrum of immigration law and asylum law, including the Refugee Convention, the European Convention on Human Rights, nationality law, trafficking, EEA law, unlawful detention, deportation, immigration bail and the Immigration Rules. She regularly represents vulnerable claimants, including unaccompanied minors and victims of torture and gender-based violence, before the First-Tier and Upper Tribunals (Immigration and Asylum Chamber).

Jelia's specialised knowledge of international criminal and humanitarian law means that she is well placed to advise on exclusion cases under Article 1(A) Refugee Convention.

Selected cases include:

- *NS and MAK vs SSHD JR/1820/2020*: Successful challenge to the SSHD's refusal to reunite a vulnerable asylum-seeking Kuwaiti Bidoon woman living in Greece and her minor child with their UK based family members under Articles 16 and 17 Dublin III Regulation (led by Simon Cox).
- *R (A) and Ors v SSHD JR/4866/2017*: Successful judicial review challenge to the SSHD's refusal to admit an unaccompanied asylum-seeking minor into the UK for family reunification. The Appellant had been living in the Jungle for several months; his application under the Dublin Regulation had been processed in situ by the Home Office and rejected under the so-called "expedited process" (led by Charlotte Kilroy).
- *R (Antonio Arranz) v National Crime Agency [2017] EWHC 931 (Admin)*: Judicial review challenge to the NCA's decision to extradite a former member of the former Basque separatist group ETA whose extradition had been confirmed by the Divisional Court. The Claimant sought to challenge the action of the Defendant National Crime Agency, in seeking to extradite him to Spain, on the grounds that he had a valid appeal against the refusal of an asylum claim for the purposes of section 39 Extradition Act 2003 (led by Laura Dubinsky).
- *ZT(Syria) v SSHD [2016] EWCA Civ 180*: Landmark judicial review challenge to a refusal by the SSHD to admit 3 unaccompanied minors and 1 vulnerable dependent adult, all of whom were Syrian and living in the Calais "Jungle", into the UK to be reunited with their relatives. The case raised complex legal arguments on the interplay between Article 8 ECHR and the Dublin III Regulation. (led by Michael Fordham QC, with Charlotte Kilroy, Alison Pickup and Michelle Knorr). Read the press coverage [here](#).

Public and Administrative Law

Jelia has advised on public law matters in the immigration law context, including fresh claims and age disputes, as well as challenges under the Children Act 1989, and cases at the interface of domestic and international law. Reported cases include:

- *Alseran and Ors v MOD (“Iraqi Civilians”) [2017] EWHC 3289 (QB)*: Successfully represented two Iraqi civilians who were captured by Coalition forces during the invasion of Iraq in 2003 and unlawfully detained in inhumane and degrading conditions at Camp Bucca (led by Richard Hermer QC). For press coverage see **The Independent**.
- *R (Stewart) v Birmingham City Council [2018] EWHC 61 (Admin)*
Judicial review challenge to the withdrawal of accommodation and support under section 17 Children Act 1989. The case raised an interesting and complex point, namely the Defendant’s failure to consider the effect of the “Right to rent” scheme provided by Part 3 Immigration Act 2014.

Public Inquiries

Since 2017, Jelia has been instructed as Junior Counsel to the **Independent Inquiry Into Child Sexual Abuse** (“IICSA”). IICSA is a statutory inquiry established in 2014 to examine the extent to which major institutions in England and Wales have discharged their duties to protect children from sexual abuse. Jelia is involved in the investigation into the Roman Catholic Church and specifically into the prevalence of child sexual abuse and child protection failures in schools run by the English Benedictine Congregation (led by Riel-Karmy Jones QC). The Inquiry’s report into Ampleforth and Downside schools was published in **August 2018** with further hearings to be held in 2019.

Publications

Jelia’s selected publications and reports include:

- **The Torture Roads - The Cycle of Abuse against People on the Move in Africa**, December 2022, (for the World Organisation Against Torture).

- **Advancing Justice for Children: Innovations to strengthen accountability for violations and crimes affecting children in conflict**, March 2021, (for Save the Children).
- **La preuve audiovisuelle devant les instances internationales: techniques et admissibilité**, October 2018, (with Dr Keina Yoshida, for TRIAL International).