

Elise Groulx Diggs Esq Ad.E



Profile

Elise Groulx Diggs practices international human rights law and international criminal law from a base in Washington DC. She is a recognised leader in the field of Business and Human Rights, assisting corporations, risk consultancy firms and others to assess human rights risks in their strategic projects and supply chains. She is one of only nine lawyers worldwide ranked by the Chambers and Partners Global Guide to the legal profession, which **identifies the leading practitioners** in the field of Business and Human Rights law. The guide comments that "Elise is deeply knowledgeable about virtually every facet of the field of business and human rights. Combined with her broad range of contacts internationally, this knowledge carries formidable weight and influence. In addition, Elise has a personal warmth and concern for the people with whom she works, which builds trust, creative energy and a sense of shared vision in her projects." She advises corporations on human rights risks in their strategic projects and supply chains. Also known as an expert in international criminal law, she assists businesses in assessing the legal risks of operating in fragile states and conflict zones. She advises corporations, law firms and organisations in the United States, Canada, France and the United Kingdom. Elise is an international mediator, certified by the International Mediation Institute (IMI) in The Hague.

She is an Associate Tenant at Doughty Street Chambers in London and "of counsel" of Alkyne in Paris (France) and Geni & Kebe in Dakar, Sénégal. She is also "of counsel" to the Endo et Associés in Montréal, Québec, Canada.

Elise is Principal of the international human rights and social risk consulting group, BI for Business Integrity & Partners LLC, based in Washington, with partners in Kinshasa (Democratic Republic of Congo), Dakar (Senegal) and France.

Elise offers legal advisory and training services to support corporations conducting human rights due diligence, audits and social risk assessments. She is an expert at helping businesses and financial institutions to assess their legal exposures related to business operations and supply chains in conflict-affected regions. She advises multinational corporations and international organisations on a variety of issues including: due diligence assessments for investments in conflict-prone countries; business complicity in war crimes; corporate criminal liability; and remediation programs for victims of human rights violations occurring near mining projects.

Elise convenes the Advisory Board of the Business and Human Rights project of the American Bar Association Center for Human Rights and has spoken on these issues for the last 10 years. She organized a major conference, held in Paris in March 2013, on International Corporate Liability in Conflict Zones jointly with the leaders of the French National Bar Council (Conseil National des Barreaux/CNB), the French Ministry of Foreign Affairs (Quai d'Orsay) and the American Bar Association (ABA).

She has a track record of convening and mobilizing the international legal profession, dating from 1996 when she first entered the field of International Criminal Law (ICL). She has been a respected voice for the defence and an advocate for the international legal profession at the International Criminal Court (ICC), leading the creation of the International Criminal Bar (ICB) in 2002.

A precursor organization led by Elise, the International Criminal Defence Attorneys Association (ICDAA), was responsible for proposing essential provisions on the rights of the defense that were entrenched in the Rules of Procedure and Evidence of the ICC in 1999-2000. The ICDAA participated in the establishment of a legal aid system in Afghanistan from 2005 until 2011 and did planning work for a similar legal aid project in Haiti.

Elise spent much of her career as a criminal defence attorney in Montréal, litigating complex court cases and engaging in plea-bargaining and negotiations. As a public defender for nine years, she represented thousands of indigent clients. She then started her own practice and handled cases dealing with complex legal policy issues, notably police brutality and a "self defence review" of the cases of women who claimed to have killed their partners in legitimate self-defence. She also sat on a Military Justice Panel advising the Judge Advocate General

of Canada for three years.

Elise is licensed to practice law as a barrister and solicitor in Québec (Canada), Paris (France) and European legal institutions including the European Court of Human Rights in Strasbourg. She is also a licensed legal consultant in the State of New York.

She was educated in Montréal and has a BA in Political Science from the Université du Québec à Montréal (UQAM) and a law degree, with distinction, from the Université de Montréal. She has a certificate in criminology and comparative criminal law from the Université of Paris II (Panthéon-Assas) and an L.L.M. in criminology and comparative criminal law from the London School of Economics (LSE).

In 2009, she was selected to participate in a workshop in the Advanced Study of Nonviolent Conflict at the Tufts University Fletcher Summer Institute in Boston, Mass. She trained with the Québec Bar to become an accredited mediator in 2010.

As set forth in the September 19, 2015 Report of the ABA Business Law Section Task Force on Implementation of the ABA Model Policies on Labor Trafficking and Child Labor, Chair E. Christopher Johnson Jr. Chair of said Task Force recommended and the Task Force concurred that Elise Groulx Diggs, become a member of the Task Force and on that date she was so appointed.

Elise recently provided an independent legal opinion on the responsible sourcing policy of a major gold refining company. Assessed a policy manual prepared by an expert consulting house to guide the conduct of human rights and conflict minerals due diligence with a special focus on sourcing arrangements with artisanal miners of precious metals ore.

Current Professional Activities

- Appointed Senior Fellow of the Center for the Study of the Legal Profession at Georgetown University's Law Center.
- Fellow of the American Bar Foundation
- Recently appointed Of Counsel to a law firm in Paris, Le Cabinet Alkyne, and to a law firm in Senegal, Geni & Kebe.
- Listed in the international **Directory of business & human rights lawyers**.
- Sits the editorial board for **L4BB**.
- Principal, **BI for Business Integrity & Partners LLC, Washington DC**.
- Convenor of the Advisory Board of the Business and Human Rights Project, American

Bar Association (ABA) Washington DC.

- Officer of the Corporate Social Responsibility Committee of the International Bar Association (IBA).
- Founding Member of a think tank on issues of security and development **Cercle K2 (2014) Paris, France.**

Professional Distinctions

- Recipient of the Walter S Tarnopolsky Human Rights Award (Vancouver, 2012), recognizing her outstanding contributions to domestic and international human rights
- Canadian Civil Liberties Association (CCLA) advocacy award (June 2012) for her contribution to the rule of law and the defence of civil liberties
- Champion of Justice Award, National Association of Criminal Defense Lawyers (NACDL), USA (2004)
- Medal of the Paris Bar (2002)
- Medal of the Québec Bar (2003)
- Medal of Université de Montréal's law faculty (2003)
- Received the title *Advocatus Emeritus* (Ad.E) from the Québec Bar Association in 2007; this distinction is the equivalent of Queen's Counsel (QC) in Québec, Canada.
- Founding President and now Honorary President of the International Criminal Bar (ICB)
- Board of Directors, Montreal Council on Foreign Relations (CORIM) (2005-2012)
- Founded (1997) and presided the International Criminal Defence Attorneys Association (ICDAA) for over 15 years
- Honorary member, Bar of Draguignan (France)
- Honorary professor, University Inca Garcilaso de la Vega (Lima, Peru)

Publications, Lectures, and Conference Paper Presentations

- Elise Groulx, co-author, "**Business and Human Rights: The Galaxy of Norms**", Georgetown Journal of International Law, Washington, August 1 2019
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Elise Groulx, co-author, "Article 43" and "Article 67", **Code of International Criminal Law and Procedure, annotated** , Larcier, June 23, 2013

- Elise Groulx, Llewellyn H. Diggs, "Looted Resources in Global Supply Chains: Asking the Right Questions, " **LexisNexis Communities/International & Foreign Law Communities**, March 11, 2013. Also available in French, and Spanish.
- Elise Groulx, Geneviève Dufour, Jo Cooper, Weronika Granosik (dir.), "Association internationale des avocats de la défense/International Criminal Defence Attorneys Association", **Revue Québécoise de droit international/Quebec Journal of International Law, Hors série/Special Issue 2010 (2010)**
- Elise Groulx, Llewellyn H. Diggs, "Les entreprises et les crimes de guerre" & "Business and human rights abuses", **Sommet sur le crime international, Le Monde de l'après G20, la Gouvernance Globale et la Lutte contre le Crime Transnational, Crans Montana Forum, Genève (2009)**
- Elise Groulx, "La responsabilité des multinationales et des chefs d'entreprise : une conséquence inattendue de la Cour Pénale internationale", **Revue Humanitaire (11/2009), vol.23, 56-59**
- Elise Groulx, "La responsabilité des multinationales et des chefs d'entreprises: une conséquence inattendue de l'institution de la Cour Pénale Internationale", **Premières en Affaires (Montréal, 2008), 63-64**
- Elise Groulx, "Det nye internasjonale strafferettssystemet og utfordringene det gir for jusister (The New International Justice System and the Challenges Facing the Legal Profession)", *Tidsskrift for Strafferett*, Nr.2/2007 årgang 7, 128-154
- Elise Groulx, Hélène Dragatsi, "Assistencia Juridica para Actuar ante la corte Penal Internacional: Rol de los Abogados de la Defensa Penal", **Revista Juridica de la Federación Interamericana de Abogados (08/2007), vol.6**
- Elise Groulx, "Equality of Arms: Challenges Confronting the Legal Profession in the Emerging International Criminal Justice System", **Oxford U Comparative L Forum (2006), vol.3**
- Elise Groulx, "Eligiendo equiparar la profesion juridical: desafios de la profesion juridical frente al emergente sistema de justicia penal internacional", **Inter-American Bar Association Law Review (12/2005), vol.3**
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Elise Groulx, "Le troisième Pilier : la profession juridique, véritable partenaire du système de justice pénale internationale", *Revue Juridique Thémis* (2005), vol.39, no.1, 195-214

- Elise Groulx, "La profession juridique devant les instances internationales : l'égalité des armes en question", *Droits de la personne : Éthique et mondialisation. Actes des Journées strasbourgeoises de l'Institut canadien d'études juridiques supérieures 2004*, Yvon Blais, Cowansville, 2004, 603-629
- Elise Groulx, "Le troisième pilier: la profession juridique, véritable partenaire du système de justice pénale internationale", Hélène Dumont, Anne-Marie Boisvert (dir.), "La voie vers la Cour pénale internationale: tous les chemins mènent à Rome, Les Journées Maximilien-Caron 2003", *Thémis*, Montréal, 2004, 33-51
- Elise Groulx, "The Numerous Challenges of Strengthening the International Criminal Justice System", *The Champion*, National Association of Criminal Defence Lawyers (NACDL), Washington D.C., November 2004, 44-47
- Elise Groulx, "The defence pillar: Making the defence a full partner in the international criminal justice system", *The Position of the Defence at the International Criminal Court and the Role of the Netherlands as the Host State*, *Criminal Sciences*, 2002, Leiden, The Netherlands, 17-34
- Elise Groulx, "The Defence Pillar: Making the Defence a Full Partner in the International Criminal Justice System", *The Champion*, National Association of Criminal Defence Lawyers (NACDL), Washington D.C., September/October 2001, Vol. XXV No. 8, 20-31
- Elise Groulx, "A Strong Defence before the International Criminal Court", *An Independent Defence before the International Criminal Court. Proceedings of the Conference held in The Hague, 1-2 November 1999*, *Criminal Sciences*, 2000, Leiden, The Netherlands, pp. 7-18
- American Bar Association (ABA) invited as a panellist at the 2006, annual meeting in Hawaii, and the 2007 annual meeting in San Francisco, California.
- Policy paper on corporate complicity under Canadian criminal law, submitted to the International Commission of Jurists (ICJ) in Geneva and quoted in their 2008 report
- International Bar Association (IBA), invited as a panellist in 2003 in Brussels and in San Francisco for the 2003 annual meeting
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Francophone Bars of Belgium, at the Cour de Cassation in Brussels on November 8, 2011

- Montreal Economic Forum of the Americas in June 2006
- FAFO Institute (Oslo), during a two day seminar held in September 2009
- CransMontana Forum (Paris) in November 2009
- Council of Europe (Strasbourg) in April 2012
- Training workshop, organized jointly by the ICDA and the ICB on international criminal law and the International Criminal Court, in the Netherlands, France, Sénégal, Canada, USA, Mexico, San Juan (Costa Rica), Buenos Aires (Argentina) and Lima (Peru)
- Lectured on international criminal law and the new justice system, including the ICC at more than 100 events in North and South America, Europe, Japan, Lebanon and Africa over more than a decade

Related practice areas

International Law & Arbitration

Business and Human Rights and Modern Slavery