

KAM, Gberdao Gustave (Burkina Faso)

[Original: French]

Note verbale

The Embassy of Burkina Faso to the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and has the honour to submit to the Secretariat the candidacy of Mr. Gberdao Gustave Kam for one of the six posts of judge at the Court for the elections to be held during the first resumption of the seventh session of the Assembly of States Parties, scheduled for 19 to 23 January in New York.

In conformity with subparagraphs (a), (b) and (c) of paragraph 3 of article 36 of the Statute and with paragraph 4 (a) of that same article 36 of the Statute, Mr. Kam is a senior Burkinabé judge and has occupied the highest judicial posts in Burkina Faso. He enjoys high moral esteem and is known for his impartiality and his integrity. French is his first working language, of which he has perfect command. He also works in English and his experience in Arusha over the last five years has strengthened his ability in that regard. During his career in Burkina Faso, he was successively lawyer, prosecutor and judge. He has thus specialised in criminal law and has a strong command of criminal procedure. For that reason, we are submitting his name as a list A candidate.

Mr. Kam has a good command of the Romano-Germanic system, as well as some familiarity with non-written law. Moreover, his current working environment has enabled him to extend his legal culture beyond the legal system of Burkina Faso, thanks to the multicultural character of the legal actors involved in proceedings before the International Criminal Tribunal for Rwanda. Mr. Kam's candidacy thus satisfies the conditions set out in article 36, paragraph 8 (a) (i) to (iii), of the Statute.

Moreover, Mr. Kam's speciality is criminal law and he is at the same time thoroughly familiar with international law. Firstly, because of his capacities in the field of human rights. Secondly, because of his extended period of service with the International Criminal Tribunal for Rwanda. This specialised knowledge extends to issues of procedure, which have come before him for resolution in the various cases assigned to the Chambers in which he has sat.

Mr. Gberdao Gustave Kam is of Burkinabé nationality, and it is on this basis that Burkina Faso, by letter No. 08-00175/MJ/SG/DACPS/zo/lj of 22 September 2008 from the Burkina Faso Ministry of Justice and Keeper of the Seals, has submitted his candidacy, which is a particularly valuable one, in view of his extended experience with the International Criminal Tribunal for Rwanda and of his active participation in the Burkinabé delegation which negotiated the Court's basic texts.

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