

Statement of qualifications

Statement submitted in accordance with article 36, paragraph 4, of the Rome Statute of the International Criminal Court and paragraph 6 of the resolution of the Assembly of States Parties on the procedure for the nomination and election of judges of the International Criminal Court (ICC-ASP/3/Res.6).

1. Moral qualifications (article 36, paragraph 3 (a), of the Rome Statute)

Ms. Angélique Sita Akele Muila enjoys high moral standing in her private and public life and is known for her impartiality, meticulousness and integrity in the professional circles and associations in which she has worked.

Married, with six children, Ms. Sita aims to lead a family life that is consistent with her religious beliefs and the traditions of human dignity in which she was brought up by her father, Alphonse Sita Pambu, the first ambassador of the Democratic Republic of the Congo (DRC) to the Holy See. Her schooling and extra scholastic activities in prestigious schools and movements (“Les Bergeronnettes”, Lycée du Sacré Cœur in Kinshasa, Lycée Chateaubriand in Rome, Italy, under the auspices of the Académie de Grenoble) helped nurture in her a meticulousness and a desire to serve others that are salient characteristics of her personality.

Anyone who has been associated with her in her various professional capacities or in her work with associations will confirm that she upholds such social and moral values as the family, respect for the law and fundamental human rights, justice, humanism, the dignity and self-fulfilment of women, integrity, honouring one’s word, punctuality, a job well done, and so on. Incidentally, it is on this account, quite aside from her technical expertise, that she has been, and indeed still is involved in the activities of the Centre pour Cadres et Dirigeants Chrétiens des Entreprises au Congo (CADICEC) headed by Father Ekwa bis Isal; the governing council of the African Institute for Economic and Social Development – African Training Centre (INADES-Formation); the governing council of Femme-Plus, a non-governmental organization, as treasurer; the general assembly of the Centre d’Etudes pour l’Action Sociale (CEPAS), etc. On the strength of these qualities she was elected to the Executive Board of the Kinshasa Bar Council and appointed Secretary of the Board.

Other prominent persons who can vouch for Ms. Sita’s high moral character include Father Ekwa, Secretary General of CADICEC and President of CEPAS; Ms. Françoise Demeyer, principal of the Lycée Motema Mpiko; Father Richard Erpicum, member of the INADES-Formation; Ms. Bernadette Mulelebwe, National Director of the non-governmental organization Femme-Plus; Mr. Christian Hemedi, Coordinator of the National Coalition for the International Criminal Court; Maître Kalemba Tshimankinda and Maître Matadi Nenga Gamanda, former presidents of the Kinshasa Bar Council; Maître Ngele Masudi and Ms. Marie-Madeleine Kalala, former Ministers of Justice and Human Rights; Professor Grégoire Bakandeja, former dean of the Faculty of Law of the University of Kinshasa; Mr. Eusèbe Hounsokou, representative of the United Nations High Commissioner for Refugees (UNHCR) in the DRC.

Ms. Sita’s high moral character, together with her training, expertise and experience in the academic field (doctor of law of the University of Aix-Marseille, France, holder of a postgraduate diploma in criminal science and criminology, teacher of criminal law at the Faculty of Law of the University of Kinshasa), in the legal field (advocate and Secretary of the Executive Board of the Kinshasa Bar Council) and in the political and administrative field (legal assistant to the Minister of Justice and Keeper of the Seals) would certainly qualify her

to be appointed to high judicial office in the highest national courts, such as the Court of Appeal and the Constitutional Court.

2. Technical qualifications: list for which Ms. Sita's candidacy is presented for the purposes of article 36, paragraphs 3 (b) and 5, of the Rome Statute

Under the terms of article 36, paragraph 5, of the Rome Statute, two lists are established for the purposes of the election of judges of the Court containing the names of candidates competing, in the case of the first, on the strength of their competence in criminal law and procedure and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings (list A); and, in the case of the second, on the strength of their competence in relevant areas of international law such as international humanitarian law and the law of human rights, and extensive experience in a professional legal capacity which is of relevance to the judicial work of the Court (list B).

Ms. Sita is a jurist, specialist in criminal science and criminology, professor of criminal law and advocate and, in recent years (since 2003), has been an official of the United Nations working as national protection officer for UNHCR. In this capacity, she put international humanitarian law and human rights to the test in the context of the realities on the ground and the hardships endured by refugees and displaced persons. In 1999, she co-published a work on crimes against humanity in Congolese law, published by CEPAS. This scholarly and practical study prepared her to address and deal with the appalling situations engendered by gross violations of international humanitarian law. Her experience at UNHCR, in the DRC and on mission to the Republic of Guinea enabled her to come into contact with some of the most vulnerable refugees and displaced persons, women and children, including single women, victims of rape, children who had lost trace of their parents, etc., and to recognize that while the traumas experienced by these people require humanitarian action and engagement on a large scale, action must also be taken to prevent the occurrence of such situations through the effective exercise of justice at the international level, in order to deter, punish and redress, and robustly to reaffirm the values that these outrages have flouted.

This experience, reinforced by many UNHCR specialized training courses, has helped Ms. Sita build up specialist expertise in the area of protecting vulnerable persons, especially the victims of rape, displaced persons and child victims of the atrocities of war. Thus, she has been invited to speak on such subjects as:

- "Domestic violence against women in the eyes of Congolese law", workshop organized by Sofejur, Lubumbashi, March 2004.
- "Do international mechanisms exist which offer an alternative to the International Criminal Court?", Accountability mechanisms for international crimes: the cases of the DRC and Uganda, expert meeting, 14 October 2004, Amsterdam.
- "Do we need an international criminal court for the DRC? (Cases of violence against vulnerable groups: women, children, minority groups, refugees)", Association pour la Renaissance du Congo, 2004.
- "The competence *ratione personae*, *ratione materiae*, *ratione temporis*, *ratione loci* of mixed chambers", seminar-workshop on specialized mixed chambers within Congolese jurisdictions, organized by the Congolese Coalition for Transitional Justice (CCJT) in collaboration with the International Center for Transitional Justice and the Human Rights Division of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), Kinshasa, 7 June 2005.
- "Transitional justice and eradicating sexual violence against women in the Democratic Republic of the Congo", FEWER-Africa, Nairobi, 2006.

- “Review of the problems posed by Book I of the Congolese Penal Code”, in *Actes de l’Atelier sur l’état des lieux du code pénal congolais*, Permanent Commission for the Reform of Congolese Law, Kinshasa, 2006.
- “The implications of the new laws relating to sexual violence for the protection of women in student communities”, *Le Club des Amis du Droit*, UPC, 2007.

Clearly Ms. Sita has sufficient qualifications to appear on either list. However, availing herself of the option provided for under article 36, paragraph 5, of the Rome Statute, she has chosen to present her candidacy for list B.

3. Special qualifications and representation (article 36, paragraph 8, of the Rome Statute)

Ms. Sita has thus built a distinguished reputation for herself not only in the area of international criminal law, international humanitarian law and the law on refugees – justifying her candidacy for list B – but also in the academic field, where she has expertise relating to sexual violence against women and violence perpetrated against vulnerable persons, especially children – justifying and supporting her candidacy in the context of article 36, paragraph 8 (b), of the Rome Statute.

With reference to article 36, paragraph 8 (i), (ii) and (iii), of the Rome Statute, the candidacy of Ms. Sita, who has Congolese nationality (DRC), should be considered in the context of:

- representation of the Romano-Germanic legal system, especially in its African expression;
- geographical representation of the African region; and
- representation of women.

4. Knowledge of one of the working languages of the Court (article 36, paragraph 3 (c))

Lastly, Ms. Sita has excellent knowledge of and fluency in at least one of the working languages of the Court, namely French, and moderate knowledge of English.

* * *