

Statement of qualifications

Detailed statement of qualifications of the candidate of the Government of Burkina Faso, Gberdao Gustave Kam, for the post of judge at the International Criminal Court, presented in accordance with article 36, paragraph 4 (a), of the Rome Statute and paragraph 6 of resolution ICC-ASP/3/Res.6 of the Assembly of States Parties on the procedure of nomination and election of judges to the International Criminal Court.

The Government of Burkina Faso has decided to nominate Judge Gberdao Gustave Kam for the position of judge of the International Criminal Court, the elections to be held from December 12 to 21, 2011 in New York during the tenth session of the Assembly of States Parties to the Rome Statute.

The nomination of Judge Kam is on the List A because he fully meet the requirements for applicants with an “established competence in criminal law and procedure and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity”. [paragraph 3 b) i) and paragraph 5 of article 36 of the Rome Statute.

The candidate of Burkina Faso is a judge with an exceptional level and has held senior positions in both the national judicial system and the international level. He performs, as a result, all the conditions of experience and seniority required to hold the highest judicial offices as required by the Rome Statute (article 36 paragraph 3 (a)).

As emphasized in his resume sent by note verbal No.11.286/PCS/ac of 16 June 2011 from the Permanent Mission, Judge Gberdao Gustave Kam holds a degree of judge obtained at the National School of Magistracy, International Section, in Paris, France and a Master of Laws from the University of Ouagadougou.

On the national level, Judge Kam has held several positions including member of the National Codification Commission for proofreading the Criminal Procedure Code and the Law governing the procedure applicable by the Criminal Bench, Advocate, Investigating Judge at Bobo-Dioulasso Court of First Instance, President of Tenkodogo (Regional) Court of First Instance, President of Bobo-Dioulasso and Koudougou (Regionals) High Court, and Principal State Prosecutor at the Ouagadougou Court of Appeal.

On the international level, Judge Kam was elected in 2003 by the General Assembly of the United Nations as an ad litem judge at the International Criminal Tribunal for Rwanda (ICTR) where he received assignment of several single or multiple accused cases. In the Trials work, his bench delivered its sentencing judgment on the following cases:

- *The Prosecutor against Michel Bagaragaza;*
- *The Prosecutor against Tharcisse Muvunyi;*
- *The Prosecutor against Kalimanzira;*
- *The Prosecutor against Simeon Nchamihigo;*
- *The Prosecutor against GAA;*
- *The Prosecutor against Andre Rwamakuba;*
- *The Prosecutor against Seromba.*

In the case of *the Prosecutor against Karemera and others*: This multi-accused case was assigned to him in 2005, the decision must be made at the end of 2011.

Basically, Judge Kam is an activist of human rights and a fervent advocate of human rights, a founding member of associations working in the area of human rights in Burkina Faso.

Judge Kam is a citizen of Burkina Faso. He speaks French and English.

He hold the honors of “Chevalier de l’Ordre national” (Order of Distinction in Burkina Faso).

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