

Statement of qualifications

Statement specifying fulfillment of the requirements of Article 36 paragraph 3 of the Rome Statute by Professor WŁADYSŁAW CZAPLIŃSKI, candidate of the Republic of Poland for election to the International Criminal Court, to be held at the tenth session of the Assembly of States Parties in New York, 12-21 December 2011.

In accordance with paragraph 3 of article 36 of the Rome Statute of the International Criminal Court, every candidate for election to the Court should fulfill the following requirements:

1. To be a person of a high moral character, impartiality and integrity who possesses the qualifications required in his/her respective State for appointment to the highest judicial offices (paragraph 3 (a)).

Professor Władysław Czapliński is a person, who in his professional, as well as personal life, consistently has proven his impartiality and integrity. His high moral character and devotion to the highest standards of service and ethics are well known, widely recognized and respected in Poland and abroad. He is a knight of the Order of *Polonia Restituta*, one of the highest and most respected Polish distinctions. He has been elected and appointed twice for the post of Director of the Institute of Law Studies of the Polish Academy of Sciences by the Scientific Council of the Institute. As a Full Professor of Law nominated by the President of the Republic of Poland, which is the highest scientific title and honor in Poland, he also possesses a scientific degree of a “habilitation Doctor of Law”, and being an active legal counsel, he is eligible to be appointed to the highest judicial positions at the Constitutional Tribunal, the Tribunal of State or the Supreme Court.

He is an Associated Member of the International Academy of Comparative Law.

2. Shall have established 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 (paragraph 3 (b) (ii)).

Professor Czapliński is one of the best and most experienced experts of public international law in Poland. His manual entitled “Public International Law – System Approach” is a contemporary *opus magnum* in the field of international law and a fundamental reference book not only for students but also academics. He publishes frequently in many professional journals and takes part in various diplomatic and legal activities of the Government. He serves as an Advisor to the Government and legal counsel for the parties before the European Court of Human Rights in Strasbourg. He is also active as a legal counsel in domestic legal cases, being a senior partner at the Krolak and Partners Law Office in Warsaw. His legal research and studies are devoted, in particular to the use of force, international responsibility of States and international organizations, individual criminal responsibility, international crimes, humanitarian law and cooperation in criminal matters. All of those topics are very relevant to the judicial work of the Court.

3. Shall have an excellent knowledge of and be fluent in at least one of the working languages of the Court (paragraph 3).

Professor Czapliński is fluent in English and in French. He also speaks Russian and German, and has passive knowledge of some other languages. He publishes his works in foreign professional journals on a regular basis and gives lectures as a visiting professor at top ranked universities.

In addition, the Government of the Republic of Poland has the honor to inform that Professor Czapliński has been nominated for inclusion in the List B for the purposes of article 36, paragraph 5, of the Rome Statute. As far as the issues covered by article 36, paragraph 8(a) (i) to (iii) are concerned, the Polish candidate represents a continental/civil system of law based on the principles of Roman law

(i); is being nominated by a State from the Eastern European group of States which is entitled to one additional judge at the International Criminal Court in accordance with paragraph 20 of the resolution ICC-ASP/3/Res.6, dated 10 September 2004, and consequently the regional minimum voting requirement in the forthcoming election to the Court for the Eastern European States has been determined as 1 (ii); nominating a male candidate the Government of the Republic of Poland makes an effort to ensure a fair gender balance in the composition of the Court (iii), since the gender minimum voting requirement for the forthcoming election has been determined as 2 male judges.

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Letter from the President of the Polish national group at the Permanent Court of Arbitration

Polish national group
at the Permanent Court of Arbitration

Warsaw, 9 May 2011

Nomination of Professor Władysław Czapliński as a candidate for election to the International Criminal Court, which will take place in New York at tenth session of the Assembly of States Parties to the Rome Statute of the International Criminal Court (December 12-21 2011).

Pursuant to article 36, paragraph 4(a) (ii), of the Rome Statute of the International Criminal Court, the Polish National Group in the Permanent Court of Arbitration has decided to nominate Professor WŁADYSŁAW CZAPLIŃSKI, a national of the Republic of Poland, as a candidate in the forthcoming election of judges of the International Criminal Court which will take place in New York at the tenth session of the Assembly of States Parties to the Rome Statute of the Court in December 2011.

President of the Group

/Professor Jerzy Makarczyk/