

# Perrin de Brichambaut, Marc Pierre

[Original: French]

## Note verbale

The French Embassy to The Netherlands presents its compliments to the International Criminal Court (Secretariat of the Assembly of States Parties) and, referring to its note verbale dated 18 February 2014 (ref: ICC-ASP/13/SP/06), has the honour to inform it that the Government of the French Republic has decided to nominate Mr Marc Perrin de Brichambaut, member of the *Conseil d'Etat* (France's supreme administrative court) as a candidate for the elections of judges of the International Criminal Court that will be held in New York during the thirteenth session of the Assembly of States Parties to the Rome Statute on 8-17 December 2014.

Mr Perrin de Brichambaut was selected as a candidate for this election, pursuant to article 36(4)(a) of the Rome Statute, "by the procedure provided for the nomination of candidates for the International Court of Justice in the Statute of that Court".

His nomination was submitted to the Government by the French national group of the Permanent Court of Arbitration following the publication of a notice of call for applications and a selection process organised by the French national group of the Permanent Court of Arbitration involving more than twenty candidates.

As stated in his curriculum vitae as well as the detailed statement drawn up pursuant to article 36(4)(a) of the Rome Statute, both of which are appended, Mr Marc Perrin de Brichambaut possesses the qualities required under article 36(3). Mr Marc Perrin de Brichambaut holds French nationality only and is a candidate on list B, which includes candidates with "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" [article 36 (3) (b) (ii) and 36 (5) of the Rome Statute].

Mr Marc Perrin de Brichambaut is a member of the *Conseil d'Etat*, France's supreme administrative court, and is of high moral character. He is known for his impartiality and integrity.

Mr Perrin de Brichambaut has the full range of skills and experience required by the Rome Statute in the relevant areas of international law such as the law of human rights and international humanitarian law, as well as considerable experience as a member of the *Conseil d'Etat*.

Mr Perrin de Brichambaut has been a member of the *Conseil d'Etat* since 1974 and regularly serves as a judge in this court. He currently sits on several dispute formations, which handle, in particular, many cases in the field of public freedoms and the defence of human rights.

Mr Perrin de Brichambaut is also a former Secretary General of the Organization for Security and Co-operation in Europe (OSCE). He held this post in Vienna between 2005 and 2011. As such, he was an independent international civil servant, working for 56 participating States, who elected him twice by consensus. He thus worked with the Foreign Ministers of these States and prepared several ministerial meetings and an OSCE summit. He also increased the OSCE's involvement in helping to prepare criminal legislation and training judicial staff and supported its work as a permanent forum for dialogue on human rights.

Mr Perrin de Brichambaut has excellent knowledge of international criminal courts. He was Director of Legal Affairs at the French Ministry of Foreign Affairs from 1994 to 1998. As part of his duties, he was directly involved in cooperating with international criminal tribunals and the preparatory work for the adoption of the Rome Statute of the International Criminal Court. He led the French delegation that took part in negotiating the Rome Statute. This enabled him to increase his theoretical knowledge and experience of public international law, international criminal law and negotiations in a multicultural context. In this capacity, he also acted as an advocate for the French Government before the European Court of Human Rights, the International Court of Justice and the Court of Justice of the European Union, and presented the French Government's position to the United Nations Human Rights Committee.

As Delegate for Strategic Affairs at the Ministry of Defence from 1998 to 2005, he monitored international issues and was involved in managing a large number of crises relating to major international humanitarian law issues, including Kosovo, Afghanistan and Iraq.

Besides French, Mr Perrin de Brichambaut is fluent in English, the Court's other working language. He also speaks Spanish and Italian.

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