

Statement of qualifications

Statement submitted in accordance with article 36 (4) (a) of the Rome Statute of the International Criminal Court and resolution ICC-ASP/3/Res.6 of the Assembly of States Parties as amended by resolutions ICC-ASP/5/Res.5 and ICC-ASP/12/Res.8, annex II, adopted by the Assembly of States Parties on 10 September 2004, 1 February 2007 and 27 November 2013 respectively, relating to the procedure for the nomination and election of judges of the International Criminal Court

- a) Judge Professor Schmitt is a person of high moral character, impartiality and integrity (article 36 (3) (a) of the Rome Statute). He is a highly respected judge in the Second Criminal Division at the Federal Court of Justice (Supreme Court) who has devoted his entire professional career to the service of justice.
- b) Judge Professor Schmitt possesses the qualifications required in Germany for appointment to the highest judicial offices as set out in article 36 (3) (a) of the Rome Statute. He is currently an active member of the bench of the Federal Court of Justice (Supreme Court), the highest instance in the country in criminal and civil matters.
- c) Judge Professor Schmitt
 - (i) has established competence in criminal law and procedure and has the necessary relevant experience as a judge in criminal proceedings, thus fulfilling the requirements of article 36 (3) (b) (i). In the course of his career, he served on the bench of a first instance Grand Criminal Division for over 12 years, over six of which he was presiding judge. Many cases heard by this Division involved the most serious kinds of criminal offence. Since 2005 he has been a judge at the Federal Court of Justice, sitting from 2008 in one of the Criminal Divisions of that court.

Judge Professor Schmitt is also an adjunct professor for criminal law, criminal procedure and criminology at the University of Würzburg. Moreover, he is co-author with Professor Meyer-Goßner of the annually-updated standard commentary on the Code of Criminal Procedure and co-editor of a commentary on the Criminal Code.
 - (ii) has also established competence in international law and the law of human rights. Since September 2009, Professor Schmitt has served as an ad-hoc judge at the European Court of Human Rights. In addition, his above-mentioned commentary on the Code of Criminal Procedure contains considerable information on the European Convention on Human Rights. He has further represented Germany on Eurojust's Joint Supervisory Body since June 2009.
- d) Judge Professor Schmitt is a native German speaker and is fluent in English, having an excellent oral and written command of that language. He also has a good knowledge of the French language (article 36 (3) (c) of the Rome Statute).
- e) Judge Professor Schmitt is standing as a List A candidate (article 36 (5) of the Rome Statute) since he meets the requirements set out in article 36 (3) (b) (i) of the Rome Statute.
- f) Judge Professor Schmitt has particular legal expertise in the field of violence against women and children, an issue specified in article 36 (8) (b) of the Rome Statute. He served for several years as presiding judge on a special division with jurisdiction over serious criminal offences committed against children and young persons. In his capacity as presiding judge of more than one Grand Criminal Division and a Grand Juvenile Division, he has also directed proceedings in numerous trials concerning violent crimes against minors and women, and cases involving sexual violence against women.
- g) Judge Professor Schmitt is a national of Germany and does not possess the nationality of any other State.