

BRAZIL

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Brazil played an active role in the negotiations that led to the adoption of the Rome Statute and has a steady commitment to end impunity for the perpetrators of the most serious crimes of international concern, and thus to contribute to the prevention of such crimes.

An original member of the International Criminal Court (ICC), Brazil has been actively engaged in the works of the Assembly of State Parties. Since the Court was established, in 2002, Brazilian legal experts provided contributions in different areas. Federal judge Sylvia Steiner served as ICC judge from 2003 to 2016, and is currently a member of the ICC's Advisory Committee on Nominations of Judges. Professor Leonardo Nemer Caldeira Brant was also a member of the Advisory Committee, from 2013 to 2014. In December 2019, Prosecutor Cristina Romanó was selected to serve on the Independent Expert Panel on the ICC review process. In 2018 and 2019, three Brazilian citizens (Marcos Zilli, Érico Oliveira and Marília Santos) worked as visiting professionals at the ICC. Additionally, in June 2019, the first mission of Brazilian federal judges to the ICC took place to work on topics of international criminal law.

Brazil has already presented three candidates for judge at the ICC, in 2003, 2014 and 2020: one male and two female; two on list A and one on list B. Brazil has followed the procedure provided for under article 36 of the Rome Statute for the nomination of candidates. There is no additional requirement established by the Brazilian national legislation in that regard.

In 2014, Professor Leonardo Nemer Caldeira Brant's nomination as a list B candidate followed the procedure provided for in article 36, paragraph 4 (a) (ii) – “by the procedure provided for the nomination of candidates for the International Court of Justice in the Statute of that Court”. On their turn, Ms. Sylvia Steiner and Ms. Mônica Sifuentes, both Federal Judges at Courts of Appeals, were nominated, in 2003 and 2020, as list A candidates in accordance with article 36, paragraph 4 (a) (i) – “by the procedure for the nomination of candidates for appointment to the highest judicial offices in the State in question”. According to the Brazilian Constitution, Federal Judges at Courts of Appeals are nominated by the President among native Brazilian citizens, aged more than thirty-five years, who have been lawyers or prosecutors for more than ten years, or federal judges with over five years in office. The current selection model of federal judges in Brazil follows a democratic and isonomic method, through public tenders based on technical legal knowledge assessments.