

The Ministry of Foreign Affairs of the Tunisian Republic (Directorate General of Multilateral Cooperation and Global Issues) presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and, with reference to its note verbale ICC-ASP/19/sp/27 of 17 April 2020, has the honour to inform it that Dr. Haykel Ben Mahfoudh has been nominated in accordance with the procedure indicated in paragraph 4(a)(ii) concerning the procedure for the nomination of candidates to the International Court of Justice in the Statute of that Court.

The application of Dr. Ben Mahfoudh has been reviewed and processed by the Ministry of Foreign Affairs at the level of the Office of the Minister and the Directorate General of Multilateral Cooperation and Global Issues. After approval from the Office of the President of the Republic, the application was endorsed by the Tunisian Republic and submitted to the Secretariat of the Assembly of States Parties to the Rome Statute.

Dr. Ben Mahfoudh is a Tunisian citizen. He is Professor of Public International Law at the Faculty of Legal, Political and Social Sciences of Tunis (University of Carthage) and Director of the Research Centre for International and European Law and Maghreb-Europe Relations at the same faculty. Dr. Ben Mahfoudh holds a Doctorate in International Humanitarian Law (IHL) from the University of Carthage.

The Tunisian candidate fully meets the criteria set out in article 36(3)(a) of the Statute, in particular by his high moral character, his probity, his intellectual and academic integrity, his sense of duty, his humanist spirit and his ability to work with colleagues and partners from diverse cultures.

Dr. Ben Mahfoudh has carried out and directed a number of research projects in areas related to international humanitarian law and to the prevention and punishment of war crimes, crimes against humanity, the crime of genocide and the crime of aggression. He is fully acquainted with the conditions under which the criminal responsibility of the perpetrators of serious violations of humanitarian rules can be called into question and with developments in respect of the issue of the punishment of international crimes.

He has worked on non-State actors and non-international armed conflicts. He has published and directed research on the protection of minorities, the justiciability of terrorist acts before international criminal courts or the obligation to protect, prosecute and provide compensation for damage resulting from crimes committed by foreign fighters. He is a regular speaker at national and international symposia and seminars organized on topics linked to the jurisdiction of the ICC around the world.

Moreover, he has recognized expertise in the Middle East and North Africa region in the areas of the protection of civilians, armed conflicts and the establishment of peace processes. His thorough knowledge of the legal systems of the countries in the region sets him among the few experts who combine theoretical knowledge of international law with real life experience in situations involving the restoration of peace and establishment of the rule of law. In this capacity, he works with international organizations (United Nations, ICRC, IDEA) and specialized centres on issues relating to the implementation of international humanitarian law and mechanisms for the protection of human rights in post-conflict contexts, or on justice and security sector reform.

He assists governments and international organizations with the maintenance or promotion of peace agreements, the fight against impunity and the judicial treatment of serious human rights violations and mass crimes (Yemen, Libya), the strengthening of respect for human rights by national authorities (Iraq, Tunisia) or the drafting of legal texts for the protection of vulnerable persons who are victims of human trafficking, such as migrants (Libya).

Furthermore, Dr. Ben Mahfoudh is a lawyer at the Court of Cassation. A member of the Tunis Bar since 1996, he has practised criminal law at all stages of proceedings and has provided advice and assistance to women and children victims of domestic violence and/or abuse. He continues to advise

victims' rights organizations and groups and makes their voice heard before national, regional and international judicial bodies.

The Ministry of Foreign Affairs of the Tunisian Republic (Directorate General of Multilateral Cooperation and Global Issues) avails itself of this opportunity to renew to the Secretariat of the Assembly of States Parties to the Rome Statute of the Criminal Court the assurances of its highest consideration.

---