

## **Pollard, Duke E.E. (Guyana)**

[Original: English]

### **Note verbale**

The Permanent Mission of the Republic of Guyana to the United Nations presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and has the honour to inform that the Government of Guyana hereby nominates Justice Duke E.E. Pollard as a candidate for the post of judge of the International Criminal Court in the elections to be held during the eighth session of the Assembly of States Parties in The Hague, 18-26 November 2009. For the purposes of article 36, paragraph 5, of the Statute, Justice Pollard is being nominated as a candidate under list B.

Justice Duke Pollard is a person of high moral character, impartiality and integrity. He possesses the qualifications for appointment to the highest judicial offices in the Republic of Guyana. Justice Pollard is a sitting senior judge of the Caribbean Court of Justice (CCJ), the highest appellate municipal court of the Caribbean Community (CARICOM). The CCJ also exercises an original jurisdiction as an international tribunal interpreting and applying the Revised Treaty of Chaguaramas (RTC), the constituent instrument of CARICOM, employing such rules of international law as may be applicable (article 17(1) of the RTC).

As a judge of the CCJ, the highest appellate municipal court for the dualistic jurisdictions in CARICOM, Justice Pollard is required to interpret and apply various human rights provisions of national constitutions, inter alia, based on the European Convention on Human Rights and the Canadian Bill of Rights, and to ensure that municipal law enactments of such dualist jurisdictions are construed consistently with the obligations assumed by such States under international instruments setting out international humanitarian and international human rights norms, in the absence of an express legislative intent to the contrary.

Justice Pollard has established competence in 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. He has in excess of four decades of experience as a practising international treaty lawyer in the United Nations System, commencing with his representation of Guyana at the Vienna Conference on the Law of Treaties (1968-1969). Justice Pollard also represented Guyana on the United Nations Special Committee on the Question of Defining Aggression.

Justice Pollard is a qualified lawyer from a common law legal system. He has standing at the bar in Guyana and in Jamaica, cumulatively covering some three decades. In the course of his legal career, he has been exposed to influences from other legal systems, including the Civil Law system. He is a citizen of the Republic of Guyana, and only of that country. He has an excellent knowledge of English, which is his mother tongue.

The Government of Guyana attaches high importance to the Court and considers that Justice Pollard has the qualities and experience that will enable him, if chosen, to make a valuable contribution to its work. He will bring to the Court wide-ranging experience in international law as well as the judicial expertise derived from his service in the highest appellate Court in CARICOM, where he has adjudicated in criminal law and other cases. The candidature Justice Pollard has been endorsed by the Caribbean Community.

The attached statement of qualifications and curriculum vitae further detail the experience and qualifications of the candidate.

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