



Assembly of States Parties

Distr.: General
23 November 2011

Original: English

Tenth session

New York, 12-21 December 2011

Fourth election of judges of the International Criminal Court

Addendum

Annex**Alphabetical list of candidates (With statements of qualifications)****Contents**

<i>Name and nationality</i>	<i>Page</i>
1. BANKOLE THOMPSON, Rosolu John (Sierra Leone)	3
2. BEL HAJ HAMOUDA, Ajmi (Tunisia)	9
3. BOOLELL, Vinod (Mauritius).....	15
4. BRIA, Modeste-Martineau (Central Africa Republic)	18
5. CARMONA, Anthony Thomas Aquinas (Trinidad and Tobago)	21
6. CATHALA, Bruno (France)	29
7. CIFUENTES MUÑOZ, Eduardo (Colombia)	34
8. CZAPLIŃSKI, Władysław (Poland)	42
9. DEFENSOR-SANTIAGO, Miriam (Philippines)	46
10. EBOE-OSUJI, Chile (Nigeria)	52
11. FREMR, Robert (Czech Republic)	62
12. HERRERA CARBUCCIA, Olga Venecia (Dominican Republic).....	70
13. KAM, Gberdao Gustave (Burkina Faso).....	77
14. LAYNEZ POTISEK, Javier (Mexico)	83
15. MINDUA, Antoine Kesia-Mbe (Democratic Republic of the Congo).....	88
16. MORRISON, Howard (United Kingdom)	97
17. NOUHOU, Hamani Mounkaila (Niger)	100
18. SERGHIDES, George A. (Cyprus)	102
19. URBINA ORTEGA, Jorge Antonio (Costa Rica).....	111

1. Bankole Thompson, Rosolu John (Sierra Leone)

(Original: English)

Note verbale

The Permanent Mission of the Republic of Sierra Leone 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 Sierra Leone has decided to nominate Judge Rosolu John Bankole Thompson as a Judge of the International Criminal Court, at the elections to be held during the tenth Session of the Assembly of States Parties at the United Nations Headquarters, New York, from 12th to 21st December, 2011 in New York. The nomination of Judge Bankole Thompson is made in accordance with article 36, paragraph 4 (a) (i) and (ii), of the Rome Statute.

While Judge Bankole Thompson can fit into any of the categories specified in article 36, paragraph 5, of the Rome Statute, the Government of Sierra Leone has nominated him as a Judge of the International Criminal Court for inclusion in list A for the purposes of article 36, paragraph 5. Judge Bankole Thompson has held high judicial offices in his home country, Sierra Leone, and is one of the candidates from the African Region.

A statement of Judge Bankole Thompson's qualifications and experience is attached herewith. A statement is also submitted in accordance with article 36, paragraph (4) (a), of the Rome Statute and paragraph 6 of resolution ICC-ASP/3/Res.6.

* * *

Statement of qualifications

Statement submitted in accordance with article 36, paragraph (4)(a), of the Rome Statute of the International Criminal Court and paragraph 6 of resolution ICC-ASP/3/Res.6.

Judge Rosolu John Bankole Thompson is the Sierra Leone candidate for judge of the International Criminal Court. His career objective as a member of the legal profession, being very much persuaded that human aspirations cannot be realized outside the context of organized civil society, is to contribute to the global awareness that our modern civilization, with all its educational, scientific and technological sophistication remains nothing but a fragile veneer without preservation of the rule of law and the fair and impartial administration of justice, nationally and internationally.

Judge Bankole Thompson has been a member of the academic community. In this regard, he has contributed to the exploration and appreciation of the intricacies, complexities and diversity of mankind's intellectual, cultural and social heritage in so far as manifested in the evolution and application of the rule of law. As a judge of Trial Chamber I of the Special Court for Sierra Leone, he has contributed enormously to the jurisprudence of the Court and thus to international humanitarian and human rights law.

Judge Bankole Thompson demonstrated an established competence in criminal law and procedure as a judge of the High Court of Sierra Leone and as a Professor, both in Sierra Leone and the United States of America. He has also demonstrated an established competence in international law as a judge of the Special Court for Sierra Leone.

Judge Bankole Thompson is a fit and proper person to be a judge of the International Criminal Court.

* * *

Personal data

Name Dr. Rosolu John Bankole Thompson

Academic qualifications

1976	Ph.D. (Law) University of Cambridge (Christ's College) Dissertation: Law and Government in Sierra Leone (1961 - 1973).
1971	M.A. (Law) University of Cambridge.
1969	LL.B. Hons. (Second Class Upper), University of Cambridge.

- 1965 MA. (Philosophy), University of Durham (Fourah Bay College, Sierra Leone).
- 1961 BA. (Liberal Arts), University of Durham (Fourah Bay College, Sierra Leone).

Professional education

- 1970 B.L. Council of Legal Education, London, England, followed by admission to the Bar.
- 1962 Diploma in Education, University of Durham (Fourah Bay College, Sierra Leone).

Awards and honours

- 1993 Outstanding Teaching Award from Alpha Phi Sigma, a Criminal Justice Honors Society, Kent State University, Kent, Ohio.
- 1991 Distinguished Teaching Award from Lambda Alpha Epsilon, a Criminal Justice Honors Society, Kent State University, Kent, Ohio.
- 1988 Distinguished Holder of the David L. Brennan Endowed Chair of Law, University of Akron, Law School, Akron, Ohio.
- 1988 Certificate of Recognition, from Ohio House of Representatives to mark appointment to the Brennan Chair of Law.
- 1986 Certificate of Exceptional Achievement, from the State of Michigan for outstanding Leadership and dedication to Law and Justice in the improvement of the quality of life for humanity.
- 1986 Educational Travel Grant, sponsored by Operation Crossroads Africa Inc., New York, for a study tour of legal institutions in the United States of America.
- 1966 United Kingdom Commonwealth Fellowship Award to pursue law in England.

Papers presented at academic and professional meetings

- 2007 "The Role of International Law in Promoting Social Justice", Fourth Annual Carolyn Freeze Baynes Memorial Lecture delivered to the College of Human Ecology, East Carolina University, North Carolina.
- 2000 "Human Rights Violations in Africa: Challenges to International Criminal Justice", guest lecture delivered to the Ohio State Student Bar Association, College of Law, Ohio State University, Columbus, Ohio.
- 2000 "Criminal Law Systems in Africa: Modernization Efforts and Prospects", at a joint meeting of the Center for African Studies and the College of Law, Ohio State University, Columbia, Ohio.
- 2000 "Britain's Constitutional and Juridical Legacies in Commonwealth Africa", meeting of the Centre for African Studies, Central State University, Wilberforce, Ohio.
- 2000 "Judicial Independence and Protection of Human Rights in Africa", guest lecture delivered to an International Law class, Ohio State University, Columbus, Ohio.
- 1999 "Jury Nullification: Its Uses and Perils in American and English Criminal Laws: A Socio-Legal Historical Perspective", annual meeting of the Academy of Criminal Justice Sciences, Orlando, Florida.
- 1997 "Community Policing: Conceptual Problems and Implications for the Institution of Legality" (co-authored with Vic Bumphus), annual meeting of the Academy of Criminal Justice Sciences, Louisville, Kentucky.
- 1996 "Press Freedom and Right to Fair Trial: A Study of Two Jurisdictions", annual meeting of the Midwestern Criminal Justice Association, Indianapolis, Indiana.
- 1993 "Juvenile Justice in Sierra Leone", annual meeting of the Midwestern Criminal Justice Association, Chicago, Illinois.
- 1992 "Crime and Justice in Sierra Leone: An Agenda for Research", annual meeting of the Academy of Criminal Justice Sciences, Pittsburgh, Pennsylvania.

- 1991 “Social Justice in the United States: Problems and Challenges”, keynote address to the Association of Sierra Leoneans Abroad and the Howard University African Students Association, Washington, D.C.
- 1990 “Trafficking and Disposal of Hazardous Wastes: International Law Implications”, presentation made to the International Law Society, University of Akron, School of Law, Akron, Ohio.
- 1990 “Legal Problems of Economic Integration in the West African Sub-Region”, Second Annual Conference of the African Society of International and Comparative Law, Annaba, Algeria.
- 1988 “Rape in Traditional African Society” (co-authored with Dr. Edna Erez), presented in absentia at the American Society of Criminology Annual Meeting, Chicago, Illinois.
- 1988 “Legal Pluralism in Sierra Leone: Some Anachronisms”, Faculty Symposium, University of Akron, School of Law, Akron, Ohio.
- 1988 “Law and Development in West Africa”, guest lecture delivered to a Political Science class, Kent State University, Kent, Ohio.
- 1988 “The Law of Constitutional Breakdowns: Judicial Innovation: Its Uses and Perils -Commonwealth Experience”, Faculty Colloquium, Political Science Department, Kent State University, Kent, Ohio.
- 1988 “General Defenses to Criminal Liability: Judicial Perspectives”, guest lecture delivered to a class on Criminal Law at the University of Akron, School of Law, Akron, Ohio.
- 1988 “Drug-testing: Some Fundamental Conceptual and Juristic Problems”, guest lecture delivered to a Constitutional Law class, University of Akron, School of Law, Akron, Ohio.
- 1986 “The Law, the State and the Individual, Keynote speech, Ninth Annual Conference of the Sierra Leone Bar Association, Freetown, Sierra Leone.
- 1984 “Legal Rights of Women in Sierra Leone”, presented at a meeting of the Sierra Leone United Nations Association, Freetown, Sierra Leone.
- 1984 “The Judicial Function in Sierra Leone”, presented at the Sixth Annual Conference of the Sierra Leone Bar Association, Freetown, Sierra Leone.
- 1984 “Human Values: Legislative and Legal Aspects”, presented at a meeting of the Sierra Leone Association of University Women, Freetown, Sierra Leone.
- 1983 “Law Reform in a Developing Country: Sierra Leone Reflections”, presented at the Fifth Annual Conference of the Sierra Leone Bar Association, Freetown, Sierra Leone.
- 1979 “Legal Aspects of Economic Integration: The Mano River Union Experience”, presented at the First Annual Conference of the Sierra Leone Bar Association, Freetown, Sierra Leone.

Articles published (refereed)

- “Drug-testing: Fundamental Conceptual and Juristic Problems”. Akron Law Review, vol. 22, no. 2, Fall 1988, pp. 123-132, Ohio, United States of America.
- “Internal Conflicts in Marriage and Inheritance Laws in Sierra Leone: Some Anachronisms”. African Journal of International and Comparative Law, vol. 1, Part 3, June 1991, pp. 346-360, London, England.
- “Legal Problems of Economic Integration in the West African Sub-Region”, African Journal of International and Comparative Law, vol. 2, part 1, March 1990, pp. 85-102, London, England.
- “Rape in Sierra Leone: Conflict Between the Sexes and Conflict of Laws”, (co-authored with Dr. Edna Erez), International Journal of Comparative and Applied Criminal Justice, vol. 2 (Winter issue), December 1990, pp. 201-210, Kansas, United States of America.
- “Married Women’s Property Rights in Sierra Leone: Legislative and Judicial Trends Towards Liberalization - A Historical Survey”, African Journal of International and Comparative Law, vol. 3, part 1, June 1991, pp. 346-360, London, England.
- “Africa’s Charter on Children’s Rights: A Normative Break with Cultural Traditionalism”, International and Comparative Law Quarterly, vol. 41, part 2, April 1992, pp. 432-444, London, England.

- "Spatial Diffusion of the Ombudsman Institution: African Adaptations of a European Innovation -The Consolidation Problem", the Ombudsman Journal, No. 10, 1992, pp. 57-66, Alberta, Canada.
- "Illegitimacy in Sierra Leone Law: A Lingering Anachronism - Comparative Perspectives", African Journal of International and Comparative Law, vol. 4, part 3, October 1992, pp. 728-738, London, England.
- "Economic Integration Efforts in Africa: A Milestone - The Abuja Treaty", African Journal of International and Comparative Law, vol. 5, part 4, December 1993, pp. 743-767, London, England.
- "Emerging Trends and Influences in African Organized Crime" (co-authored with Dr. Gary Potter), Criminal Organization, vol. 11, 1997, pp. 4-9, United States of America.
- "Prosecutorial Misconduct in Capital Cases in the Commonwealth of Kentucky: A Research Study (1976 - 2000)" (co-authored with Professor Roberta Harding), The Advocate, Kentucky, vol. 25, No. 1, January 2003, pp. 14-25.
- "The Role of International Law in Promoting Social Justice", Social Justice in Context, vol. 3, 2007-2008, pp.1-7

Books published

- "The Constitutional History and Law of Sierra Leone (1961 - 1995)", The University Press of America Inc., Lanham, Maryland, 1997.
- "The Criminal Law of Sierra Leone", The University Press of America Inc., Lanham, Maryland, 1999.
- "American Criminal Procedures", Carolina Academic Press, Durham, North Carolina, 2007, (co-authored with Dr. James Anderson).

Published manual

- "Gentium Lex Lux", A Ministry of Education publication on the radio broadcast series by the same author entitled "Law for Form Six Students", Freetown, Sierra Leone, 1977.

Book chapters

- "The Criminal Justice System in Sierra Leone", in: Obi Ebbe (ed.), Comparative and International Criminal Justice Systems, published by Butterworth-Heinemann, Boston, Massachusetts, 1996, pp. 83-102.
- "Due Process and Legal Pluralism in Sierra Leone: The Challenge of Reconciling Contradictions in the Laws and Cultures of a Developing Nation", in: Fields, C. and Richter Moore Jr. (eds.), Comparative International Criminal Justice Systems, Waveland Press Inc., Prospect heights, Illinois, 1996, pp. 344-361.
- "Victimization of Women in African Society: Conflict Between the Sexes and Conflict of Laws", in: Fields, C. and Richter Moore Jr. (eds.), Comparative and International Criminal Justice Systems, (2nd ed.) Waveland Press Inc., Prospect Heights, Illinois, 2005, pp. 33-54.

Work experience (professional and academic)

Current position	Professor (tenured) Department of Criminal Justice and Police Studies, College of Justice and Safety, Eastern Kentucky University, United States of America
2007 - 2009	Interim Dean, Sierra Leone Law School, Sierra Leone.
2003 - 2009	Member, Trial Chamber I, Special Court for Sierra Leone (a United Nations-backed War Crimes Tribunal).
2006 - 2007	Presiding Judge, Trial Chamber I, Special Court for Sierra Leone.
2003-2004	Presiding Judge, Trial Chamber I, Special Court for Sierra Leone.
2004 - 2009	External Examiner, University of Sierra Leone, LL.B (honours) degree programme.
2005 - 2009	External Examiner, Sierra Leone Law School, Sierra Leone.
2001 - 2003	Dean of Graduate Studies, Graduate School, Eastern Kentucky University, United States of America.
1995 - 2003	Professor (tenured), Department of Criminal Justice and Police Studies, College of Justice and Safety, Eastern Kentucky University, United States of America. Duties: (i) taught Critical Issues in

- 1994 - 1995 Criminal Justice, Comparative Criminal Justice, Criminal Law and Judicial Process at the undergraduate level; (ii) taught Legal Issues in the Administration of Criminal Justice, Theses I and II at the graduate level; (iii) conducted research; and (iv) did student advising. Associate Professor (tenured), Department of Criminal Justice Studies, Kent State University, United States of America.
Duties : (i) taught graduate and undergraduate courses in Criminal Law, Criminal Procedure and Evidence, Civil Law and Procedure, Court functions; (ii) conducted research; and (iii) did student advising.
- 1990 - 1994 Assistant Professor (tenure-track), Department of Criminal Justice Studies, Kent State University, United States of America.
Duties: (i) taught undergraduate courses in Criminal Law, Criminal Procedure and Evidence, Civil Law and Procedure, Court functions, Law and Society, and a graduate course in Law, Justice and Society; (ii) conducted research; (iii) did student advising.
- 1987 - 1990 Distinguished Visiting Professor, Department of Pan-African Studies, Criminal Justice Studies, and Political Science, Kent State University, United States of America.
Duties: (i) taught undergraduate and honours courses on Problems of Law in Africa, Crime and Punishment in Africa, African Political Systems, Critical Issues in Criminal Justice, Introduction to Criminal Justice, Constitutional law, Law and Society, and Comparative Law; and (ii) conducted research.
- 1988 Distinguished Holder of the David L. Brennan Chair of Comparative Constitutional Law, University of Akron, School of Law, Akron, United States of America.
Duties: (i) taught graduate seminar on Comparative Constitutional Law; guest lecturer to various classes and conducted a symposium for faculty; and (ii) conducted research.
- 1981 - 1987 High Court Judge of Sierra Leone, Sierra Leone, West Africa.
Duties: adjudicated, (at original level) civil and criminal cases. Exercised appellate jurisdiction over magistrates' courts. Also served as Resident judge, Bo, Sierra Leone (1985 - 1987).
- 1985 - 1987 External Examiner, University of Sierra Leone, Sierra Leone, West Africa.
- 1984 - 1987 Law Reform Commissioner, Sierra Leone Law Reform Commission.
- 1982 - 1984 Part-time Lecturer, University of Sierra Leone.
Courses taught: Constitutional Law and Jurisprudence (undergraduate and honours).
- 1977 - 1981 Legal Officer, Mano River Union (West Africa), an intergovernmental organization comprising Sierra Leone, Liberia and Guinea.
Duties: gave legal advice and opinions on various aspects of the organization's activities, also drafted international agreements to which the organization was a party. Travelled extensively internationally.
- 1971 - 1977 State Counsel, Attorney-General's Office, Sierra Leone. Attained rank of Principal State Counsel.
Duties: Prosecution of felony criminal cases before the High Court and arguing of complex constitutional and criminal appeal cases for the State before the Appellate Courts of Sierra Leone. Won some landmark criminal and constitutional law cases.
- 1970 - 1971 Part-time Lecturer in Law, Cambridgeshire College of Arts and Technology, Cambridge, England. Taught the English Legal System and the Law of Tort.
- 1962 - 1966 High School teacher, Prince of Wales School, Freetown, Sierra Leone. Taught at senior school level, English Language and Literature, Latin and Logic. Was in charge of the school's Senior Literary and Debating Society.

Judicial seminars attended

- 2005 The Special Court for Sierra Leone; Gender Seminar for the Judges of the Special Court. Theme: “Gender Justice in International Law and Tribunals”, Freetown, Sierra Leone.
- 2004 The International Criminal Tribunal for the former Yugoslavia (ICTY), The Hague; Inter-tribunal exchange of the Judges of the ICTY and the Special Court for Sierra Leone. Theme: “Working Visit of the judges of the Special Court for Sierra Leone to the International Criminal Tribunal for the former Yugoslavia”, The Hague, The Netherlands.
- 2003 Brandeis University, Brandeis Institute for International Judges; Theme: “The New International Judiciary: Building Legitimacy for International Courts and Tribunals’ Salzburg, Austria.

Membership of professional associations and societies

- The Honourable Society of Inner Temple, London, England.
- The African Society of International and Comparative Law, London, England.
- The International Society of Family Law, Cambridge, England.
- The International Association of Youth and Family Judges and Magistrates, Switzerland.
- The Sierra Leone Institute of International Law, Freetown, Sierra Leone.

* * *

2. Bel Haj Hamouda, Ajmi (Tunisia)

(Original: French)

Note verbale

The Embassy of the Tunisian Republic in The Hague 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/10/S/04 of 7 February 2011, has the honour to inform the Secretariat that Tunisia has decided to submit the candidacy of Professor Ajmi Bel Haj Hamouda (whose biographical details are appended hereto) for the post of judge at the International Criminal Court on List A under paragraph 5 of article 36 of the Rome Statute, for the elections to be held during the tenth session of the Assembly of States Parties at the Headquarters of the United Nations in New York, from 12 to 21 December 2011.

* * *

Statement of qualifications

Candidacy of Professor Ajmi Ben Haj Hamouda for the post of judge at the International Criminal Court in the elections to be held in New York during the tenth session of the Assembly of States Parties to the Rome Statute (12 to 21 December 2011), submitted pursuant to article 36 of the Rome Statute and paragraph 6 of resolution ICC-ASP/3/Res.6.

The candidate's qualifications: Many years' experience as advocate (in practice since 1985) and as Senior Lecturer/Professor (*professeur agrégé*) at the Tunis Faculty of Law and Political Science (from 1973 to 2006).

His specializations have included the following: Criminal Law and Procedure; International Criminal Law; Humanitarian Law; International Penal Cooperation; Human Rights; International Fora and Women and Children's Rights.

In addition, as Guest or Associate Professor, he has carried out teaching missions in a large number of universities in Africa, Europe and the United States. He has chaired many recruitment panels for higher education posts at a variety of grades and levels.

Professor Ben Haj Hamouda has held a number of university and academic posts, including Director of the Department of Private Law and Criminal Science at the Tunis Faculty of Law and Political Science.

He is a founder-member of the Tunisian Criminal Law Association and the Association for International and Trans-National Relations, as well as of the Tunisian Association for Criminal Science and Comparative Criminal Law. He is also a member of the International Criminal Law Association.

The candidate has organized and participated in a number of international congresses and colloquiums in the various branches of private and criminal law.

Editor-in-Chief of the Tunisian Law Revue and Tunisia correspondent of UNIDROIT in Rome.

In May 2011 he attended a training course in The Hague for counsel before the International Criminal Court, and also took part in the Ninth Seminar for Counsel organized by that Court (see attached CV).

Professor Ben Haj Hamouda, whose speciality is criminal procedure, is presenting himself for election to the post of judge at the International Criminal Court on List A.

Professor Ben Haj Hamouda is of Tunisian nationality and has no other nationality.

Professor Ben Haj Hamouda practises in Tunisia in a legal system of the Franco-Roman type.

Personal data

Family name	Bel Haj Hamouda
Given name	Ajmi

Date and place of birth	30 April 1945, Moknine, Tunisia.
Profession	Advocate before the Court of Cassation since 1985; in practice at the Tunis bar since 1974; University Professor at the Faculty of Law and Political Science (post held from September 1973 until 2006).
Special field	Criminal Law and Procedure; International Criminal Law; Humanitarian Law; International Penal Cooperation; Human Rights; International Fora; Rights of the Child.
IT skills	Average.
Linguistic skills	Arabic: Reading, writing, speaking (excellent) French: Reading, writing, speaking (excellent) English: Reading, writing, speaking (basic)
Interests	Reading, history, current affairs

Educational qualifications

Baccalaureate in secondary education, Arts and Humanities Section;

1969	University Degree in Private Law (<i>Summa cum laude</i>)
1969	Diploma, Tunis National College of Administration (<i>ENA</i>)
1970	Diploma in Advanced Studies in Criminal Science from the Faculty of Law, Paris, Panthéon Sorbonne.
1970	Diploma in Advanced Studies in Private Law from the same faculty, Paris.
1972	Diploma from the Paris Institute of Criminology.
1973	State Doctorate from the same faculty, Paris (<i>Summa cum laude</i>).
1980	Advanced Degree (<i>Agrégation</i>) in Private Law and Criminal Science (Panel Chair, Dean Jean Carbonnier).
1984	University Professor (Panel Chairs, Philippe Fouchard, Gérard Farjat).

University career

1972	Deputy Assistant, Faculty of Villetaneuse (Paris Nord).
1971	Deputy Assistant, Legal Seals Centre (Paris Sud).
1972	Assistant, Language Laboratory, Panthéon Sorbonne, Paris,
1972	I/c Comparative Law Room, Faculty of Law, Paris Sorbonne,
1973	Assistant Supervisor, Faculty of Law, Tunis.
1980	Senior Lecturer, Faculty of Law, Tunis.
1984	University Professor at the same Faculty.

Subject of State doctorate in international criminal law and criminal international law: Military Occupation and Criminal Justice, Paris, Panthéon Sorbonne, Summa cum laude and Special Distinction (Panel Chair, Professor Georges Levasseur, 1973).

Subjects taught

- All branches of criminal law (procedure; domestic criminal law; international criminal law; business law; criminology; penology; humanitarian law), 1973 to 2006.
- Civil law: obligations (contract and tort), 1980
- Labour law, 1978
- Business and investment law, 2000
- Family law, 1973
- Human rights, 2000
- Children's rights, 1995

Bar specializations since 1974

- Criminal procedure
- Insurance and compensation
- Company formation
- Businesses in financial difficulty
- Domestic and international arbitration

- Privatization of public undertakings and services
- Notarial studies

Courses and lectures given, with locations

- Tunis Faculty of Law and Political Science, 1973 to 2006.
- Civil law, law of obligations, 1980 to 1987.
- Criminology and penology, 1973 to 1984.
- Doctorate in international criminal law and criminal international law, 1982 to 2006.
- Doctorate in general criminal law, 1982 to 2006.
- Doctorate in business law, 2000 to 2005.
- Doctorate in international commerce, 2002 to 2005.
- Cycle of doctorate lectures, third cycle, six months, Paris 7, 1992.
- Cycle of lectures on law of international trade, Faculty of Law, Montreal, Canada, 2005.
- Cycle of lectures on rights of the defence in comparative criminal law, Constantine, Algeria, 1978.
- Cycle of lectures on criminal law, criminal procedure and international criminal law at the Faculty of Social Sciences, Toulouse, France, several visits, 1982 to 2002.
- Cycle of lectures at the Rome Institute of Oriental Science on the law of obligations, Islamic law and comparative law, Italy, 2001.
- Cycle of lectures on international law at the Tunisian National Training College for Senior Police Officers, 2006.
- Cycle of lectures at the Institute of Criminology of the University of Toulouse, France, 1995.

Learned societies and academic activities

- Secretary-General of the Tunisian Association for Criminal Science and Comparative Criminal Law and founder-member, 2005.
- Deputy Secretary-General of the Tunisian Criminal Law Association, 1983.
- Editor-in-Chief of the Tunisian Law Review, 2003.
- Member of the International Criminal Law Association, 1984.
- Correspondent and representative of Tunisia at the International Institute for the Unification of Private Law (“UNIDROIT - United Nations”), Rome, 2000.
- Member of the Tunis Arbitration and Conciliation Board, 2001.
- Twice Panel Chair for Advanced Degree examination (agrégation) in private law and criminal science, 1989 and 2000.
- Member of the Tunisia United Nations Association, 2008.
- Worked at the International Criminal Law Centre of the University of Toulouse, with United Nations support, 2005.
- Chair of various recruitment panels for legal assistants and senior assistants, 1992, 2003, 2004.
- Supervisor and co-tutor for doctoral theses and third-cycle doctoral research reports.
- Member of the editorial board of the Tunis Faculty of Law, 1980.
- Member of the editorial board of the Tunisian National Bar Council, 2010.
- Since 1974, organizer and coordinator of various national and international congresses and colloquiums on law and criminology.
- Head of the Private Law and Criminal Science Section of the Tunis Faculty of Law, 1984.
- Founder-member of the Tunisian Arbitration Association, 1977.
- Founder-member of the Tunisian Trans-National Association, 1995.
- Drafter of the Tunisian Children’s Rights Code (criminal law part), 1995.
- Member of the editorial board of the Maghreb Law Review, 1990.
- Chair of the Franco-Tunisian Research Group (Tunisian part), 2002.
- Founder-member of the periodical *Actualités juridiques tunisiennes*, 1989.
- Chair of the Italo-Tunisian Research Group (Tunisian part), 2003.
- Academic activities: congresses, traineeships and seminars.
- In Tunisia, Morocco, Algeria, Libya, Egypt, Lebanon, France, Belgium, Portugal, Malta, United States of America, Canada, Austria, Germany, Czechoslovakia, Bulgaria.
- Concours Charles Rousseau.
- Moot international law trial: Panel member, 2008.

Awards

- Prize of the President of the Republic, 1969, for the year's leading law graduate.
- Higher education merit award, 2000.

University duties

- Director of the Department of Public Law and Criminal Science of the Tunis Faculty of Law, elected four times, for three years each, since 1984.
- Acting Dean of the Tunis Faculty of Law and Political Science.
- Chair of the research unit: Company, Investment and Business Law (CIBL), 2005 to 2005.

Civil society activities

- Deputy Mayor of the town of Soukra, "Suburb of Tunis Capital", 2010.
- Honorary member of a sports association, 2000.
- Member of the Administrative Tribunal Review Chamber on the Legality of Political Parties, 2002.
- Permanent Member of the Tunis Conciliation and Arbitration Board, 2004.
- Training course at the International Criminal Court, May 2011, and candidate for admission to the International Criminal Court's list of counsel, 2011.
- Principal publications and colloquium contributions.
- Civil law course, "The contract" (250 pages), 1980 to 1986.
- Aspects des droits de la défense (180 pages), 1976.
- L'enfant et les familles nourricières en droit comparé, collective work, 1997.
- La justice pénale, quelle évolution, collective work, 2007.
- L'instance en appel (Periodical, special number), 1993.
- La justice du premier degré (Periodical, special number), 1997.
- Le droit de la promotion immobilière, collective work, 1989.
- Changement sociaux, criminalité et victimisation en Tunisie (collective work), UNICRI, United Nations, 1995.
- Les droits de l'enfant d'après la religion et la convention internationale sur les droits de l'enfant, 2001.
- Procédure pénale et droits de l'enfant, 1996.
- Evolution des droits de l'enfant, 1974.
- Immunité de juridiction, inviolabilité de l'hôtel de l'ambassade et chose jugée à l'étranger, 1973.
- La présomption d'innocence, 1995.
- Le silence de l'inculpé, 1988.
- L'asile politique, 1994.
- Ce droit pénal venu d'ailleurs!, 2006.
- Le secret professionnel du banquier, 1978.
- Pour une meilleure compréhension de la libération conditionnelle, 1982.
- L'anthropomorphisme de la personne morale en droit pénal, 1995.
- Aspects de droit pénal dans le code des sociétés commerciales, 2005.
- La faute de gestion des dirigeants sociaux, 2008.
- Les sanctions pénales, 2008.
- Le principe de la légalité criminelle est-il encore actuelle?, 2009.
- Autorité de la chose jugée sur le civil, 2010.
- La chambre d'accusation, 1982.
- Les infractions en matière de stupéfiants, 1977.
- La femme prostituée, 1978.
- La responsabilité de l'avocat, 2008.
- Les conflits conjugaux, aspects juridiques, 1989.
- La condition juridique des enfants à naître, 1998.
- Le contrat de leasing, 2005.
- Le droit de rétention dans le code des obligations, 1975.
- La volonté dans le processus contractuel?, 2005.
- Les sources du code des obligations, 1996.
- Les conditions de validité du contrat, étude rétrospective, 1997.
- Préface à l'ouvrage sur le droit privé comparé, 2001.
- Evolution du droit médical face aux mutations, 2001.

- La franchise, formule de distribution en plein essor, 2007.
- Droit uniforme . les principes d'UNIDROIT relatifs aux contrats du commerce international, 2007.
- Principal colloquiums organized or coordinated.
- Criminal law and the terrorist threat, 2002.
- The judicial investigation, 1992.
- The press and the law, 1987.
- Nullity of acts of the investigating judge, 1977.
- Access to justice, 2004.
- Human rights and guarantees of a fair trial on the sixty-second anniversary of the Declaration of Human Rights, 2011.
- Trans-frontier offences and organized crime.
- Criminal law and expert medical evidence, 1986.
- New aspects of State responsibility, 1996.
- Criminal justice, has it developed?, 2007.
- The functions of justice and the independence of judges and prosecutors, 1994.
- Crime and criminal justice in the Mediterranean basin, 1995.
- Compensation for loss or injury, 2000.
- The courts and treaties, 2008.
- The criminal law and companies, 2002.
- Fundamental rights under the Constitution. a cross-section of views, 2009.
- Round table with workshop: companies in financial difficulty. separating the treatment of human resources from that of the company, 2002.
- Legal cross-pollination, or the influence of foreign legal systems in private law, 2004.
- Cultural law: the law of copyright and related rights, 1997.
- Democracy and human rights in Tunisia, an initiative of the European Commission, 2002.
- The prison environment and human rights, 1983.

Principal studies and research projects

General Criminal Law, Prof. B.H. Hamouda Ajmi, 1982 to 2006

- The legality principle
- The principle of non-retroactivity
- The principle of non-retroactivity
- Concurrent offences and penalties
- The interpretation of criminal law
- Characterization of criminal offences
- Attempted crimes
- Co-perpetration
- Classification of offences by reference to their forms of perpetration
- Criminal intent
- Recidivism
- The autonomy of criminal law
- Mediation
- Impossible crimes
- The liability of legal persons
- The criminal liability of children
- The criminal liability of company directors
- The criminal liability of medical practitioners
- Criminal liability in the case of company bankruptcy
- Criminal responsibility for the actions of another
- International criminal liability
- Criminal liability and immunities
- Criminal liability of advocates
- Criminal liability of auditors
- Criminal liability of legal practitioners
- Criminal defences based on subjective grounds
- Criminal defences based on objective grounds

International Criminal Law, Prof. B.H. Hamouda Ajmi, 1982 to 2006

- Fundamental issues - Growth of criminality; - Organized crime. Definitions:-
International criminal law - Criminal international law.
- Political asylum
- Extradition
- Ne bis in idem. The negative effect of decisions of foreign criminal courts.
- Territorial aspects of the operation of criminal law
- Mutual police assistance: Interpol.
- Terrorism
- War crimes
- Crimes against humanity
- Crimes against peace
- The Nuremberg Tribunal
- The Tribunal for the former Yugoslavia
- The Rwanda Tribunal
- The International Criminal Court
- Political offences
- Crime and public international law
- Organized trans-national crime
- Military occupation
- Drug trafficking
- Trafficking in human organs
- Trafficking in children
- Theft of cultural artefacts
- Warrants of arrest
- The courts and treaties
- IT and the criminal law
- The Rwanda Tribunal
- Immunity of the Head of State

3. Boolell, Vinod (Mauritius)

(Original: English, French)

Note verbale

The Embassy of the Republic of Mauritius presents its compliments to the Secretariat of the Assembly of State Parties to the International Criminal Court and has the honor to inform that the Government of the Republic of Mauritius hereby nominates Honorable Justice Vinod Boolell, as candidate for election as judge of the International Criminal Court at elections to be held during the tenth session of the Assembly of States Parties scheduled for 12-21 December 2011 in New York.

The detailed accompanying statement, prepared in conformity with article 36, paragraph 4 (a) and 4 (a) (ii), of the Rome Statute, is annexed hereto. Justice Vinod Boolell fulfils all the requirements of paragraph 3 of the aforementioned article.

Honorable Justice Vinod Boolell was appointed judge of the Supreme Court of Mauritius in 1988 after serving as prosecutor for several years. He worked as adviser at the Supreme Court and the Ministry of Justice of Cambodia. He also worked for the Office of the United Nations High Commissioner for Human Rights in Cambodia. He has served as a judge with the International Judiciary in the United Nations Missions in Kosovo from 2002 to 2009. In 2008, he was appointed Chief International Judge and served in that capacity until February 2009. He is at present serving as judge of the United Nations Dispute Tribunal in Nairobi since March 2009. He has given lectures on the investigation and trial of war crimes to judges, prosecutors and police officers of the European Mission in Kosovo and was designated by the International Bar Association to prepare reports on the Legal Profession of Cambodia.

The Government of the Republic of Mauritius is convinced that Honorable Justice Vinod Boolell possesses all the competencies and experience required by the Rome Statute in the field of criminal law and procedure. He is also recognized for his outstanding contribution in the field of international law, international criminal law, international humanitarian law and Human Rights.

Honorable Justice Vinod Boolell holds exclusive Mauritian nationality and is a candidate for inclusion on List A provided for under article 36, paragraph 5, of the Rome Statute. His curriculum vitae (in English and French), the accompanying statement and other supporting documents are attached.

The candidature of Honorable Justice Vinod Boolell has been endorsed by the African Union at its last Summit held in Malabo, Equatorial Guinea, from 30 June to 1 July 2011.

* * *

Statement of qualifications

Detailed statement submitted in accordance with article 36, paragraph 4 (a), of the Rome Statute and paragraph 6 of resolution ICC-ASP/3/Res.6 of the Assembly of States Parties relating to the procedure for the nomination and election of judges to the International Criminal Court.

The Government of the Republic of Mauritius hereby nominates Honorable Justice Vinod Boolell as a candidate for election as judge of the International Criminal Court at the election to be held during the tenth session of the Assembly of States Parties from 12 to 21 December 2011 in New York.

The nomination of Justice Vinod Boolell, whose Curriculum Vitae is annexed hereto in English and French, was made pursuant to the provisions of article 36, paragraph 4 (a) (ii), 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".

Justice Vinod Boolell is being nominated for inclusion in List A, comprised of candidates with "established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings" (see article 36, paragraph 3 (b) (i) and paragraph 5, of the Rome Statute).

Justice Vinod Boolell fulfils all the conditions of experience and seniority required for appointment to the highest judicial offices, as stipulated by article 36, paragraph 3 (a) of the Rome Statute.

Although a candidate who qualifies for inclusion in List A is not required to have the alternative qualification required for List B, Justice Vinod Boolell has the competence and a vast experience as required under article 36, paragraph (3) (b) (ii) which also qualify him for List B.

Justice Vinod Boolell has a career of over forty years and has wide experience in the practice of law as a judge both in Mauritius and with the United Nations Interim Mission in Kosovo (UNMIK), as an advocate and as a prosecutor as well as in teaching criminal law and criminal procedure law, evidentiary proceedings, human rights, constitutional and administrative law and employment law.

Justice Vinod Boolell is currently a judge of the United Nations Dispute Tribunal and is based in Nairobi. He served as the first president of that Tribunal, which initiated one of the greatest reforms of the judicial system within the United Nations, from 1 July 2009 until 30 June 2010. His duties consist in dealing with all disputes arising between staff members of the United Nations and the Secretary General. These disputes relate to contracts of employment including, interim orders to suspend an administrative action relating to a contract of employment, disciplinary matters, financial issues and mediation. He has also been closely involved in the drafting of the Rules of Procedure of the United Nations Dispute Tribunal and presented the Rules to the Sixth Committee of the General Assembly for approval. The Rules were adopted without any amendment.

Justice Vinod Boolell has served as an international judge with the United Nations in Kosovo from 2002 to 2009. From 2008 to the end of the mission in February 2009, he served as acting Chief International Judge and was responsible for the smooth transition of the United Nations International Judiciary to the European Mission (EULEX). During his tenure, he has investigated and presided over a number of high profile criminal cases involving ethnic murders, war crimes, human trafficking, terrorism and economic crimes. Many of these cases involved an element of witness and victims protection and Justice Vinod Boolell has acquired a wide experience in dealing with this sensitive issue. He has also dealt with pre-trial matters like detentions, confirmation of indictments, international legal assistance including requests for extradition of suspected offenders.

As a Judicial Mentor from March 2001 to April 2002 in the Cambodia Office of the United Nations High Commissioner for Human Rights, Justice Vinod Boolell was an advisor to the judges and prosecutors of the Supreme Court, trained judges and court clerks, prepared training materials, worked on legal and judicial reforms. He dealt with human rights application in the criminal justice system, the International Criminal Court, the status of the Khmer Rouge Special Tribunal.

As a prosecutor between 1972 and 1987 and as Judge of the Supreme Court in Mauritius between 1988 and 1998, Justice Vinod Boolell also dealt with a number of high profile criminal cases.

Justice Vinod Boolell has taught criminal law and procedure to law students and the police at the University of Mauritius for over fifteen years. He holds exclusive Mauritian nationality and masters both the English and French languages.

* * *

Personal data

Name	Vinod Boolell
Date of birth	31 July 1944
Nationality	Mauritian
Languages	English, French, Creole

Academic background

- B.A (Hons.) Jurisprudence, Oxford University, United Kingdom.
- Called to the Bar at Inner Temple, London.
- Masters in French Law.
- Diploma from L'Ecole National de la Magistrature" (ENM), Paris, France.

Professional background (domestic and international)

July 2009	Elected as the first President of the United Nations Dispute Tribunal.
March 2009 - present	Elected judge of the United Nations Dispute Tribunal and is based at the duty station in Nairobi.
2008 - 2009	Chief International Judge, United Nations Missions in Kosovo.
2002 - 2009	International judge with the International Judiciary in the United Nations Missions in Kosovo.
2004	Member of a group of ten experts who assisted in finalizing the Model Codes for Post Conflict Situations - conflict criminal justice, under the chairmanship of Professor William Schabas in Galway, Ireland.
2001	Adviser at the Supreme Court and the Ministry of Justice of Cambodia.
1989 to 1991	Dean of the Law Faculty, University of Mauritius.
1988	Appointed Judge of the Supreme Court of Mauritius.
1972 and 1987	Served as a prosecutor in Mauritius.

- Adviser at the Ministry of Justice, Mauritius
- Worked for the Office of the High Commissioner for Human Rights in Cambodia
- Practised at the Bar in Mauritius

Seminars attended

2010	Delivered keynote speech on the United Nations Dispute Tribunal at the international meeting of Investigators of the United Nations, Nairobi.
2005 - 2007	Guest speaker on War Crimes Investigation and Trials in Kosovo at the Centre for International Peace Operations (ZIF), a project financed by the European Union in Berlin and Sweden.
1996	The International Commercial Arbitration, Cairo, Egypt.
1990	Legal Cooperation, Paris, France.
1987	The Asia Africa Legal Conference, Bangkok, Thailand.
1987	Crime and Justice, United States of America.
1978	The United Nations Conference on the Carriage of Goods by Sea, Hamburg, Germany.

- Participated as guest speaker in seminars on good governance and corruption.

Lectures

- Lectures given on the investigation and trial of war crimes to judges, prosecutors and police officers of the European Mission in Kosovo (EULEX) in 2008.
- Lecturer on Human Rights Law in Cambodia.
- Lecturer (law students and the police) at the Law Faculty of the University of Mauritius Criminal Evidence and Procedure, Criminal Law, Human Rights Law, Labour Law and Constitutional Law.

Publications

- Report on the Comoros Islands Judiciary for the United States Embassy in Mauritius.
- Designated by the International Bar Association to prepare reports on the Legal Profession of Cambodia in 2001 and 2003.
- Author of a book on Human Rights for use in schools in Mauritius, a project sponsored by the United States Government.
- Author of a book on Criminal procedure for use by the police.
- Author of an article on the Human Rights and the Constitution of Mauritius, published in the European Human Rights Law Review (Sweet & Maxwell 1996).

* * *

4. Bria, Modeste Martineau (Central African Republic)

(Original: French)

Note verbale

The Ministry of Foreign Affairs of the Central African Republic presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court in The Hague, Netherlands, and has the honour to submit to the Secretariat as an attachment hereto a file in support of the nomination by the Government of the Central African Republic of Mr. Modeste Martineau Bria, Prosecutor-General of the Bangui Court of Appeal, as candidate in the elections for judge of the International Criminal Court, scheduled to be held at the tenth session of the Assembly of States Parties from 12 to 21 December 2011 in New York.

* * *

Statement of qualifications

The Government of the Central African Republic hereby submits the candidacy of Judge Modeste Martineau Bria for a post of Judge at the International Criminal Court in view of the elections to be held in New York during the tenth session of the Assembly of States Parties in New York from 12 to 21 December 2011.

Judge Modeste Martineau Bria, whose curriculum vitae is appended hereto, in French, has been nominated as candidate in accordance with the provisions of article 36(4)(a)(ii), of the Rome Statute.

Judge Modeste Martineau Bria will be presented on List A as a candidate having “established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings”

Having enjoyed a career extending over more than 18 years, Judge Modeste Martineau Bria, Judge and Prosecutor, candidate for the post of Judge at the International Criminal Court (ICC), possesses the qualifications required under paragraph 3 of article 36 of the Rome Statute

Thus, of his 18 years, he has spent almost seventeen (17) as a member of the Public Prosecutor’s Office. He has served as Deputy Public Prosecutor in the Tribunaux de Grande Instance (Regional Courts), Advocate-General and Principal Public Prosecutor in the Appeal Courts, and Professor of Special Criminal Law and Criminal Procedure at the National Training College for Administrators, Judges and Prosecutors (ENAM) in Bangui, where he has trained several intakes of judges.

As Public Prosecutor, he has directed investigations and sat as representative of the Public Prosecutor’s Office in both minor and major criminal cases, involving bodily injury, murder, rape, infanticide, violation of State security, misappropriation of public assets and funds, etc.

Judge Modeste Martineau Bria has also been involved in the drafting of numerous items of criminal legislation, such as the Code of Criminal Law and Procedure, draft law on violence against women and children, draft law on drugs and psychotropic substances, Code of Military Justice.

Judge Modeste Martineau Bria is currently Director-General of Judicial Services at the Ministry of Justice and Moral Reform, and Judge of the High Court of Justice of the Central African Republic.

He is solely of Central African national nationality, and has a full command of French.

* * *

Personal data

Name	Bria
First names	Modeste Martineau
Date and place of birth	14 June 1966, Fort Lamy, Chad
Marital status	Married, five children

Academic background**Primary education**

1972 – 1977 Kousseri State School (Cameroon).
 1977 – 1978 School of Our Lady of Africa, Bangui (CAR).

Secondary education

1978 – 1986 Lycée des Martyrs, Bangui.

University education

1986 - 1989 Law Department, University of Bangui.

Professional training

1989 - 1991 Ecole nationale d'administration et de magistrature (ENAM) Bangui, magistracy department.

Qualifications

1977 Certificate of primary education (CEPE), Cameroon.
 1982 Brevet d'études du premier cycle (first-cycle certificate of education), Bangui.
 1986 Baccalauréat A4.
 1989 Licence (degree) in private law.
 1992 Brevet du 3ème cycle (postgraduate diploma) (ENAM).

Professional experience

November 1992 - January 1995 Public Prosecutor at the Bouar Tribunal de Grande Instance (Superior Court).
 January 1995 - March 1996 First Deputy Prosecutor at the Bangui Tribunal de Grande Instance.
 March 1996 - July 1997 Public Prosecutor at the Bangassou Tribunal de Grande Instance.
 July 1997 - April 1998 First Vice-President of the Bangui Tribunal de Grande Instance.
 April 1998 - January 2000 Public Prosecutor at the Bangui Tribunal de Grande Instance.
 January - December 2000 Second Counsellor in the Labour Dispute Chamber of the Court of Appeal.
 December 2000 - February 2002 Second Counsel for the Prosecution at the Bangui Court of Appeal.
 February 2002 - September 2005 Prosecutor-General at the Bouar Court of Appeal.
 Since September 2005 Prosecutor-General at the Bangui Court of Appeal.

Other activities

- Member of the National Human Rights Commission (CNDH).
- Alternate Legal Counsellor to the Professional Body of Doctors, Surgeons, Dentists and Pharmacists.
- Judge at the High Court of Justice.

Seminars

May - June 1995 Management seminar at ENAM, Bangui.
 Seminar on Military Justice and Human Rights organized by the United States Naval Justice School.
 30 October - 2 December 1995 Seminar in the United States of America on American Criminal Justice.
 23 September - 2002 Seminar on the Protection of Human Rights, ENA, 18 October Paris, France.

22 - 26 March 2010	Cross-disciplinary training course for judges and staff of economics and finance ministries on Money Laundering and Economic and Financial Crimes under OHADA Law, Brazzaville, Congo.
September 2010	Training course on New Forms of Transnational Crime in Western and Central Africa, Grand-Bassam, Côte d'Ivoire.
Military service	Completed military service, reg. no. 89.02.1082.
Decorations	
200	Chevalier of the Ordre du Mérite Centrafricain (Order of Central African Merit).
2006	Officer of the Ordre de la Reconnaissance Centrafricaine
2009	Officer of the Ordre du Mérite Centrafricain.
Leisure activities	Reading and sport.

* * *

5. Carmona, Anthony Thomas Aquinas (Trinidad and Tobago)

(Original: English)

Note verbale

The Permanent Mission of the Republic of Trinidad and Tobago 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 refer to the latter's note, reference no: ICC-ASP/10/S/04 which advised that the nomination period for the election of six judges of the Court will run from 13 June to 7 September, 2011. The elections will take place at the tenth session of the Assembly of States Parties to be held at United Nations Headquarters, New York, from 12 to 21 December, 2011.

The Permanent Mission of the Republic of Trinidad and Tobago has the further honour to advise that the Government of Trinidad and Tobago has nominated Justice Anthony Thomas Aquinas Carmona S.C., Judge of the Supreme Court of Trinidad and Tobago, to fill one of the vacancies which will arise in the Court. This nomination is submitted in accordance with the provisions of article 36, paragraph 3(b), of the Rome Statute which provides that every candidate for election to the Court shall:

“have established competence in criminal law and procedure, and the necessary relevant experience whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings.”

The Government of Trinidad and Tobago attaches tremendous importance to the candidature of Justice Carmona for election as a judge of the Court, in keeping with Trinidad and Tobago's long standing support for this tribunal which predates the adoption and entry into force of the Rome Statute.

The Government of Trinidad and Tobago is of the view that at this critical stage in its development, the Court should be composed of judges who adequately meet all of the criteria laid down in the Rome Statute. The Government of Trinidad and Tobago is therefore strongly convinced that Justice Carmona is a person of high moral character, impartiality and integrity and who possesses the qualifications for appointment to the highest judicial offices in Trinidad and Tobago. It is also satisfied that if elected, Justice Carmona would make an invaluable contribution to the Court, given his knowledge and wealth of experience in the field of criminal law and procedure, both at the national and international levels.

The Permanent Mission of the Republic of Trinidad and Tobago is therefore requesting that the Secretariat of the Assembly of States Parties brings this matter to the attention of all States Parties to the Rome Statute, in order to obtain their support for the above mentioned candidature.

The statement of qualifications and the curriculum vitae of Justice Carmona are attached to this note verbale.

* * *

Statement of qualifications

This statement is submitted in accordance with the provisions of article 36, paragraph 4(a), of the Rome Statute of the International Criminal Court and paragraph 6 of resolution ICC-ASP/3/Res.6.

Justice Anthony Thomas Aquinas Carmona is the candidate of the Republic of Trinidad and Tobago for election as a judge of the International Criminal Court.

The candidate satisfies the provisions of article 36, paragraph 3(a), of the Rome Statute as an individual of high moral character, impartiality and integrity and possesses the qualifications for appointment to the highest judicial offices in Trinidad and Tobago.

Justice Carmona meets fully the requirements of article 36, paragraph 3(b), of the Rome Statute which provides that: “every candidate shall have established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings.”

The candidate therefore fulfils the requirements relevant to election as a judge under List A pursuant to article 36, paragraph 5, of the Rome Statute. The candidate's experience and qualifications are based on his considerable experience, training and demonstrated competence in criminal law and criminal procedure both at the national and international levels for over 25 years. He is a judge of the Supreme Court of Trinidad and Tobago and has served as Appeals Counsel (Office of the Prosecutor) at the International Criminal Tribunal for the former Yugoslavia (ICTY), and the International Criminal Tribunal for Rwanda (ICTR).

As Appeals Counsel at the ICTY and ICTR, he was involved in the successful prosecution and preparations of appeals on behalf of the Office of the Prosecutor concerning war criminals consisting of generals, camp commanders, soldiers and politicians convicted of war crimes, crimes against humanity and genocide.

He also served at the highest level of the criminal prosecution service of Trinidad and Tobago rising to the position of Acting Director of Public Prosecutions. At this level, he prosecuted in major and complex criminal cases which sometimes involved appeals to Trinidad and Tobago's Highest Court of Appeal, the Judicial Committee of the Privy Council in London.

Justice Carmona's contribution to the development of criminal justice in Trinidad and Tobago was recognized when he was conferred with the status of Senior Counsel (Silk).

The candidate has also been a representative of Trinidad and Tobago at several international conferences on crime prevention and criminal justice. He also represented Trinidad and Tobago at the Preparatory Committee on the Establishment of an International Criminal Court.

As a judge of the Supreme Court of Trinidad and Tobago and a former prosecutor, Justice Carmona presided over or prosecuted cases involving violence against women and children.

The candidate is also fluent in at least one of the working languages of the Court.

* * *

Personal data

Name	Justice Anthony Thomas Aquinas Carmona, S.C.
Date of birth	7 March 1953
Marital status	Married
Nationality	Citizen of Trinidad and Tobago

Education

1973-1977	Bachelors of Arts (Honours) English and Political Science, University of West Indies, Mona, Jamaica.
1978-1981	Bachelors of Laws (Honours). University of the West Indies, Cave Hill, Barbados.
1981-1983	Certificate of Legal Education Sir Hugh Wooding Law School, St. Augustine, Trinidad and Tobago.
1986	Certificate of Enrolment as an Attorney-at-Law (as a result of fusion of the legal profession).
28 November - December 1988	Certificate of Instruction on Overview of Investigative Techniques, International Criminal Investigative Training Assistance Program (ICITAP) under the auspices of the United States Department of Justice, Dominica.
27 November - 8 December 1989	Certificate of Instruction at Second Regional Seminar on Effective Countermeasures Against Drug Offences and Advancement of Criminal Justice Administration under the auspices of the United Nations Latin America Institute for the Prevention of Crime and Treatment of Offenders (ILANUD), San Jose, Costa Rica.

April 1990	Certificate of Instruction at the Judicial Seminar conducted by the United States Department of Justice Drug Enforcement Administration (D.E.A.), Port of Spain, Trinidad.
16-27 July 1990	Certificate of Instruction at the Third Regional Seminar on Effective Counter Measures Against Drug Offences and Advancement of Criminal Justice Administration under the auspices of the United Nations Latin American Institute for the Prevention of Crime and Treatment of Offenders (ILANUD), San Jose, Costa Rica.
2-4 March 1993	Certificate of Participation at Money Laundering Symposium under the auspices of the Ministry of National Security and the French Embassy (S.C.T.I.P), Port of Spain, Trinidad.
18-21 May 1993	Certificate of Participation in multi-national Training Seminar on the control of the Traffic of Precursors and Chemicals Substances under the aegis of CICAD, DEA, UNDCP, RCMP and Government of Trinidad and Tobago, Port of Spain, Trinidad.
22-26 Nov 1993	Certificate of Instruction at Regional Training Seminar on, inter alia, Drug Profit Confiscation, Practical Application of United Kingdom and Canada Money Laundering Drug Legislation, and its applicability to the Caribbean; Tracing and Forfeiture of Illicit Drug Money and Property coupled with actual case study, under auspices of the Faculty of Law, University of the West Indies, Barbados and United Nations Drug Control Programme (UNDCP), Kingston, Jamaica.
25 April-6 May 1994	Certificate of Instruction at Drug Law Enforcement Training Programme conducted by Drug Enforcement Administration (D.E.A) Miami Field Division in cooperation with the United States Department of Justice on International Narcotic matters incorporating subject matters as Trends in Narcotic Trafficking, Legal Issues in Surveillance, Interviews and Interrogation, Case Preparation, Drug Identification and Pharmacology, Port of Spain, Trinidad.
21 -25 November 1994	Certificate of Instruction at “follow up” Asset Forfeiture Training Workshop for regional prosecutors and investigators under the aegis of Faculty of Law, University of the West Indies, Barbados and the United Nations Drug Control Legal Training Programme, Port of Spain, Trinidad.
1993-1994	Course of study in Spanish at the <i>Andres Bello's Institute</i> , Venezuelan Embassy, Port of Spain, Trinidad
31 October-3 November 1995	Certificate of Instruction at Multi-national Training Seminar on Money Laundering Crimes connected to Illicit Drug Trafficking and related offences, their investigation and case preparation under the auspices of the Government of France, Organization of American States and U.N.C.P, Forte de France, Martini

Work experience

2004-present	High Court Judge, Supreme Court of Trinidad and Tobago.
2001-2004	Appeals Counsel, (Office of the Prosecutor) at International Criminal Tribunal for the Former Yugoslavia, The Hague, Netherlands, and International Criminal Tribunal for Rwanda, Arusha, Tanzania.
2002	Conferred with the status of Senior Counsel (Silk).
August – September 1999	Acting Director of Public Prosecutions.
1995 -1999	Deputy Director of Public Prosecutions.
1994 – 1995	Assistant Director of Public Prosecutions.
1989-1994	Senior State Attorney.
1983-1989	State Counsel I, State Counsel II, State Counsel

1983-1985	Lecturer at San Fernando Technical Institute in Business Law – Trinidad. National Examiner in Business Law, Trinidad and Tobago.
1981-1985	Lecturer in the Department of Language and Linguistics and Senior Tutor in the Department of Government, University of the West Indies, St. Augustine, Trinidad.
1977-1978	Graduate Teacher II, Palo Seco Government Secondary School, Trinidad.
1974-1975	Teacher at St. Hughs High School and Merle Grove High School, Kingston, Jamaica.
1972-1973	Teacher at Fyzabad Anglican Secondary School, Trinidad.

Features of work in professional capacity

2001-2004	As Appeals Counsel (Office of the Prosecutor), ICTY and ICTR, successfully prosecuted and prepared appeals on behalf of the Office of the Prosecutor concerning war criminals consisting of generals, camp commanders, soldiers and politicians convicted of war crimes, crimes against humanity and genocide. Adduced fresh evidence on appeal from diverse international witnesses.
1983-2001	As State Attorney and Deputy Director of Public Prosecution, acted as a minister of justice at all times in the conduct of prosecutions; prosecuted in major and complex cases in the Magistrate's and Supreme Courts; prosecuted police and public officers when required; and defended police and public officers against cross-charges in the course of duty. Prosecuted in the Magistrate's Courts, High Court and Court of Appeal in Trinidad and Tobago from the inception of practice, but for 12 years appeared almost exclusively in the Court of Appeal (Criminal Division). Appeared in the High Court and Court of Appeal in civil appeals when required. Assisted in criminal appeals to the Privy Council, London, England, liaising and advising attorneys representing the State. Assisted in the administration and management of the Office of the Director of Public Prosecutions and in the supervision of criminal litigation. Supervised subordinate professional staff, advising, training and guiding them. Supervised approximately 30 State Attorneys in the Office of the DPP, i.e. Assistant Directors of Public Prosecution, Senior State Attorneys and State Attorneys. Prepared, drafted and vetted indictments. Prepared code of conduct for State prosecutions in the form of Prosecutorial Guidelines. Advised the Director of Public Prosecutions on all complex legal issues, matters and cases. Advised on nolle prosequi, discontinuance in criminal cases and general evidential sufficiency for prosecution. Appeared on behalf of the State in extradition matters and contentious bail applications in the Court of Appeal. Recommended revision and amendments to existing laws. Facilitated requests and assistance to and from regional and international bodies and organizations. Replied to legal submissions made to the Human Rights Committee under the Optional Protocol to the International Covenant on Civil and Political Rights. Advised the Office for Strategic Services (OSS), Organized Crime and Narcotic Unit (OCNU), Ministry of National Security departments in the fore of interdiction of drug trafficking and money laundering activities.

Representative of the Ministry of Legal Affairs at Cabinet-appointed Technical Advisory Committee on Alcohol and Drug Abuse (TACADA) and Chairman of Legal Sub-committee from 1988 to 1999. The Committee had the mandate of implementing the National Drug Strategy Master Plan 1995-1999 and onward.

Lectured to government lawyers during in-house training sessions. Lectured to police officers, customs and public offices of all ranks at training seminars vis-à-vis the criminal law, methods of investigation, legal responsibilities and corresponding pitfalls and on the effective implementation of legislation new and old.

Advised the Police Department, when warranted, on the conduct of criminal investigations and recommended criminal charges accordingly. Reviewed police files to determine sufficiency of evidence and prevent any abuse of process.

Assisted as necessary on the civil side in litigation work and constitutional motions. Advised accordingly other Government Departments, e.g. Ministry of Works and Transport, Ministry of Labour, Ministry of Health, Ministry of Agriculture inclusive of Forestry Divisions, Customs and Excise Department prosecuting at times on their behalf.

Member of Inter-ministerial Governmental Team reviewing/formulating legislation for the purpose of expediting the criminal justice system since 1992, whose mandate, inter alia, was putting the necessary legislative and administrative measures in place that led to the ratification of the 1988 Vienna United Nations Convention Against Illicit Traffic in Narcotics Drugs and Psychotropic Substances by Trinidad and Tobago.

Member of the Trinidad and Tobago/Venezuelan Mixed Commission on the Prevention Control and Suppression of Illicit Trafficking in Narcotic Drugs and Psychotropic Substances, 1990 - 1999.

Member of Trinidad and Tobago Working Group on Regional Justice Protection Programme 1996 to present.

Represented the Office of the Director of Public Prosecutions on the Legislative Review Committee (Cabinet appointed) formulating and vetting multifaceted pieces of legislation, i.e. Criminal Procedure (Criminal Procedure (Plea Agreement) Bill, Criminal Injuries Compensation Bill, Criminal Procedure (Amendment) Bill, D.N.A. Bill, Indictable Offences (Preliminary Enquiry) Bill, Dangerous Drugs Bill, Proceeds of Crime Bill, The Central Authority and Counter-Drug Trafficking and Money Laundering Task Force Bill, Bail Act, Mutual Assistance in Criminal Matters Bill and all criminal related legislation.

Advised the Office of the Attorney General and the Ministry of Foreign Affairs on International/Regional Conventions and Treaties.

Participation in criminal cases reported in the West Indian Law Reports.

- Ashby (Glen) v The State - 45 West Indian Law Reports (WIR) 360
- Wanzar (Michael) v The State - 46 WIR 439
- Gonzales (Franklyn) v The State - 47 WIR 355
- Harrynarine Maharaj v The State - 47 WIR 416
- Raffick Sahadath v The State - 47 WIR 399
- Hollis Ramnath v The State - 47 WIR 419
- Teesdale (Kenneth) v The State - 47 WIR 409
- Williams (Hubert) v The State - 48 WIR 32
- Lester (Kurt) v The State - 50 WIR 452
- Murphy (James) v The State - 50 WIR 457
- Phillip Chotolal and Others v The State - 52 WIR

Notable cases

- First successful prosecution in the British Commonwealth of Senior Magistrate Patrick Jagessar for corruption: sentenced to a maximum punishment of two years hard labour, affirmed by Court of Appeal and Privy Council.
- First successful prosecution at Court of Appeal in the West Indies of a Justice of the Peace for corruption, Farouk Ali: sentenced to maximum 10 years' hard labour.
- *Felicia Constantine and Corporal Ronto Williams v The State*, Criminal Appeals Nos. 88 and 86 of 1997 (Trinidad and Tobago (unreported in West Indian Law Reports). Appeal successfully argued: found guilty of conspiracy to murder state witness after botched attempt at poisoning whilst under State protective custody and each sentenced to the maximum 10 years' hard labour.
- The following cases represented at the time the only two successful appeals by the State in Trinidad and Tobago under the Administration of Justice (Miscellaneous Provisions Act) 1996, which gave the State the right of appeal in criminal matters. Represented the State on both occasions.
- *The State v Garfield Timothy Joseph*, Cr. App 124 of 1997 (unreported): placed on a non-custodial bond after pleading guilty of unlawfully killing step daughter; sentenced to three years hard labour on appeal.
- *The State v Anthony Amoroso Centeno*, Cr. Appeal No. 198 of 1997. Placed on a non-custodial bond after being found guilty of manslaughter; sentenced to three years' hard labour on appeal.

Conferences/seminars attended in professional capacity.

- Trinidad and Tobago representative at the International Meeting of Experts in the Legal Development Project by CICAD under the Organization of American States, San Jose, Costa Rica, 6 May 1989.
- Trinidad and Tobago delegate at the Regional Conference on the International Drug Convention and Drug Abuse, Port of Spain, Trinidad, 3 - 16 April 1989.
- Trinidad and Tobago representative at the Regional Seminar on Effective Counter-measures against Drug Offences and Advancement of Criminal Justice Administration under the auspices of the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD), San Jose, Costa Rica, 27 November – 8 December 1989.
- Paper presented: "Counter Measures (Present and Future) in Trinidad and Tobago – the role of law enforcement and demand reduction programme".
- Panellist at the National Consultation and International Teleconference on the Media/Private/Public Sector Cooperation for Drug Abuse Prevention, Eric Williams Medical Sciences Complex, 22 May 1990.
- Trinidad and Tobago representative at the Third Regional Seminar in Effective Counter-measure against Drug Offences and Advancement of Criminal Justice Administration under the auspices of the United Nations Latin American Institute for the prevention of Crime and Treatment of 16 - 27 July 1990.
- Paper presented: "Regional and International Co-operation – the effective tools Against Drug Offences; The Advancement of the Criminal Justice Administration".
- Delegate and representative of the Government of the Republic of Trinidad and Tobago at the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August - 7 September, 1990.
- Delegate at the International Judicial Seminar conducted by United States Department of Justice Drug Enforcement Administration, Port of Spain, Trinidad, April, 1990.
- Delegate and representative of the Government of the Republic of Trinidad and Tobago at the Inter-Governmental Working Group on Crime Prevention and Criminal Justice System Vienna International Centre, Vienna, Austria, 5 - 9 August 1991.
- Delegate and representative of the Government of the Republic of Trinidad and Tobago at the inter-governmental United Nations Conference on Crime Prevention and Criminal Justice System, Paris, France, 1992.
- Representative of the Government of Trinidad and Tobago at the Caribbean Money Laundering Workshop, Kingston, Jamaica, 26 - 28 May 1992.

- Delegate at the Regional Seminar on Training and Judicial Co-operation Against Drugs for French Speaking and English Speaking Justice Officials of the Caribbean Region, under the aegis of the United Nations International Drug Control Programme (U.N.D.C.P) Forte-de-France, Martinique, 15 - 17 December 1992.
- Delegate at Symposium on Money Laundering under the aegis of the Ministry of National Security of Trinidad and Tobago and the French Embassy, Port of Spain, Trinidad, 2 - 4 March 1983.
- Lecturer at Human Rights Programme for public officials in Trinidad and Tobago under the aegis of the Office of the Attorney General and Ministry of Legal Affairs, Port of Spain, Trinidad, 19 - 20 April 1993.
- Lecturer/Facilitator at the International Training Seminar for the control of Precursors and Chemicals Substances under the aegis of the Inter-American Drug Abuse Control Commission (CICAD) Port of Spain, Trinidad, 18 - 21 May 1993.
- Paper presented: "Legislation and Legal/Administrative Procedures for the control of precursors and essential chemicals."
- Delegate at Money Laundering Workshop addressing, inter alia, Criminal Justice Programme, Confiscate/Forfeiture Laws, Mutual Assistance, Port of Spain, Trinidad, 3 - 5 May 1994.
- Delegate/Representative of the Government of Trinidad and Tobago at the Caribbean Financial Task Force (CFATF) Ministerial Meeting, Port of Spain, Trinidad, 24 - 25 May 1995.
- Representative/Delegate of the Government of Trinidad and Tobago at meetings of the United Nations:
 - Preparatory Committee on the Establishment of an International Criminal Court (Second session) United Nations, New York, 12-30 August 1996.
 - Representative/Delegate of the Government of Trinidad and Tobago at meetings of the United Nations Preparatory Committee on the Establishment of an International Criminal Court (Sessions), United Nations, New York, 11-21 February 1997.
 - Delegate/Representative of the Government of Trinidad and Tobago at a Regional workshop on mechanisms for the development of an International Criminal Court, co-sponsored by the Government of Trinidad and Tobago and Parliamentarians for Global Actions (P.G.A), Port of Spain, Trinidad, 14 -15 May 1998.
 - Delegate/Representative of the Government of Trinidad and Tobago at the Third meeting of the Working Group on the Regional Justice Protection Programme, Port of Spain, Trinidad, 26 - 27 January 1999 .
 - Observer on behalf of the Government of Trinidad and Tobago Government at the Regional Magistrate's Conference under the aegis of the University of the West Indies and UNDCP, Port of Spain, Trinidad, 24-29 January, 1999.
 - Delegate/Representative of the Government of Trinidad and Tobago at the Inter-Governmental Regional Caribbean Conference for the Signature and Ratification of the International Criminal Court Statute, under the aegis of No Peace Without Justice (NPWJ) and the Ministry of the Attorney General, Port of Spain, Trinidad and Tobago, 15-17 March 1999.
 - Representative/Presenter of Trinidad and Tobago at the Commonwealth Law Ministers' Conference/Meeting on the International Criminal Court
 - 3-7 May 1999, Port of Spain, Trinidad.

Other professional contact

- | | |
|--------------------|---|
| 2 -6 February 2011 | Presenter/Lecturer on "Establishing and consolidating Drug Treatment Courts in the Caribbean: a team effort", Montego Bay, Jamaica. |
| 1983-1999 | <p>Guest lecturer at monthly meeting of the South Medical Association of doctors. Paper presented: "The Legal Responsibilities of a Medical Practitioner".</p> <p>Guest lecturer at St. Dominic's Children's Home, Belmont: "On Crime, the Child and Society", Port of Spain, Trinidad.</p> <p>Feature Address speaker at graduation ceremonies in the following Schools: Fyzabad Anglican Secondary School, Palo Seco Secondary School, Princess Town Senior Comprehensive School, Antsey Memorial Girls Primary School, San Fernando,</p> |

Palo Seco Government School, Fyzabad Presbyterian School, Woodland Hindu School, Rousillac Hindu Primary School, Erin Government Primary School.

Lecturer at Peers Counsellors Training Course offered by The National Institute of Higher Education, research, Science and Technology (NIHERST) on, inter alia, drug legislation, demand/reduction and law enforcement”, Eric Williams Medical Complex, Trinidad.

Lecturer at Training Seminar for Principals of Secondary Schools in South Trinidad, Couva, Trinidad.

Legal adviser and former member of the Trinidad and Tobago Mental Retardation Board, Trinidad.

Member of the St. Patrick’s Anglican School Board, Trinidad, West Indies.

Lecturer at Training seminar for staff nurses stationed at San Fernando General Hospital, San Fernando Technical Institute, Trinidad. Paper presented: “Tortious/Criminal Liability – The Nurse at the Hospital”.

17 -19 June 2004

Delegate at the Caribbean Anti-Money Laundering Programme’s Anti-Money Laundering Workshop for Judges, St. Lucia

* * *

6. Cathala, Bruno (France)

(Original: French)

Note verbale

The French Embassy presents its compliments to the International Criminal Court, (Secretariat of the Assembly of States Parties), and has the honour to inform it that the Government of the French Republic has decided to nominate Mr. Bruno Cathala, currently President of the Evry *Tribunal de Grande Instance*, which falls under the jurisdiction of the Paris Court of Appeal, for a post of judge at the International Criminal Court in view of the elections to be held in New York during the tenth session of the Assembly of States Parties to the Rome Statute, to be held from 12 to 21 December 2011.

The nomination of Mr. Cathala for this election has been made 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”.

Accordingly, the French group of the Permanent Court of Arbitration submitted the application to the government following a public call for applications.

As described in his curriculum vitae and in the detailed document prepared pursuant to article 36 (4) (a), of the Rome Statute, appended hereto, Mr. Bruno Cathala has the qualities required under paragraph 3 of that article.

Mr. Cathala possesses all of the competencies and experience required by the Rome Statute in the area of criminal law and procedure, as well as the necessary practical experience of criminal trials.

For over three years, Mr. Bruno Cathala, a French judge with high level judicial responsibilities, has presided over the Evry Tribunal de Grande Instance, one of the most important courts in France, which hears many demanding and complex criminal cases, and the seat of the Assize Court, responsible for trying the most serious offences. From 1990 to 1994, Mr. Cathala was also President of the Montargis Tribunal de Grande Instance, and from 1996 to 1999, he was Vice-President of the Créteil Tribunal de Grande Instance, which falls under the jurisdiction of the Paris Court of appeal.

Since the start of his career, Mr. Cathala has acquired a thorough-going knowledge of issues relating to the protection of children and child victims. Thus, from 1983 to 1987, he sat as a judge in the juvenile courts, with responsibility for the protection of persons under the age of eighteen and for juvenile delinquency. From 1987 to 1990 he was a college lecturer, responsible for training future juvenile court judges at the Ecole Nationale de la Magistrature (French National Judicial Training School), and thereafter, from 1994 to 1996, he was deputy director responsible for juvenile judicial protection at the French Ministry of Justice. In his capacity as inspector of judicial services, from 1999 to 2001, he prepared, in particular, a report on Child Welfare

Mr. Bruno Cathala has extensive experience of international criminal courts and tribunals, having held the position of Deputy Registrar of the International Criminal Tribunal for the Former Yugoslavia from 2001 to 2002, and having been the first Registrar of the International Criminal Court from 2003 to 2008.

Mr. Cathala is of solely French nationality, and a candidate on List A under article 36 (5), of the Rome Statute.

* * *

Statement of qualifications

Detailed document prepared pursuant to article 36 (4) (a) of the Rome Statute and paragraph 6 of the Resolution of the Assembly of States Parties relating to the procedure for the nomination and election of judges at the International Criminal Court.

The Government of the French Republic has decided to nominate Mr. Bruno Cathala, a French judge who is currently the President of the Evry Tribunal de grande instance, for a post of judge at the International Criminal Court in view of the elections to be held during

the tenth session of the Assembly of States Parties, to be held in New York from 12 to 21 December 2011.

The nomination of Mr. Cathala for this election was conducted in accordance with article 36 (4) (a) (ii): “by the procedure provided for the nomination of candidates for the International Court of Justice in the Statute of that Court”. The French group of the Permanent Court of Arbitration submitted the application to the government following a public call for applications.

Mr. Bruno Cathala will be nominated on List A, which contains the names of candidates who “have established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings”, pursuant to article 36 (3)(b) (i) and paragraph (5), of the Statute of the Court.

Mr. Bruno Cathala meets all the requirements of experience and seniority provided under article 36 (3)(a), of the Statute of the Court, as well as the more specific ones provided under article 36 (8) (b), of this Statute, to be nominated for appointment to the highest judicial offices.

Mr. Cathala has devoted his career, the curriculum vitae of which is appended hereto, to all the different facets of the office of judge, in particular in criminal law and procedure, with a special focus on the duties and ethics of judges. Mr Cathala has always striven to uphold the principle of fair trials, to preside over complex hearings with multiple victims in an efficient manner, and to draft decisions immediately. He has extensive experience in directing courts and tribunals and judicial services, and substantial experience of international criminal courts and tribunals.

For over three years, Mr Bruno Cathala has presided over the Evry Tribunal de grande instance, one of the most important courts in France which hears many demanding and complex criminal cases, and the seat of the Assize Court, responsible for trying the most serious offences. From 1990 to 1994, Mr Cathala was also President of the Montargis Tribunal de Grande Instance, and from 1996 to 1999, he was Vice-President of the Créteil Tribunal de Grande Instance, which falls under the jurisdiction of the Paris Court of appeal.

Since the start of his career, Mr. Cathala has acquired a thorough-going knowledge of issues relating to the protection of children and child victims. Thus, from 1983 to 1987, he sat as a judge in the juvenile courts, with responsibility for the protection of persons under the age of eighteen and for juvenile delinquency. From 1987 to 1990 he was a college lecturer, responsible for training future juvenile court judges at the École Nationale de la Magistrature (French National Judicial Training School), and thereafter, from 1994 to 1996, he was deputy director responsible for juvenile judicial protection at the French Ministry of Justice. In his capacity as inspector of judicial services, from 1999 to 2001, he prepared, in particular, a report on Child Welfare.

Mr. Bruno Cathala has recognized international experience. He has served in international criminal courts and tribunals previously, having held the position of Deputy Registrar of the International Criminal Tribunal for the former Yugoslavia from 2001 to 2002, and having been the first Registrar of the International Criminal Court from 2003 to 2008.

Mr. Cathala speaks French and English. He is a French national.

Personal data

Name	Bruno Cathala
Date and place of birth	23 July 1955, Pamiers (Ariège, France)
Nationality	French

Training and qualifications

June 1999	Graduated from the Institute of Higher National Defence Studies (IHEDN).
June 1996	Graduated from the Institute of Higher Internal Security Studies (IHESI).

January 1981 – December 1982 Attended the French National School for the Judiciary (ENM).
 June 1980 Post-graduate pre-PhD diploma in Private Law, School of Law, University of Paris I.

Annual vocational internships, including

April 2000 Franco-Canadian Seminar (Quebec) on Court Administration and Management.
 October 1989 - November 1986 Internship in Canada (Quebec) on Family mediation.
 Internship with the Irish judicial authorities (Dublin) to gain an understanding of common law practices.

Judicial career and professional experience

2008 to present President of the Regional Court of Evry (France)
 Management of a court (76 judges - 183 civil servants)
 President of the criminal division for complex cases.
 2003 – 2008 Registrar of the International Criminal Court (The Hague, The Netherlands)
 2002 – 2003 Director of Common Services, International Criminal Court (The Hague, The Netherlands)
 2001 – 2002 Deputy Registrar, International Criminal Tribunal for the former Yugoslavia, ICTY (The Hague, The Netherlands).
 1999 – 2001 Inspector of Judiciary Services (Paris)
 In this capacity, was responsible for the inspection, supervision and audit of the courts (judges and public prosecution department) and of the various institutions of the French Ministry of Justice (prisons, etc.). He drafted a report on child welfare (June 2000).
 1996 - 1999 Vice-president of the Regional Court of Créteil (France) where he presided over a civil chamber and a criminal chamber (dealing, inter alia, with economic and financial cases, and complex offences).
 1994 - 1996 Deputy Director of the judicial protection of juveniles - Ministry of Justice (Paris). This position involved supervising professionals in charge of the welfare, education, and social and professional integration of minors supervised by children's judges.
 1990 - 1994 President of the Regional Court of Montargis (France)
 Head of the Court President of the Civil Chamber and of the Criminal Chamber.
 1987 - 1990 Senior Lecturer, French National School for the Judiciary (France). Taught children's judges in training, with a focus on the protection of minors.
 1983 - 1987 Juvenile court judge – in Rouen and Nîmes (France).
 Protection of minors – juvenile delinquency. Associate Judge at the Court of Assizes.

Teaching assignments

2008-2010 Gave many lectures (at the Sorbonne, and Saint-Quentin-en-Yvelines and Evry Universities) on the International Criminal Court.
 2008-2010 Together with Mr. Claude Jorda, former Judge of the International Criminal Court and former President of the International Criminal Tribunal for the former Yugoslavia, co-chaired annual one-week in-service training seminars on International Criminal Courts, held for French and European judges at the ENM in Paris.
 June 2010 Training of French judges as part of a session on criminal trials, with a focus on The criminal procedure before the ICC.

- December 2010 Lecture on the theme « *Peut-on s'inspirer de la justice pénale internationale ?* » (“Is it possible to use international criminal justice as a model?”) Draguignan (France).
- December 2010 Training of French judges: lecture on the theme « *Les victimes des crimes de masse* » (“The victims of mass crimes”).

Missions and visits abroad

- September 2010 New York (United States of America).
Consulate of France: “International criminal justice: a creation born of the conflict and collaboration of cultures”.
- December 2008 Paris (France) Shoah Memorial: « *Le siècle de Lemkin : Reconstruction, réparation et prévention du génocide – le rôle de la CPI* » (“The century of Lemkin: Reconstruction, reparation and genocide prevention – the role of the ICC”).
- October 2008 Geneva (Switzerland). UNITAR - International seminar on risk prevention and criminal liability for environmental damage.
- October 2008 London (United Kingdom) Council of Europe - Committee of Legal Advisers on Public International Law: International conference on “International Courts and Tribunals – The challenges ahead”.
- January 2008 Dakar (Senegal). Report for the European Union: « *La préparation du procès Hissène Habré* » (“Preparation of the Hissène Habré Trial”).
- October 2003 San Remo (Italy) « *Les missions de maintien de la paix et la CPI: une relation complexe et obligée* » (“Peacekeeping missions and the ICC: a complex and necessary relationship”).
- May 2002 Paris (France) ENM: « *L'éthique du juge international* » (“Ethics of the international judge”).
- September 2000 Sarajevo-Banja Luka (Bosnia and Herzegovina). Training course for judges and prosecutors: procedures for the organization and management of courts – status of judges – professional conduct and ethics of judges (and prosecutors).
- July 2000 Varna (Bulgaria). Training course for Bulgarian judges and prosecutors: professional conduct and ethics – status of judges – in collaboration with American judges.
- May 1998 Antananarivo (Madagascar). Report for the World Bank: “*Ethique et déontologie de la magistrature malgache*” (“Professional conduct and ethics of judges in Madagascar”).
- September 1993 Phnom Penh (Cambodia). Exploratory mission to establish legal and judicial cooperation with Cambodia: legislation, organization and management of courts – teaching mission: role of court presidents; administration and management of courts; position of judge, position of prosecutor; professional conduct and ethics of judges and prosecutors.
- March 1992 Vientiane (Laos). Training course for judges and prosecutors: role of court presidents; administration and management of courts; position of judge; professional conduct and ethics of judges.
- March 1991 Abidjan (Republic of Côte d'Ivoire). Participation in the training of Ivorian judges and prosecutors.

Speeches - colloquia - conferences

1. Ethics of judges and prosecutors (national and international).
 - *L'éthique du juge international* (“Ethics of the international judge”) Communication – ENM – 2002.
 - *Éthique et déontologie de la magistrature malgache* (“Professional conduct and ethics of judges in Madagascar”) – Report for the World Bank.
 - *L'éthique et la déontologie des juges et des procureurs* (“professional conduct and ethics of judges and prosecutors”) – Communications - ENM International Department.

2. Judicial administration (national and international).

- Les politiques judiciaires (“Judicial Policy”) – Communication – Council of Europe – May 2000.
- L’urgence et le judiciaire (“Urgency and the judiciary”) – ENM in-service training workshop - 1998-1999.
- Temps judiciaire - temps éducatif : la concordance des temps (“Judicial timeline – educational timeline: agreement of time sequences”) – Les cahiers de dynamiques – 1996.
- Inflation de la demande de droit et rôle du magistrat (“Growing demand for more law and the role of judges”) - Informations sociales (22/1992).

3. Mediation.

- First International Conference of Judicial Mediation – October 2009.
- Le juge et les phénomènes de médiation – La médiation, Rapport du séminaire interdisciplinaire (“Judges and aspects of mediation – Mediation”) (Report by the Interdisciplinary Seminar) – December 1991.
- Clarifications on the work, conferences and responsibilities in the spheres of competence of the International Criminal Court.

Publications - reports

- The first five years of the ICC – ICC Newsletter, March 2008, www.icc-cpi.int.
- Preparation of the Hissène Habré Trial – Report for the European Union – January 2008.
- A building for the International Criminal Court: Functional and symbolic requirements – May 2007 – Publication of the City of The Hague.
- La igualdad entre las partes en el procedimiento ante la Corte Penal Internacional: el punto de vista de la Secretaría – Iberoamérica y la Corte Penal Internacional – October 2005.
- La Cour Pénale Internationale et les victimes (“The International Criminal Court and victims”) – Les cahiers de la justice n°1 – Dalloz – ENM – 2006.
- La CPI, mode d’emploi (“How to use the International Criminal Court”) – Le Monde newspaper – 11 March 2003.
- Le temps du tribunal pénal pour l’ex-Yougoslavie – 2001 – Newsletter of the Bar of Bordeaux.

Honours and awards

- Chevalier in the Order of the Legion of Honour (France).
- Officer in the Order of Oranje-Nassau (The Netherlands).
- Médaille de la protection judiciaire de la jeunesse (Youth Judicial Protection Medal) (France).

Languages

- French (mother tongue)
- English (read, spoken, written)

* * *

7. Cifuentes Muñoz, Eduardo (Colombia)

(Original: English)

Note verbale

The Embassy of Colombia in The Hague presents its compliments to the Permanent Secretariat of the Assembly of States Parties, and has the honour to inform the Secretariat that the Government of Colombia has decided to nominate Mr. Eduardo Cifuentes as a candidate to the post of judge to the International Criminal Court, under List A, for the elections to be held during the tenth session of the Assembly of States Parties to the International Criminal Court, at the United Nations Headquarters, in New York, from 12 to 21 December 2011.

This nomination is in accordance with the terms of article 36, paragraph 4 (a) (ii), of the Rome Statute of the International Criminal Court.

In his longstanding academic and professional career, Eduardo Cifuentes has demonstrated a wide and deep knowledge of criminal law and criminal procedure, as well as an outstanding expertise in international human rights law. After several years as professor at Los Andes University in Colombia, he was appointed as Justice at the Colombian Constitutional Court, where he became its Chief Justice in 1999.

In 2000 Eduardo Cifuentes was elected by the Colombian Congress as Ombudsperson, one of the most important public officers in charge of human rights protection as well as the Chief Officer for public criminal defence.

His first public act as Colombian Ombudsperson was to propose and promote a Constitutional amendment in order to facilitate the ratification of the Rome Statute.

In recent years, Eduardo Cifuentes has been appointed by the plenary of the Constitutional Court as associate judge (*conjuez*) of the Court. This appointment demonstrates the high regard for his moral and ethical integrity and the objectivity that has led all his decisions while holding public offices.

The important results he achieved as Chief Justice as well as Ombudsperson, led to the appointment of Eduardo Cifuentes as Director of the Human Rights Division at United Nations Educational, Scientific and Cultural Organization (UNESCO) Headquarters in Paris, where he continued promoting the defence of social, economic and cultural rights of minorities and also engaged in the fight against human discrimination. The candidate is fluent in oral and written Spanish (native), English, and Italian, and has a good level of French.

In 2005, Eduardo Cifuentes was appointed as Dean of Los Andes School of Law, which is one of the best and most important schools of law in Latin America. During his six years as Dean, he promoted academic research and debate on several subjects, especially on international humanitarian law and human rights. Several publications of Los Andes Law school demonstrate the influence and the active participation of Eduardo Cifuentes in the defence of displaced victims, Afro-descendant communities, and in general every minority affected by violence.

The nomination of Eduardo Cifuentes expresses not only the true belief of the Government of Colombia of the need to present a candidate with high moral standards and ethical values. It also represents the Government's commitment to the protection of human rights. Eduardo Cifuentes also symbolizes the essential affirmative action in defence of the rights of victims that started with the adoption of the Colombian Constitution of 1991.

The candidature of Eduardo Cifuentes underscores the commitment of the Colombian people to the empire of Justice as the only secured way to live in peace, as it was stated at the Review Conference of the Rome Statute that took place in Kampala, Uganda, on June, 2010.

The statement prepared in accordance with article 36, paragraph 4 (a), of the Rome Statute of the International Criminal Court and the curriculum vitae of Mr. Eduardo Cifuentes are attached to this note.

* * *

Statement of qualifications

This statement is submitted in accordance with the provisions of article 36, paragraph 4(a), of the Rome Statute of the International Criminal Court and paragraph 6 of resolution ICC-ASP/3/Res.6.

The Government of the Republic of Colombia hereby nominates Mr. Eduardo Cifuentes, former President of the Constitutional Court, Constitutional Court Justice and Ombudsperson of Colombia, as a candidate to Judge of the International Criminal Court, under List A. The Government considers Mr. Cifuentes to be a candidate of exceptional qualities that join together a brilliant career and the highest moral and humanitarian values.

This nomination is in accordance with the terms of article 36, paragraph 4 (a) (ii), of the Rome Statute of the International Criminal Court.

Mr. Eduardo Cifuentes is both a Colombian and Italian national. However, he is presenting his candidature as a Colombian, and therefore has the support of the Government of Colombia.

In his longstanding academic and professional career, Eduardo Cifuentes has demonstrated a wide and deep knowledge of criminal law and criminal procedure, as well as an outstanding expertise in international human rights law. After several years as professor at Los Andes University in Colombia, he was appointed as Justice at the Colombian Constitutional Court, where he became its Chief Justice in 1999.

The high tribunal's rulings have a well known importance in Colombia and also in Latin America. The Court has been recognized as one of the most innovative and progressive Tribunals of the last two decades. The decisions regarding criminal law adopted by the Constitutional Court have had great influence on the configuration and application of the criminal process in Colombia. They were also decisive for the integration of the international legal framework on due process, international crimes, and international human rights standards, into Colombia criminal law.

Eduardo Cifuentes was the Reporting Judge of highly appreciated and relevant decisions of the Constitutional Court in criminal law, such as those referring to the limitation of the State exceptional powers; the boundary-setting of the Military Tribunals and Military criminal Justice; the ambit of the duty to comply to superior commands whenever it affects the protection of international human rights; the enhancement of the constitutional right of due process within criminal trials and investigations, among others.

The candidate was also the Reporting Judge of relevant rulings on the concept of "Bloque de Constitucionalidad"¹, which have widened the scope of legal protection. According to these rulings, international treaties on Human Rights and International Humanitarian Law ratified by Colombia prevail in the national legal framework and, therefore, become criteria for Judicial Review.

Shortly after this, Eduardo Cifuentes was appointed as a member of the Constitutional Commission in charge of the Reform of the Colombian Criminal Process, and the introduction therein of the adversarial criminal system, and also the reinforcement of the due process guarantees.

In 2000 Eduardo Cifuentes was elected by the Colombian Congress as Ombudsperson, which is one of the most important public officers in charge of human rights protection as well as the Chief Officer for public criminal defence.

His first public act as Colombian Ombudsperson was to propose and promote a Constitutional amendment in order to facilitate the ratification of the Rome Statute.

During his time in office, Eduardo Cifuentes concentrated his efforts on the improvement of the public defence system and the redirection of the criminal process strategies in order to reinforce procedural guarantees and the effective protection of the parties in criminal trials, especially the victims. He also took an active role in the protection of the human rights of historically discriminated groups such as women and indigenous peoples.

¹A set of rules and principles regarding Human Rights Law and International Humanitarian Law that have Constitutional hierarchy under the Colombian legal system.

As Ombudsperson, Eduardo Cifuentes promoted a bill for the protection of Habeas Corpus. His work was also vital for the creation of effective mechanisms for searching and preventing forced disappearances. Within a series of actions directed towards the protection of human rights of the victims of the Colombian conflict, Eduardo Cifuentes issued an important number of “Humanitarian Resolutions” where he denounced grave violations of international humanitarian law. Through these resolutions, his office not only prevented the commission of crimes against humanity but also gave an essential support for the victims of the conflict, who saw in his office a useful and effective organ of protection and promotion of human rights.

In recent years, Eduardo Cifuentes has been appointed by the plenary of Constitutional Court as associate judge (*conjuez*) of the Court. This appointment demonstrates the high regard for his moral and ethical integrity and the objectivity that has led all his decisions while holding public offices.

Eduardo Cifuentes is also an expert in human rights and International humanitarian law. As Justice in the Constitutional Court and also as Ombudsperson, he was the author of important decisions that have helped to place the Colombian Constitutional Court at the leading edge of the Constitutional Tribunals. Among his emblematic decisions it is possible to find those regarding the “*mínimo vital*” (vital minimum) which has turned into the fundamental basis for the social, economic and cultural rights, as well as for the concept of the “unconstitutional state of things”, which became essential for the protection of the displaced victims.

The important results he achieved as Chief Justice as well as Ombudsperson, brought to the appointment of Eduardo Cifuentes as Director of the Human Rights Division at United Nations Educational, Scientific and Cultural Organization (UNESCO) Headquarters, Paris, where he continued promoting the defence of social, economic and cultural rights of minorities and also engaged in the fight against human discrimination. The candidate is fluent in oral and written Spanish (native), English, and Italian, and has a good level of French.

In 2005 Eduardo Cifuentes was appointed Dean of Los Andes School of Law, which is one of the best and most important schools of law in Latin America. During his 6 years as Dean, he promoted academic research and debate on several subjects, especially on International Humanitarian Law and Human Rights. Several publications of Los Andes Law school demonstrate the influence and the active participation of Eduardo Cifuentes in the defence of displaced victims, Afro-descendant communities, and in general every minority affected by violence.

In 2011, after six years as Dean of the Law School, Eduardo Cifuentes decided to become associate professor at Los Andes Law school, where he has led a team of researchers that, at the request of the Central Government, has rendered a complete plan of regulation to guarantee and recognize the rights of the victims of human rights violations belonging to indigenous and afro-descendant communities.

The nomination of Eduardo Cifuentes expresses not only the true belief of the Government of Colombia on the need to present a candidate with high moral standards and ethical values. It also represents the Government’s commitment to the protection of Human Rights. Eduardo Cifuentes also symbolizes the essential affirmative action in the defence of the rights of victims that started with the adoption of the Colombian Constitution of 1991.

The candidature of Eduardo Cifuentes underscores the commitment of the Colombian people to the empire of Justice as the only secured way to live in peace, as it was stated at the Review Conference of the Rome Statute that took place in Kampala, Uganda, on June, 2010.

COLOMBIAN NATIONAL GROUP
PERMANENT COURT OF ARBITRATION

Bogotá, Colombia, August 2011

Subject: Nomination of Mr. Eduardo Cifuentes Muñoz for a post of judge of the Court (List A).

Dear Mr. Director of the Secretariat,

As members of the Colombian National Group of the Permanent Court of Arbitration, and in accordance with the provisions of article 36 (4) (a) of the Rome Statute of the International Criminal Court, we have the honour to nominate Mr. Eduardo Cifuentes Muñoz as a candidate for a post of judge at the International Criminal Court.

Mr. Cifuentes has considerable professional and academic experience and is accordingly a suitable candidate for one of the two posts that have been attributed to the Group of Latin American and Caribbean States (GRULAC).

In this regard, in accordance with article 36 (5), of the Rome Statute, we kindly ask the Director of the Secretariat to include Mr. Eduardo Cifuentes Muñoz in List A of candidates for a post of judge at the International Criminal Court.

GUILLERMO FERNÁNDEZ DE SOTO	Member of the PCA National Group [Signature]
FERNANDO HINESTROSA FORERO	Member of the PCA National Group [Signature]
RAFAEL NIETO NAVIA	Member of the PCA National Group [Signature]
RAFAEL RIVAS POSADA	Member of the PCA National Group [Signature]

Personal data

Name	Eduardo Cifuentes Muñoz
Place and date of birth	Popayán (Colombia), March 24 1954
Languages	English, French, Italian, Spanish,
Position	Former Justice and President of the Colombian Constitutional Court (1991- 2000). Former Ombudsperson of Colombia (2000 - 2003) Former Director of the Human Rights Division at UNESCO (2003 - 2005).

Academic record

University	Universidad de los Andes, Bogotá, Colombia. Juris Doctor, 1977. Universidad Complutense, Madrid, Spain. Diploma in Advanced Studies in Law. Columbia University, Parker School of Foreign and Comparative Law, New York, United States of America, June 1984.
------------	---

Postgraduate academic experience

- Lecturer in private and constitutional law at the Universidad de los Andes-Law School, for 15 years.
- Founder and Director of several postgraduate programs at the Universidad de los Andes-Law School.
- Founder and member of the editorial board of the Public and Private Law Journals published by Universidad de los Andes-Law School.
- Founder and member of the editorial board of the Economic Law Journal, published by the Economic Law Association.
- Member of the Advisory Committee of the Judiciary Academy Journal, Lima, Perú.

Professional experience

March 2011 - present	Los Andes University Associate Professor of Law.
March 2005 -	Los Andes University Dean of the School of Law.
February 2011	

September 2003 – February 2005	United Nations Educational, Scientific and Cultural Organization (UNESCO) Director of the Human Rights Division.
September 2000 – August 2003	President of the Andean Council of Ombudspersons (Defensores del Pueblo). Colombian Ombudsperson (Defensor del Pueblo).
November 1991- August 2000	Constitutional Court: - Justice - President (1999).
April 1986 – November 1991	Banco de Colombia Legal and Financial Vice president.
April 1983 – March 1986	Los Andes University Coordinator, Postgraduate Degree in Financial Legislation.
June 1980 – January 1982	National Securities Commission (Superintendent’s Office on Securities): Head of Legal Office Secretary General
October 1977 - April 1980	Colombian Superintendent’s Office on Banking: Legal Counsel Counsel for the Banks Division Head of Legal Office Head of the Banks Division.

Publications (translated titles)

Books

- Leasing (Bogotá: Editorial Temis, 1988)
- The Concept of Value (Bogotá: Universidad de los Andes, Editorial PRAG, 1985).

Chapters in books

- “Study on the Monitoring of Public Policies of Demobilization and Reintegration” Criminal Policy Studies No. 2, Attorney General, 2006.
- “The ruling of the Constitutional Court of Colombia on re-election”, Human Rights, International Relations and Globalization, Ibañez Publishing Group, 2006.
- “The Ombudsman and the Effectiveness of Human Rights in the Current Status of the Colombian Justice: Analysis and Solutions”, Universidad Externado de Colombia, 2003.
- “Constitutional Judicial Review of Judicial Decisions in Comparative Law” in: "Constitution and Constitutionalism Today", on the fiftieth anniversary of Manuel García Pelayo’s Comparative Constitutional Law, Manuel García-Pelayo Foundation, Caracas, August 2000.
- “Access to Justice and Due Process”, in: “Iberoamerican Yearbook of Constitutional Justice”, Center of Constitutional Studies, Madrid, 1999.
- “New Constitution and New Constitutional Interpretation: The Case of Colombia”, in: “Challenges of Democracy in the Andean Region, Essays in our Reality”, Andean Commission of Jurists, Lima-Peru, 1998.
- “Writ of Protection (amparo) against judgments” in: “Compilation of the lectures given at the seminars of diffusion, dissemination and updating of constitutional justice”, compilation of Rubén López Mijangos Homer, President of the Constitutional Court of Guatemala, Centro Impresor Piedra Santa, Guatemala, 1998.
- “Effectiveness of Fundamental Rights with regard to individuals”, Constitutional Journals México-Central America, National Autonomous University of México-Constitutional Court of Guatemala, México, 1998.
- “Constitutional Justice in Colombia”, in: "Latin American Yearbook of Constitutional Justice", Center of Constitutional Studies, Madrid, 1997.
- “Constitutional Jurisdiction in Colombia”, in: "Constitutional Jurisdiction in Latin America," Garcia Belaunde, D., Fernández Segado, F. (Coordinators), Madrid, Ed. Dykinson, 1997.
- “Fundamental Rights and Constitutional Interpretation”, in: "New Streams of Colombian Constitutional Law", Colombian Association of Constitutional Law and Political Science, Medellín, 1994.

Articles in journals

- "States of constitutional exception in Colombia", *Ius et Praxis*, University of Talca, Chile, 2002.
- "Constitutional Court in Colombia", *Ius et Praxis*, University of Talca, Chile, 2002.
- "Subjects of special protection in the Constitution of Colombia", in: "Constitutional Court of Colombia", Imprenta Nacional de Colombia, 2001.
- "The Ombudsman's Office in Colombia: Challenges of an Ombudsman in the midst of a context of armed conflict and lawlessness", *Ius et Praxis*, University of Talca, School of Law and Social Sciences, Chile, 2001.
- "Report on the Constitutional Court in Colombia", *Ius et Praxis*, Law in the Region, University of Talca, School of Law and Social Sciences, Chile, 2000.
- "Freedom of expression in Colombia", *Ius et Praxis*, Law in the Region, University of Talca, School of Law and Social Sciences, Chile, 2000.
- "The writ of protection (acción de tutela) in Colombia", in: *Constitutional Actions for protection: reality and prospects in Chile and Latin America*, Humberto Nogueira Alcalá (Editor), Chile, 2000.
- "Personal Freedom", *Ius et Praxis*, Law in the Region, University of Talca, School of Law and Social Sciences, Talca, Chile, 1999.
- "Equality in the Jurisprudence of the Constitutional Court", *Journal of Public Law*, No. 7, February of 1997, Bogotá, Colombia.
- "Habeas Data in Colombia", *Ius et Praxis*, University of Talca, Chile 1997.
- "Women in the jurisprudence of the Constitutional Court", *Progress in the construction of legal equality for women in Colombia*, Females series No. 4, 1995, Ombudsman, Colombia.
- "Some aspects of the policy debate on financial reform", *Journal of Economic Law*, Year III, No. 7, July-September, Temis, 1985.
- "The Constitutionalism of poverty", *Dereito*, University of DH Xurídica Journal Santiago de Compostela, Volume IV, No. 2, 1995.
- "Glosses to the decree on nationalization of financial institutions", *Journal of Economic Law*, July-December 1984.

Conferences

- Participation as a speaker at various symposia and national and international seminars. The focus of the presentations was the legal defence of human rights.
- V Latin American Congress of Constitutional Law, Querétaro, México, 3 - 6 October 1994.
- Seminar and Course on Constitutional Guarantees, Caracas, Venezuela, 26 - 30 April 1995.
- International Seminar on the Constitutional Court, Lima, Perú, 2 - 3 May 1995.
- IV Venezuelan Congress of Constitutional Law, 16 - 18 November 1995.
- Workshop on Constitutional Guarantees, Andean Commission of Jurists, Lima, Perú, 27 - 30 November, 1995.
- I European Congress of Latin American experts - Forum "Latin American Law of Peoples: Unity of the Latin American Legal System" Subject: The right to life in the case law of the Constitutional Court of Colombia, Salamanca, Spain, 25 - 29 June 1996.
- Legal Protection of Women's Human Rights. Topic: The right to equality and non-discrimination in the case law of the Colombian Constitutional Court, Guayaquil, Ecuador, 25 - 27 September 1996.
- Workshop on the Constitutional Protection of Human Rights, Lima, Perú, 26 - 29 August 1996.
- American Tribune of the household of America, "Workshop on the modernization of justice in America", Madrid-Spain, 28 - 29 November 1996.
- I Conference of Constitutional Law. Topic: Constitutional Review and Fundamental Rights. Constitutional Law Association of Panama, Panamá, 22 - 23 October 1997.
- Seminar on the Unity of the Legal System and Identity in Latin America: democracy and judicial training, Rome, Italy, 15 -16 December 1997.
- V Venezuelan Congress of Constitutional Law. Topic: "Efficacy of Fundamental Rights in the relationships between individuals", Mérida, Venezuela, 27 - 29 November 1997.
- International Seminar. Topic: Supreme Court and Constitutional Court, Talca, Chile, 25 - 27 March 1998.

- American Institute of Human Rights. Topic: Seminar on "Amparo (writ of Protection) and habeas corpus. Legal nature, scope and procedural considerations", Guatemala and Quetzaltenango, Guatemala, 24 - 27 August 1998.
- Santiago de Compostela University- First topic: The Colombian Constitutional System, Second topic: Seminar on National Defence Studies, a study of the Armed Forces,) Madrid, Spain, 26 – 28 October 1998.
- International Seminar "Democracy and Justice - the judicial power in the construction of the Rule of Law", Brazil, 8 - 10 November 1998.
- VI Meeting of Presidents and Judges of Chambers and Constitutional Courts in Latin America, Buenos Aires, Argentina, March, 1999.
- International Conference on Procedural Law, Lima, Perú, July, 1999.
- International Forum on "Access to Justice and Equity in Latin America", October, 1999.
- IV Venezuelan Congress of Constitutional Law, Venezuela, October 1999.
- International Course "Constitution and Human Rights", Cusco, Perú, 25 –26 November 1999.
- III Annual Meeting of the Andean Council of Defense Attorneys, Lima, Perú, 2 - 6, October 2000.
- International Meeting on Peace, Human Rights and International Humanitarian Law in Colombia, San José, Costa Rica, 16 - 18th, October 2000.
- V Annual Congress of the Latin-American Federation of Ombudsman, México, 21-25 November 2000.
- World Conference against Racism, Racial Discrimination, Xenophobia and Related issues of Intolerance, Santiago de Chile, 5 - 8 December 2000.
- Meeting of the United Nations on "The Right to Adequate Food as a Human Right", Germany, 10 - 15 March 2001.
- Latin American Regional Seminar on the International Criminal Court, Argentina, 19 - 23 June 2001.
- Informal Meeting on the Humanitarian Challenges in Colombia, Geneva, Switzerland, 25 - 30 June 2001.
- Third World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and participation in the Panel of Experts on the Refugees and Internal Displacement Persons Law, Durban-South Africa and San Remo, Italy, 27 August 27 - 10 September 2001.
- Conference "Preventive Detention" (on the Work and Cooperation of Ombudsman and National Human Rights Institutions), Copenhagen- Denmark, 23 – 25 September 2001.
- VI Congress of the Latin-American Federation of Ombudsman- Panelist - "Enforceability of Economic, Social and Cultural Rights in domestic and international systems", San Juan, Puerto Rico, 5 - 8 December 2001.
- Summit for Peace, Havana, Cuba, 29 - 31 January 2002.
- V Meeting of the Andean Council of Defense Attorneys, Quito, Ecuador, 1 February 2002.
- First General Assembly meeting of the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas, Kingston, Jamaica, 7 - 8 March 2002.
- International Seminar on "Constitutional Reform" at the University of Talca. Santiago de Chile, 19 - 23 March 2002.
- 58th Commission Session of United Nations Human Rights, Geneva, 15 18 April 2002.
- Preparatory session of the meeting Guardianship Intercontinental on Human Rights, meeting of Ombudsmen Madrid-Spain, 21 - 23 April 2002.
- Second Assembly of the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas. Ombudsman Network Meeting, San Jose, Costa Rica, 17 - 18 July 2002.
- Seminar on impunity, Swedish Foundation for Human Rights. Stockholm, 20 - 27 October 2002.
- V Andean Regional Course on Human Rights for Law Professors and Professional Non-Governmental Organizations, Cuzco, Peru, 29 - 31 August 2005.
- First International Conference on Human Rights, International Relations and Globalization. Madrid, Spain, 22 - 23 March 2006.
- Seminar on Human Rights and Legal Certainty in Latin America. New York, April 19, 2006.

- Day of Reflection "Forced Displacement at the Constitutional Court." Medellin, May 23, 2006.
- Seminar "Ineligibility and Republican Thought: The Problem of Non-re-election", Vigo, October 20 - 21, 2006.
- X International Seminar on Constitutional Justice in the Twenty-First Century, Sucre, Bolivia, 18 - 20 July 2007.
- Second Meeting of the Inter-American and European Human Rights Network (LAEHR). Lima, 2 - 5 September 2007.
- IV International Symposium "The Constitution of Cadiz of 1812: Source of European and American law." Cadiz, 11 - 13 June 2008.
- World Justice Forum, Vienna, Austria, 2 - 5 July 2008.
- The Role of Latin America in International Criminal Justice (LAEHR), Netherlands, September 17 - 18, 2008.
- Seminar on Public Policy and Human Rights, Lima, Peru, 23 - 24 April 2009.
- International Course on Public Policies and Specially Protected groups in the Andean Region. Andean Commission of Jurists, Cartagena, 26 - 29 May 2009.
- Seminar in Latin American Constitutional Theory and Policy - SELA 2009, Asunción, Paraguay, 11 - 14 June 2009.
- Expert Meeting on Education for Community Development, Quito, Ecuador, 1 -2 October 2009.
- Expert Seminar - Implementation of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights: Future Role of the Committee on Economic, Social and Cultural Rights. Geneva, Switzerland, 28 - 29 October 2009.
- World Justice Forum-2009, Vienna, Austria, 11 - 14 November 2009.
- International Seminar "Respect and Guarantee of Fundamental Rights. Challenges for the Judiciary", Santiago de Chile, 6 - 7 May 2010.
- Seminar in Latin American Constitutional Theory and Policy, SELA 2010, Santiago de Chile, 10 - 13 June 2010.
- Conversation with the Judges and Lawyers of the Constitutional Court "Developing Constitutional Interpretive Standards in Light of International Standards in the Field of Human Rights", Guatemala City, 18 - 19, November 2010.
- V International Symposium "Cadiz to the Bicentennial - The Political Thought and Ideas in Latin America Before and During the Cortes of 1812", Cadiz, 23 - 26 November 2010.

Awards and other recognitions

- Distinguished guest of the State of Mérida (Bolivarian Republic of Venezuela), as made by the honorable designation of the Libertador Municipality Council (November 1997).
- Order of the Congress of Colombia in the grade "Great Cross", for lifetime achievement (July 1999).
- Francisco Fajardo Order, first class, given by the Governor of the Federal District (Caracas, November 1995). The order is intended to reward those who, whether or not Venezuelans, deserve it for their service to science, culture, art, outstanding merit and eminent contributions to the development and progress of the country.
- José Ignacio de Márquez medal in the gold category, awarded by the Higher Judicial Council, Colombia (December 1999). The category is extraordinary and gold is awarded for exceptional merit of those who have occupied the highest positions in the judiciary, and whose works has contributed to enrich and give prestige to the administration of justice.
- Distinguished guest of the city of Queretaro, according to his honorable designation by City Council (October 1994).
- Order Francisco de Miranda Award, second class, awarded by the President of the Republic of Venezuela (1997). The said order rewards to those who deserve it for their service to science, the progress of the country or their outstanding merits.

* * *

8. Czapliński, Władysław (Poland)

(Original: English)

Note verbale

The Embassy of the Republic of Poland to the Kingdom of the Netherlands 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 the latter's note no ICC-ASP/10/S/04 dated 7 February 2011, has the honor to nominate Professor Władysław Czapliński, a national of the Republic of Poland, for the position of a judge of the International Criminal Court in the election which will take place at the tenth session of the Assembly in New York, from December 12 to 21, 2011. The candidate has been nominated for inclusion in List B for the purposes of article 36, paragraph 5, of the Statute.

This nomination has been made by the procedure provided for the nomination of candidates for the International Court of Justice in the Statute of that Court and therefore is accompanied by the nomination document issued on 30 June 2011 by the Polish National Group in the Permanent Court of Arbitration (in Polish as well as in English).

A statement specifying how the candidate fulfils the requirements of article 36, paragraph 3, of the Rome Statute and curriculum vitae of the candidate are also attached to this note.

* * *

Statement of qualifications

Statement specifying fulfilment of the requirements of article 36 paragraph 3 of the Rome Statute by Professor Władysław Czapliński, candidate of the Republic of Poland for election to the International Criminal Court, to be held at the tenth session of the Assembly of States Parties in New York, 12-21 December 2011.

In accordance with paragraph 3 of article 36 of the Rome Statute of the International Criminal Court, every candidate for election to the Court should fulfill the following requirements:

1. To be a person of a high moral character, impartiality and integrity who possesses the qualifications required in his/her respective State for appointment to the highest judicial offices (paragraph 3 (a)).

Professor Władysław Czapliński is a person who in his professional, as well as personal life consistently has proven his impartiality and integrity. His high moral character and devotion to the highest standards of service and ethics are well known, widely recognized and respected in Poland and abroad. He is a knight of the Order of Polonia Restituta, one of the highest and most respected Polish distinctions. He has been elected and appointed twice for the post of Director of the Institute of Law Studies of the Polish Academy of Sciences by the Scientific Council of the Institute. As a Full Professor of Law nominated by the President of the Republic of Poland, which is the highest scientific title and honor in Poland, he also possesses a scientific degree of a "habilitation Doctor of Law", and being an active legal counsel, he is eligible to be appointed to the highest judicial positions at the Constitutional Tribunal, the Tribunal of State or the Supreme Court.

He is an Associated Member of the International Academy of Comparative Law.

2. Shall have 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 (paragraph 3 (b) (ii)).

Professor Czapliński is one of the best and most experienced experts of public international law in Poland. His manual entitled "Public International Law – System Approach" is a contemporary opus magnum in the field of international law and a fundamental reference book not only for students but also academics. He publishes frequently in many professional journals and takes part in various diplomatic and legal activities of the Government. He serves as an Advisor to the Government and legal counsel for the parties before the European Court of Human Rights in Strasbourg. He is also active

as a legal counsel in domestic legal cases, being a senior partner at the Krolak and Partners Law Office in Warsaw. His legal research and studies are devoted, in particular to the use of force, international responsibility of States and international organizations, individual criminal responsibility, international crimes, humanitarian law and cooperation in criminal matters. All of those topics are very relevant to the judicial work of the Court.

3. Shall have an excellent knowledge of and be fluent in at least one of the working languages of the Court (paragraph 3).

Professor Czapliński is fluent in English and in French. He also speaks Russian and German, and has passive knowledge of some other languages. He publishes his works in foreign professional journals on a regular basis and gives lectures as a visiting professor at top ranked universities.

In addition, the Government of the Republic of Poland has the honor to inform that Professor Czapliński has been nominated for inclusion in the List B for the purposes of article 36, paragraph 5, of the Rome Statute. As far as the issues covered by article 36, paragraph 8(a) (i) to (iii) are concerned, the Polish candidate represents a continental/civil system of law based on the principles of Roman law (i); is being nominated by a State from the Eastern European group of States which is entitled to one additional judge at the International Criminal Court in accordance with paragraph 20 of the resolution ICC-ASP/3/Res.6, dated 10 September 2004, and consequently the regional minimum voting requirement in the forthcoming election to the Court for the Eastern European States has been determined as 1 (ii); nominating a male candidate the Government of the Republic of Poland makes an effort to ensure a fair gender balance in the composition of the Court (iii), since the gender minimum voting requirement for the forthcoming election has been determined as 2 male judges.

* * *

Letter from the President of the Polish national group at the Permanent Court of Arbitration.

Polish national group at the Permanent Court of Arbitration

Warsaw, 9 May 2011

Nomination of Professor Władysław Czapliński as a candidate for election to the International Criminal Court, which will take place in New York at tenth session of the Assembly of States Parties to the Rome Statute of the International Criminal Court (December 12-21 2011).

Pursuant to article 36, paragraph 4(a) (ii), of the Rome Statute of the International Criminal Court, the Polish National Group in the Permanent Court of Arbitration has decided to nominate Professor WŁADYSŁAW CZAPLIŃSKI, a national of the Republic of Poland, as a candidate in the forthcoming election of judges of the International Criminal Court which will take place in New York at the tenth session of the Assembly of States Parties to the Rome Statute of the Court in December 2011.

President of the Group
Professor Jerzy Makarczyk

* * *

Personal data

Name	Władysław Czapliński
Date of birth	25 November 1954, in Gdańsk, Poland
Nationality	Polish

Current position

- Professor of International Law; Director, Institute of Law Studies, Polish Academy of Sciences.
- Professor of International and European Law, University of Warsaw, Centre for Europe.

Honours

- Associated Member of the International Academy of Comparative Law.
- Member of the Order "Polonia Restituta".

Education

- 1973-1977 Faculty of Law and Administration, University of Gdańsk
Faculty of Law and Administration, Doctor iuris (LL.D.),
Adam Mickiewicz University, Poznań, Poland.
- 1994 Dr hab. iur. Institute of Law Studies, Polish Academy of
Sciences, Warsaw
Professor of Law (full professor).
- 1999 Institute of Law Studies, Polish Academy of Sciences

Academic experience

- 1992 - present: Senior Researcher, Institute of Law Studies, Polish Academy
of Sciences, Warszawa; since 2004: Director of the Institute.
- 2001 - present Professor of Law, Centre for Europe, University of Warsaw.
- 1997-2000 Head of Jean Monnet Chair of European Law, University of
Gdańsk.
- 1999-2000 Head of the Chair of Public International Law, University of
Gdańsk.
- 1988-1990, and 1995 Visiting research fellow, A.von Humboldt-Foundation (1988-
1990, 1995), at the universities of Tübingen, Berlin, and Köln
(Germany).
- Visiting Professor 2004 University of Paris XI, University of Paris II.
- Visiting Professor 2001, 2007, 2010 University of Nice.
- Visiting Professor 2009 Viadrina University, Frankfurt/Oder
- 1998-2008 Rapporteur, International Law Association Committee on
State succession.
- 2010 -present Chairman, International Law Association Committee on
Recognition/Non-recognition.

- Member, Deutsche Gesellschaft für Völkerrecht, Société française pour le droit international.
- Editor in Chief, Polish Yearbook of International Law”; Przegląd Prawa Europejskiego i Międzynarodowego.
- Member of the Board of Editors, Studia Prawnicze, Europejski Przegląd Sądowy, Czech Yearbook of International Law, Chinese Journal of International Law.

Fields of research

- State responsibility including enforcement measures and use of force, individual criminal responsibility and humanitarian law, theory and methodology of international law.
- European Union Law (jurisprudence of the European Court of Justice, cooperation in criminal justice and home affairs).

Publications

- Books, including “Legal Effects of an Unlawful Use of Force in International Relations” (1993).
- “Responsibility for Violations of International Law in Armed Conflicts” (2009), in Polish).
- Manual “Public International Law – System Approach”, “Selected Decisions of the European Court of Justice with Commentaries”. Numerous articles in Polish and foreign law journals.

Diplomatic experience and legal practice

- 1999-2007 Member of the Board of Legal Advisers to the President of the
Council of Ministers.
- 1998-present Member, Advisory Board to the Minister of Foreign Affairs.
- 2005-present Chairman, Advisory Board on International and European
Law to the Minister of Justice.
- May-June 2010 Member of Polish delegation negotiating a definition of the
crime of aggression (Princeton), Member of Polish delegation
for the ICC Review Conference Kampala.

- Advisor to the Government and counsel for the parties before the European Court of Human Rights and European Union Court of Justice.
- Member, Board of Arbitrators, Chamber of Commerce, Warsaw, Poland.
- Senior Partner at Królak and Partners Law Firm, Warsaw (European Union law).

Languages

English, German, French, Russian

* * *

9. Defensor – Santiago, Miriam (Philippines)

(Original: English)

Note verbale

The Embassy of the Republic of the Philippines 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 the Secretariat that the Government of the Philippines has decided to nominate Dr. Miriam Defensor-Santiago as a candidate to the post of judge of the International Criminal Court at elections to be held during the tenth session of the Assembly of States Parties on 12 to 21 December 2011 at the United Nations Headquarters in New York.

Dr. Santiago, currently a serving member of the Philippine Senate, has been nominated for election in accordance with article 36, paragraph 4 (a) (ii), of the Rome Statute of the International Criminal Court. She also fulfils the requirements of paragraph 3 (a) of the same article, being a person of high moral character, impartiality, and integrity who possesses the qualifications required by Philippine law for appointment to the highest judicial office.

While Dr. Santiago is well qualified for either category specified in article 36, paragraph 5, of the Rome Statute, the Philippines is nominating her for inclusion in List B for candidates with established competence in relevant areas of international law such as international humanitarian law and law of human rights, and extensive experience in a professional legal capacity which is of relevance to the judicial work of the Court.

Dr. Santiago has had a distinguished career in all three branches of government as a judge, cabinet member, and legislator. She served as Presiding Judge of a Regional Trial Court, Commissioner of Immigration, Secretary (Minister) of Agrarian Reform and has been elected three times to the Philippine Senate, where she has served as Chairperson of the Committee on Foreign Relations. Dr. Santiago is also a highly regarded member of the academe as a professor in the fields of constitutional law and international law.

She has written extensively on both areas of importance to the Court, namely criminal procedure and international law, and is the author of several books and papers published in various legal publications.

Attached to this note are the letter from the Philippine National Group of the Permanent Court of Arbitration nominating Dr. Santiago as candidate to the post of judge of the International Criminal Court, the statement made in accordance with article 36, paragraph 4 (a), of the Rome Statute, and the curriculum vitae of Dr. Santiago.

* * *

Statement of qualifications

In accordance with paragraph 7 of the resolution on the procedure for the election of judges at the International Criminal Court and article 36 of the Rome Statute of the International Criminal Court, the Philippine Government has the honor to transmit the following nomination statement on the candidature of Senator Miriam Defensor-Santiago:

Information on Senator Santiago's qualifications

1. Senator Santiago fulfills the requirements under article 36, paragraph 3, subparagraph (a), of the Statute. She is a person of high moral character, impartiality and integrity who possess the qualifications required by Philippine law for appointment to the highest judicial offices.

Senator Santiago has the distinction of having served in all three branches of Government aside from being a highly regarded member of the academe. She served as Presiding Judge of the Regional Trial Court from 1983-1987. She was head of the Commission on Immigration and Deportation from 1988-1989. She was appointed Secretary (Minister) of Agrarian Reform in 1989.

The Filipino people's belief in her moral integrity has been proven time and again by her election as Senator of the Republic of the Philippines from 1995 to 2001, 2004 to 2010 and

again for the term 2010-2016. She also stood for election as President of the Republic of the Philippines in 1992 and received the second highest number of votes.

She was a professorial lecturer on constitutional and international law in the University of the Philippines College of Law for 12 years and has authored numerous books on these topics that are still being used today in law schools throughout the Philippines.

Her long service in government in various capacities has brought many accolades and distinctions to Senator Santiago and is further proof of her capability and moral integrity. Her experience as both a public servant and academician has also provided her with a broad vision which will serve her well as a judge in the Court.

2. Senator Santiago fulfills the requirements under article 36, paragraph 3, subparagraph (b) (ii), of the Statute.

Academic background

Senator Santiago received her doctorate degree in law at the University of Michigan as a Barbour Scholar and DeWitt Fellow. Her subsequent postdoctoral studies focused mainly on international law.

Work experience

Senator Santiago has established competence in international law in the following capacities:

- as Chairperson of the Committee on Foreign Relations of the Senate of the Republic of the Philippines from 2004-2010;
- as part of the 2000 United Nations roster of eminent and highly qualified experts in international law;
- as resource person and speaker in numerous local and international conferences and fora, on topics such as international humanitarian law, international refugee law, gender law, and the Rome Statute;
- as an author on international law;
- as professorial lecturer in the University of the Philippines from 1976 to 1988;
- as legal consultant of the Philippine Embassy in Washington, D.C. in 1982; and
- as legal officer of the United Nations High Commissioner for Refugees from 1979 to 1980.

3. Senator Santiago fulfils the requirements under article 36, paragraph 3, subparagraph (c), of the Statute as she is fluent in English, one of the working languages of the Court.

A. In fulfilment of article 36, paragraph 5, of the Statute, Senator Santiago's qualifications listed in section A2 of this nomination statement qualifies her under List B.

B. Information relating to article 36, paragraph 8 (a) (i) to (iii), of the Statute Senator Santiago's nomination takes into account the following:

(i) In nominating Senator Santiago, the Philippine Government hopes to contribute to a better representation of the legal systems of the world. Philippine law is based on a combination of both civil and common law.

(ii) Developing countries in Asia have had only one representative in the Court and the Philippine Government hopes that this nomination will contribute to a more equitable geographical representation.

(iii) The Philippines takes pride in being gender-sensitive and has fielded candidatures with more female nominees for posts in the various international bodies reflecting the gender ratio in its demographic profile.

C. Information relating to article 36, paragraph 8(b), of the Statute

The information presented under Section A2 and in Senator Santiago's curriculum vitae contains the Philippine candidate's qualification in international humanitarian law. It should be noted that Senator Santiago's competencies and background also qualifies her under List A.

D. Senator Santiago is a national of the Philippines. The Philippines deposited its instrument of ratification to the Rome Statute of the International Criminal Court on 30 August 2011. The Statute will enter into force for the Philippines on 1 November 2011, making it the 117th State to join the Rome Statute system.

* * *

PERMANENT COURT OF ARBITRATION
MEMBER OF COURT
REPUBLIC OF THE PHILIPPINES

Manila, 23 August 2011

Excellency,

Re: Nomination of Miriam Defensor-Santiago as a candidate for election to the International Criminal Court, which will take place in New York at the tenth session of the Assembly of States Parties to the Rome Statute of the International Criminal Court (December 12-21, 2011)

Pursuant to article 36, paragraph 4(a) (ii) of the Rome Statute of the International Criminal Court, the Philippine National Group in the Permanent Court of Arbitration has decided to nominate Miriam Defensor-Santiago, a national of the Republic of the Philippines, as a candidate in the election of judges of the International Criminal Court, which will take place in New York at the tenth session of the Assembly of States Parties to the Rome Statute of the Court in December 2011.

Please accept the assurances of my highest consideration.

For the Philippine National Group:
Justice Florentino P. Feliciano

Enclosures:

1. Statement of qualifications of the Philippine candidate
2. Curriculum vitae of the Philippine candidate

Through: His Excellency Albert F. Del Rosario
Secretary of Foreign Affairs
Republic of the Philippines.

* * *

Personal data

Name	Miriam Defensor-Santiago
Date of birth	15 June 1945
Place of birth	Iloilo City, Iloilo, Philippines
Nationality	Filipino
Languages	Filipino, English (fluent)

Academic background

- Visiting Fellow, St. Hilda's College, Oxford University, United Kingdom.
- Visiting Fellow, Lauterpacht Research Centre for International Law, Cambridge University, United Kingdom.
- Paris-Geneva Summer Program in International Law, Cambridge University, United Kingdom.
- Summer Program in Law, Oxford University, United Kingdom.
- Summer Program of Instruction for Lawyers, Harvard University, United States of America.
- Graduate, California Judicial College, University of California at Berkeley, United States of America.
- Fellow, Seminar on judicial writing and case flow management in the trial courts, Institute of Judicial Administration, Quezon City.
- Fellow, UN/UNITAR Programme in International Law, The Hague, Netherlands and Brussels, Belgium.
- Fellow, External Session of The Hague Academy of International Law, Tokyo, Japan.
- Fellow, Academy of American and International Law, Southwestern Legal Foundation, Dallas, Texas, United States of America.
- LL.D. (Barbour Scholar and DeWitt Fellow), University of Michigan, United States of America.
- LL.M. (DeWitt Fellow), University of Michigan, United States of America.
- LL.B. (cum laude), University of the Philippines.
- BA Political Science (magna cum laude), University of the Philippines.

Professional experience

2010-2016	Senator of the Republic of the Philippines.
2004-2010	Senator of the Republic of the Philippines.
1995-2001	Senator of the Republic of the Philippines.
1989	Secretary (Minister) of Agrarian Reform.
1988-198	Commissioner, Bureau of Immigration and Deportation.
1976-1988	Professorial Lecturer, College of Law, University of the Philippines.
1983-1987	Presiding Judge, Regional Trial Court, Branch 106, Quezon City.

Other professional experience

2008	Philippine candidate to the International Court of Justice.
1994	Opinion Columnist, "Gadfly," <i>Today</i> newspaper.
1992 - present	Senior Partner, Defensor-Santiago Law Firm.
1992	Presidential candidate (with second highest number of votes).
1991 - Present	President and Founder, People's Reform Party.
1990 - Present	Chair and Founder, Movement for Responsible Public Service.

Member, Board of Directors

- Public Estates Authority, 1988-1989
- Philippine Retirement Authority, 1988-1989
- Ninoy Aquino International Airport Authority, 1988-1989
- Landbank of the Philippines, 1989

Opinion Columnist, "Overview," *Philippine Panorama* Sunday magazine.

1981-1983	Legal Consultant, University of the Philippines Law Centre.
1982	Legal Consultant, Philippine Embassy, Washington, D.C., United States of America.
1979-1980	Legal Officer, United Nations High Commissioner for Refugees, Geneva, Switzerland.
1970 -1980	Special Assistant to the Secretary (Minister) of Justice.

Decorations and citations

- Top Womanity Award for Public Service (2011, Female Network)
- Order of Civil Merit (2008, Kingdom of Spain).
- Diamond Award for excellence in the legal profession (1993, University of the Philippines Portia Sorority).
- Award of Honor (1990, 1991 and 1993, U.P. Women's Law Circle).
- Golden Jubilee Achievement Award for government service (1990, Girl Scouts of the Philippines).
- Magsaysay Award for Government Service (1988, Ramon Magsaysay Foundation).
- Professional award in law (1988, University of the Philippines Alumni Association).
- Gold Vision Triangle Award for government service (1988, YMCA Philippines).
- Republic Anniversary Award for law enforcement (1988, Civic Assembly of Women in the Philippines).
- Ten Outstanding Women in the Nation's Service Award for Law (1986, Philippine Lions).
- Ten Outstanding Young Men Award for Law (1985, Philippine Jaycees).

Publications**Books**

- Law (College Textbook Series, 1999-2003)
- Civil Code Annotated.
 - Constitution Annotated.
 - Corporation Code Annotated.
 - Election Code Annotated.
 - Insurance Code Annotated.
 - Local Government Code Annotated.

- National Internal Revenue Code Annotated.
- Penal Code Annotated.
- Rules of Court Annotated, 2nd Ed.
- Tariff and Customs Code Annotated.
- Constitutional Law, Volume 1 – Political Structure.
- Constitutional Law, Volume 2 – Bill of Rights.
- The 1973 Constitution.
- International Law, With Philippine Cases and Material and ASEAN Instruments.
- International Law (co-author).

Papers published

- International Humanitarian Law as an Evolving Field of Law, Integrated Bar of the Philippines Journal, Volume 33, 2007.
- The Status of IRRI as an International Organization in National and International Law, Philippine Law Journal, Volume 79, page 887, 2005.
- Some Issues of Immigration Law in a Developing State, Michigan Journal of International Law, Volume 10, page 252, 1989.
- CID: The Philippine Experiment in fighting Graft, Career Executive Journal, Volume 1, 1989.
- Family Reunification for Refugees, the Philippine context, Lawyer's Review, Volume 2.
- Arrest and Search: Guidelines for Policemen, Criminal Justice Journal, Volume 6, 1986.
- Criminal Procedure in the Juvenile Justice System, Criminal Justice Journal, Volume 4, page 31, 1984.
- The 'New' Equal Protection, Philippine Law Journal, Volume 58, 1983.
- Identifying the Political Offender, Philippine Law Journal, Volume 56, page 395, 1981.
- Promotion, Dissemination, and Teaching of International Refugee Law: Towards a New International Social Order, Philippine Law Journal, Volume 55, page 139, 1980.
- Humanitarian Law in Armed Conflicts, Philippine Law Journal, Volume 54, page 188, 1979.
- Procedural Aspects of the Political Offence Doctrine, Philippine Law Journal, Volume 51, page 238, 1976.
- The Archipelago Concept in the Law of the Sea, Philippine Law Journal, Volume 49, page 315, 1974.

Papers and conferences

Papers delivered

- "On Issues and Principles of the Rome Statute of the ICC," Asia-Pacific Parliamentary Consultation on the Universality of the Rome Statute of the International Criminal Court (ICC), Parliament of Malaysia, Kuala Lumpur, 9 March 2011.
- "Principle of Non-Discrimination in International Law," 6th International Conference of Tibet Support Groups, Haryana, Dharamsala, India, 5 November 2010.
- "The Praxis of Gender Justice in the Philippines – Implications for Lawmaking," Panel on Gender Justice and Women Rights, 32nd Annual Forum of Parliamentarians for Global Action, Istanbul, Turkey, 25 October 2010.
- "Reflections on the Evolution of International Responsibility and the Rule of Law," 9th Doha Forum on Democracy, Development and Free Trade, Doha, Qatar, 5 May 2009.
- "Reservation to Treaties," 63rd Session of the United Nations General Assembly, New York, United States of America, 29 October 2008.
- "Shared Natural Resources," 63rd Session of the United Nations General Assembly, New York, United States of America, 27 October 2008.
- "Reservation to Treaties" and "Shared Natural Resources," 62nd Session of the United Nations General Assembly, New York, United States of America, 2 November 2007.
- "A Democratic State and Governance in the 21st Century: A View from East Asia," II Global Forum on Reinventing Government, Brasilia, Brazil, 29 May 2000.
- "Guidelines for Reporting by Governments on the Implementation of the Global Program of Action, on the Progress Achieved in Meeting the Goals and Targets for the Years 2003 and 2008," 42nd Session of The Commission on Narcotic Drugs, Vienna, Austria, 17 March 1999.
- "Measures to Eliminate International Terrorism," 53rd Session of the United Nations General Assembly, New York, United States of America, 12 November 1998.

- “Women Business Lawyers: Meeting the New Political and Economic Challenges in Asia,” Conference of the Inter-Pacific Bar Association (Women Business Lawyers’ Group), Singapore, 4 December 1995.
- “The ‘Gap’ in the International Protection of Refugees and Internally Displaced Persons, Victims of Conflicts,” International Congress on Respect for International Humanitarian Law, San Remo, Italy, 7 September 1995.
- “Toward Radical Humanism in a Meta-Technological Society,” Global Convention on the Restoration of Morality and Humanity, Kyung Hee University, Seoul, South Korea, 5 September 1995.
- “Asian Perspective: The Promotion of International Refugee Law as a Factor in Conflict Prevention,” 19th Roundtable on Current Problems of International Humanitarian Law, San Remo, Italy 31 August 1994.
- “Corruption Prevention Strategies in Developing Countries,” Keynote Speaker, Fourth International Anticorruption Conference, Sydney, Australia.

* * *

10. Eboe – Osuji, Chile (Nigeria)

(Original: English)

Note verbale

The Embassy of the Federal Republic of Nigeria presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court in The Hague and has the honour to inform the latter that the Government of the Federal Republic of Nigeria has nominated Mr. Chile Eboe-Osuji as candidate for the post of judge of the International Criminal Court for which an election will be held during the Tenth Session of the Assembly of States Parties to the Rome Statute of the International Criminal Court taking place in New York from 12 to 21 December 2011.

The Embassy of Nigeria is submitting the candidature of Mr. Chile Eboe-Osuji in line with the decision of the Government of the Federal Republic of Nigeria to nominate him.

It would be appreciated if the Secretariat of the Assembly of States Parties would reflect the name of Mr. Chile Eboe-Osuji in its records as a candidate for the post of judge of the International Criminal Court and take all necessary action required of it in respect of him as a candidate for the post of judge.

The statement of qualification and curriculum vitae of Mr. Chile Eboe-Osuji are attached.

* * *

Statement of qualifications

Introduction

The following statement, together with the attached curriculum vitae, demonstrates the qualifications of Mr. Chile Eboe-Osuji, nominated by the Federal Republic of Nigeria, and endorsed by the African Union and the Economic Community of West African States, as a candidate for election as a judge of the International Criminal Court in the 2011 judicial elections.

A. Character, judicial disposition and qualifications

Qualification required: “The judges shall be chosen from among persons of high moral character, impartiality and integrity who possess the qualifications required in their respective States for appointment to the highest judicial offices” (article 36 (3) (a) of the Rome Statute).

Candidate’s qualification: Mr. Eboe-Osuji is of high moral character and possesses the judicial qualities of impartiality and integrity.

- He has never faced a charge of criminal or professional misconduct.
- He possesses qualifications required for appointment as a judge of the Supreme Court of Nigeria, being one of the highest judicial offices in Nigeria.

B. Relevant competencies

1. Qualification required (List A): Every candidate for election to the Court shall “have established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings ...” (article 36(3) (b)(i)).

Candidate’s qualification

Mr. Eboe-Osuji has established competence in the following areas relevant to List A:

- He has established considerable competence in substantive criminal law and criminal procedure. His competence derives from twenty-five years of experience and familiarity with professional advocacy in the courtroom, with specific reference to criminal proceedings. In addition, he has worked in senior legal advisory capacities to the United Nations, and rendered legal advisory services to the Government of Nigeria and foreign governments, on questions of international law.
- He has practised criminal law in both the national and the international legal arenas.

- In the national arena(s) he has practised in the courts of Nigeria and Canada. For many years, he appeared as counsel in serious criminal, constitutional and civil cases. He has litigated cases in magistrates' courts in Nigeria and provincial courts in Canada; superior courts in Nigeria and Canada; the Court of Appeal for Ontario (Canada) and the Supreme Court of Canada.
- In the international arena, he has litigated cases before the International Criminal Tribunal for Rwanda (ICTR), Special Court for Sierra Leone (SCSL) and the European Court of Human Rights. His experience includes fifteen years of practical work in the field of international criminal law. In that regard, he has performed functions including in the capacities of senior prosecution trial counsel at the ICTR and senior prosecution appeals counsel at the SCSL. Prior to working in those higher-level positions, he had worked as prosecution counsel in several cases at the ICTR, at the pre-trial stage.
- In addition to his advocacy work before judges of international criminal courts, he also has extensive experience, in a senior legal advisory capacity behind the scenes, assisting ICTR trial and appellate judges in the drafting of many judgments and decisions.
- His specific areas of competence include the following: international criminal law (with specific reference to genocide, crimes against humanity, and war crimes); international humanitarian law; international human rights law; public international law; criminal law of Nigeria, criminal law of Canada, and criminal law in the common law world.
- He also has expertise in international law relating to the crime of aggression, in virtue of his research and legal advisory assistance to the Delegation of Nigeria to the ICC Assembly of States Parties Special Working Group on the Crime of Aggression.

2. Alternative qualification (required for List B): "Every candidate for election to the Court shall (as an alternative to List A qualification) ... (h)ave 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)).

The candidate and the alternative qualification

Although a candidate who has the qualification required for List A is not required to also have the alternative qualification required for List B, it is notable that in addition to his practical experience and competences in criminal courtroom work that qualify him for List A, Mr. Eboe-Osuji also has very strong competences and experience in the alternative qualification that also qualify him for List B. A summary appears below:

- He is currently the senior advisor to the United Nations High Commissioner for Human Rights, on matters of international law and international legal policy. In that capacity, he regularly assists and advises the High Commissioner on questions of law and policy that attend her mandate to protect and promote human rights all over the world. In this regard, Mr Eboe-Osuji regularly advises and assists the High Commissioner in relation to the role of the ICC and the other international criminal courts and tribunals, as well as regional and national courts, in the fight against impunity;
- He has taught international criminal law at the Faculty of Law, University of Ottawa, Canada. As well, he has appeared as guest lecturer or speaker on numerous speaking engagements on the subject of international criminal law;
- He provided legal advisory assistance to Nigeria's delegation to the Special Working Group on the Definition of the Crime of Aggression;
- He has also provided professional legal advisory services to foreign governments on questions of international law;
- He has an extensive record of research and publications in the area of international criminal law, international human rights law and public international law. His research and writing include, but are not limited to the following topics:
 - Definition and analysis of rape in international criminal law;
 - Rape as genocide;
 - Rape and superior responsibility in international law;
 - Forced marriage and international criminal law;
 - Reparation for sexual violence against women during war;
 - Prosecution of sexual violence as part of transitional justice efforts in post-conflict societies;
 - Superior responsibility at the ad hoc tribunals;

- Joint criminal enterprise in international criminal law;
- The role of the Security Council in prosecuting the crime of aggression;
- International law, mercenary activities and conflict prevention in Africa;
- Vague indictments and questions of justice at the international criminal tribunals;
- Murder as a crime against humanity;
- Genocide, justice and the forensic sensibilities of the International Committee of the Red Cross;
- Complicity in genocide and aiding and abetting genocide;
- The jurisdiction to prosecute foreigners for crimes against humanity committed abroad;
- State immunity, state atrocities, and civil justice in the modern era of international law;
- Responsibility of States for genocide;
- The intent element of the war crime of terrorism;
- Aviation terrorism;
- Grave breaches as war crimes;
- Deliberate attacks against civilians as crimes against humanity;
- Burning as a mode of the war crime of pillage;
- Interlocutory appeals at the ad hoc tribunals;
- The 'defence' of necessity in international criminal law;
- Curbing war through law; and
- Alibi in international criminal law.

3. Specific expertise on questions of violence against women and children

Desirable qualification

States Parties shall also take into account the need to include judges with legal expertise on specific issues, including, but not limited to, violence against women or children (article 36(8)(b)).

The candidate and the desirable qualification

Mr. Eboe-Osuji has expertise on various topics of international criminal law. He has developed a particular expertise on the subjected of armed conflict and violence against women. He also has experience on the subject of children and armed conflict. A summary of his practical and scholarly experience and expertise in these regards includes the following:

- His practical courtroom litigation work in relation to sexual violence against women and violence against children includes the following cases:
 - Prosecutor v Semanza (International Criminal Tribunal for Rwanda): as Senior Prosecution Trial Counsel he:
 - Conducted trial litigation on the count of rape
 - Conducted trial litigation on the count of rape as torture
 - Prosecutor v Brima et al (Special Court for Sierra Leone): as Senior Prosecution Appeals Counsel he:
 - Conducted appellate litigation on forced marriage
 - Conducted appellate litigation on duplicity of indictment regarding sexual slavery and sexual violence
 - Prosecutor v Fofana & Kondewa (Special Court for Sierra Leone): as Senior Prosecution Appeals Counsel he:
 - Conducted appellate litigation against Trial Chamber's denial of leave to amend indictment to add counts of sexual violence
 - Conducted appellate litigation against Trial Chamber's denial of leave to lead evidence of sexual violence during the trial
 - Conducted appellate litigation against Trial Chamber's acquittal on the count of use of child soldiers
- He has also assisted judges at the ICTR in drafting judgments dealing with sexual violence against women during the Rwandan genocide.
- In addition to courtroom litigation experience with cases involving charges of violence against women, Mr. Eboe-Osuji has a solid record of scholarly research and writing on the subject. These include the following:

- A book soon to be published by Martinus Nijhoff under the working title of “International Law and Sexual Violence in Armed Conflict”;
- Definition and analysis of rape in international criminal law (journal article);
- Rape as genocide (journal article);
- Rape and superior responsibility in international law (journal article);
- Sexual violence in armed conflicts as the war crime of terrorism (journal article);
- The question of forced marriage in international criminal law (book chapter);
- Reparation for sexual violence against women during war (book chapter);
- Prosecution of sexual violence as part of transitional justice efforts in post-conflict societies (book chapter);
- Sexual violence against women as a particular brand of evil during armed conflict (book chapter).

4. Preferred list

Mr. Eboe-Osuji is qualified for both Lists A and B. As he is required to elect only one list, he elects to be placed on List A.

5. Nationality

Mr. Eboe-Osuji is a citizen of Nigeria, where he exercises civil and political rights.

6. Native legal and geographic representation

Although Mr. Eboe-Osuji is from the common law tradition, he has working familiarity with the continental criminal law tradition.

If elected, he will be the only Nigerian ever to serve as a judge on the Court.

* * *

Personal data

Name	Eboe - Osuji, Chile
Date of Birth	2 September 1962
Gender	Male

Professional affiliations

Called to the following Bars

- September 1986 Nigeria
- February 1993 Ontario (Canada)
- November 1993 British Columbia (Canada)

Member of the following Societies

- Nigerian Bar Association
- Law Society of Upper Canada
- Advocates’ Society of Ontario (Canada)
- Canadian Council on International Law American Society of International Law
- British Institute of International Law
- International Law Association

Professional experience

2010- Present	Legal Advisor to the United Nations High Commissioner for Human Rights. Office of the High Commissioner for Human Rights, Geneva, Switzerland. Provides legal and policy advice to the United Nations High Commissioner for Human Rights in relation to her functions of protecting and promoting human rights all over the world.
2008- 2010	Head of Chambers, United Nations, International Criminal Tribunal for Rwanda, Arusha, Tanzania. Principal legal adviser in Chambers; supervising over 50 lawyers and legal interns in their provision of legal assistance to the judges of the ICTR by way of research on criminal law and procedure in common law jurisdictions, Canadian criminal law and procedure,

- international criminal law and procedure, international humanitarian law, international human rights law, public international law and procedure; responsible for the drafting of legal opinions, decisions and judgments for judges of an ICTR Trial Chamber, supervising other legal officers to the Judges in their research and writing for the Judges; etc.
- 2007- 2008 Senior Appeals Counsel. Special Court for Sierra Leone, Freetown, Sierra Leone Represented the Prosecutor of the Special Court for Sierra Leone as a Senior Appeals Counsel in prosecution appeals before the Appeals Chamber; drafted legal briefs, memorials, submissions and other legal documents; coordinated the work of a prosecution appeal team.
- 2006 -2008 Special Legal Adviser. Delegation of Nigeria to the Assembly of States Parties Special Working Group on the Crime of Aggression Provided legal advice to the Nigerian delegation to Assembly of States Parties Special Working Group on the Crime of Aggression.
- 2006 -2007 Lecturer. Faculty of Law, English Common Law Section, University of Ottawa, Ontario, Canada Taught international criminal law at the Faculty of Law.
- 2005 -2007 Barrister-at-Law. Borden Ladner Gervais LLP, Ottawa, Ontario, Canada. Argued cases in courts and administrative tribunals, drafted pleadings, legal briefs and other legal documents, conducted legal research and wrote legal opinions and research papers, etc. Provided professional legal advisory services to the Embassies of certain foreign governments in Ottawa, Canada.
- 2003 -2005 Senior Legal Officer in Chambers. United Nations, International Criminal Tribunal for Rwanda, Arusha, Tanzania. Provided legal assistance to the Judges in Trial Chamber II by way of research on criminal law and procedure in common law jurisdictions, Canadian criminal law and procedure, international criminal law and procedure, international humanitarian law, international human rights law, public international law and procedure; Responsible for Drafting of Legal Opinions, Decisions and Judgments for Judges of an ICTR Trial Chamber, supervising other legal officers to the Judges in their research and writing for the Judges; etc.
- 2000 -2003 Senior Trial Attorney/Lead Prosecution Counsel. United Nations, International Criminal Tribunal for Rwanda, Arusha, Tanzania. Represented the Prosecutor of the Tribunal as a trial team leader in the prosecution of the cases of Bagosora, Nsengiyumva, Kabiligi and Ntabakuze and the Semanza Case; drafted legal briefs, memorials, submissions and other legal documents; supervised a trial team
- 1999 -2000 Head Legal Officer in the Appeals Chamber. United Nations, International Criminal Tribunal for Rwanda (Appeals Chamber), The Hague, The Netherlands. Provided legal assistance to the Appeals Judges by way of research on criminal law and procedure in common law jurisdictions, Canadian criminal law and procedure, international criminal law and procedure, international humanitarian law, international human rights law, public international law and procedure; responsible for drafting legal opinions, decisions and judgments for judges, supervised other legal officers to the judges in their research and writing for the judges; etc.
- 1999 Prosecution Counsel/Assistant Trial Attorney.
- February- September United Nations, International Criminal Tribunal for Rwanda, Arusha, Tanzania. Represented the United Nations in its prosecution, before the ICTR, of war crimes, crimes against

	peace, crimes against humanity, and other international crimes committed by Rwandans in Rwanda and in neighbouring states during 1994.
1999 - 1999	Prosecution Counsel/Assistant Trial Attorney. United Nations, International Criminal Tribunal for Rwanda, Kigali, Rwanda. Represented the Prosecutor of the Tribunal in her prosecution, before the ICTR, of genocide, war crimes, crimes against humanity, and other international crimes committed by Rwandans in Rwanda and in neighbouring states during 1994.
1996 - 1997	Barister-at-Law. Eboe-Osuji & Adetunji, (Barristers & Solicitors), Toronto, Canada Argued various cases at all levels of courts of Ontario, Canada, the Federal Court of Canada and the Supreme Court of Canada; drafted pleadings, legal briefs and other legal documents.
1994 – 1995	Barrister-at-Law. Robinson, Hinkson, Toronto, Canada. Argued various cases at all levels of courts of Ontario, Canada, drafted pleadings, legal briefs and other legal documents.
1993 – 1994	Barrister-at-Law. Russell & Dumoulin, (Barristers & Solicitors), Vancouver, Canada. Argued cases in court, drafted pleadings, legal briefs and other legal documents.
1993 February- November	Clerk-at-Law/Barrister-at-Law. Russell & Dumoulin, (Barristers & Solicitors), Vancouver, Canada Argued cases before the Federal Court of Canada, British Columbia Small Claims Courts and Tribunals, drafted pleadings, legal briefs and other legal documents, conducted legal research and wrote legal opinions and research papers, etc.
1991 - 1992	Clerk-at-Law. Scott & Ayles (Barristers & Solicitors), Ottawa, Canada Argued cases in Small Claims Courts and Administrative Tribunals, drafted pleadings, legal briefs and other legal documents, conducted legal research and wrote legal opinions and research papers, etc.
1989 – 1991	Law Researcher. Centre for Research in Air and Space Law, McGill University, Montreal, Canada Conducted legal research, wrote legal research papers, conference legal papers, etc.
1988 – 1989	Law Researcher—Freelance. Montreal Canada; Conducted legal research and provided Canadian and international legal instruments to asylum seekers.
1986 – 1988	Barrister and Solicitor. Ugochuku & Co (Barristers & Solicitors), Port Harcourt, Nigeria Argued cases in court, drafted pleadings, legal briefs, agreements, leases, mortgages and other legal documents.
1985 – 1986	Clerk-at-Law. Ahamba & Associates (Barristers & Solicitors), Owerri, Nigeria Drafted pleadings, legal briefs and other legal documents, conducted legal research and wrote legal opinions and research papers, etc.

Education (Advanced Law degrees)

2007 – 2011	Doctor of Philosophy (PhD) (in international criminal law) ² University of Amsterdam, The Netherlands.
1989 – 1991	Master of Laws (LLM) Degree McGill University, Montreal, Canada.
1990	Award: First prize, McGill’s Graduate Programme in Air and Space Law.

² PhD studies were aborted at the University of Toronto, Canada, in 1997, due to demands of work as a prosecutor at the ICTR. The studies were eventually re-commenced at the University of Amsterdam, The Netherlands in 2007. The PhD thesis has now been submitted and has been approved by the doctoral jury; and the degree will now be awarded in September 2011.

Education (Academic Law degrees)

- 1989 – 1991 Canadian Bachelor of Laws (LLB) Equivalency Certificate of Qualification McGill University (Faculty of Law)/Joint Committee on Accreditation of the Federation of Canadian Law Societies.
- 1981 – 1985 Bachelor of Laws (LLB) (Honours) Degree
University of Calabar, Calabar, Nigeria.

Education (Professional Law degrees/certificates)

- 1993- February
April Barrister-at-Law Degree, (Professional Legal Training Course). The Law Society of British Columbia, Vancouver, Canada.
- May 1991- June 1992 Barrister-at-Law Degree, (Bar Admission Course). The Law Society of Upper Canada (Ontario), Ottawa, Canada
- September 1985 -
December 1986 Barrister-at-Law Certificate, (The Nigerian Law School). The Nigerian Council of Legal Education

Summary of notable professional accomplishments

- Nominated by the Government of Nigeria for election as a judge of the International Criminal Court (2008).
- Senior Appeals Counsel in *The Prosecutor v Brima et al*, Special Court for Sierra Leone.
- Senior Appeals Counsel in *The Prosecutor v Fofana et al*, Special Court for Sierra Leone.
- Lead prosecution counsel in *The Prosecutor v Semanza* (No ICTR-97-20-T) International Criminal Tribunal for Rwanda, judgment dated 15 May 2003. At the end of the trial, Laurent Semanza (Mayor of Bicumbi, Rwanda) was convicted of complicity in genocide, extermination as a crime against humanity, two counts of murder as a crime against humanity, rape as a crime against humanity, and torture as a crime against humanity.
- Interim Lead Counsel in *The Prosecutor v Bagosora, Nsengiyumva, Kabiligi and Ntabakuze* (No ICTR-98-48-T). Responsibilities included preparing the case, making the opening statement, and leading the first expert witness in examination-in-chief: <http://65.18.216.88/ENGLISH/PRESSREL/2002/312chile&delponete.htm>
- Lead counsel in *Cummings v Budget Rent-A-Car and Zurich Ins Co* (1996), 29 OR (3 d) 1, 136 DLR (4th) 330 (Ontario Court of Appeal, application for leave to appeal dismissed by the Supreme Court of Canada (1997), 31 OR (3d) 1) - a land mark case in Canadian car insurance law: successfully tested proposition that an insurer has a duty to defend qualified young drivers whose class had been excluded rented car by the car rental company.
- Lead counsel in *Ferrel & ors v A-G* (Ontario) “the Employment Equity Case”, a landmark case in Canadian constitutional right to equality: testing the proposition that the repeal of Ontario’s employment equity laws is unconstitutional and does involve a constitutionally reviewable governmental action.
- Successful defence in Nigeria of three men accused of a capital punishment offence.

Selected publications, speeches and research**Books**

- C. Eboe-Osuji (ed), *Protecting Humanity—Essays in International Law and Policy in Honour of Navanethem Pillay* (Leyden: Martinus Nijhoff, 2010).
- C Eboe-Osuji, *International Law and Sexual Violence in Armed Conflict* (Leyden: Martinus Nijhoff, forthcoming).

Selected articles

- ‘Alibi in International Criminal Law, as viewed Through the Prism of the Common Law’ (forthcoming in the Criminal Law Forum).
- ‘Prosecution Of Sexual Violence Against Women: a necessary component of post-conflict strategy of justice and social reconstruction in Colombia’ (forthcoming).
- ‘Revisiting the Fault Element of the Extended Form of Joint Criminal Enterprise in International Criminal Law’ (pending publication).

- 'Changing the Characterisation of Crimes after Commencement of Trials at the International Criminal Court' 49 *International Legal Materials* (2010) p 474.
- 'Another Look at the Intent Element of the War Crime of Terrorism' *Cambridge Review of International Affairs*, 1474-449X, First published on 27 July 2010.
- 'Navi Pillay in Her Age' in C. Eboe-Osuji (ed), *Protecting Humanity*.
- 'Nigeria's Jurisdiction to Prosecute Johnny Paul Koroma for War Crimes Committed during the Sierra Leone Civil War' (with Angela Nworgu) in C Eboe-Osuji (ed), *Protecting Humanity*.
- 'State Immunity, State Atrocities and Civil Justice in the Modern Era of International Law' (2007) xlv *Canadian Yearbook of International Law* 223.
- 'Crimes against Humanity: Directing Attacks against a Civilian Population' (2008) 2 *African Journal of Legal Studies* 118—129.
- 'Rape as Genocide: Some Questions Arising' (2007) 9 *Journal of Genocide Research*, pp. 251-273.
- 'The Role of the Security Council in Prosecuting the Crime of Aggression: an African Perspective' (2007) 34 *The Monitor-Journal of the Coalition for the International Criminal Court* 8.
- 'Superior or Command Responsibility – A Doubtful Theory of Criminal Responsibility at the Ad Hoc Tribunals' in Deceaux et al, *From Human Rights to International Criminal Law* (The Hague: Brill, 2007), 105.
- 'International Law, Mercenary Activities and Conflict Prevention In Africa' (Co-author: Adama Dieng) in Deceaux et al, *From Human Rights to International Criminal Law* (The Hague: Brill, 2007), 617.
- 'Vague' Indictments and Justice at the International Criminal Tribunals: Learning from the World of Common Law' in C P M Waters (ed), *British and Canadian Perspectives on International Law* (The Hague: Brill, 2006), 105.
- 'Rape and superior responsibility in international law' (http://www.icc-cpi.int/library/organs/otp/050620_Chile_presentation.pdf).
- 'Murder as a Crime against Humanity at the Ad Hoc Tribunals: Reconciling Differing Languages', ((2005) *Canadian Yearbook of International Law* p 145).
- 'Genocide, Justice and the Forensic Sensibilities of the International Committee of the Red Cross', *Chinese Journal of International Law* (2006), Vol. 5, No 1, p 149.
- 'Crimes Against Humanity: from Finta to Mugesera' or 'In Sync at Last: Canadian Law and International Law of Crimes Against Humanity', *Canadian Council on International Law website* (November 2005) http://www.ccil-ccdi.ca/index.php?option=com_content&task=view&id=124&Itemid=76 .
- 'The World Our Stage: Practice at the Bar of International Law' *The Advocates' Society Journal* (summer 2005) pp 14—16.
- 'Complicity in Genocide' vs 'Aiding and Abetting Genocide': Construing the Difference in ICTR and ICTY Statutes (2005) 3 *Journal of International Criminal Justice* 56—81.
- 'Kleptocracy: a desired subject of international criminal law that is in dire need of prosecution by universal jurisdiction', *African Perspectives on International Criminal Justice* (2005) p 121.
- 'Crimes against Humanity: the End of Im(m/p)unity in a New Order of International Criminal Law' *AFLA Quarterly* (October—December 1999) p 15.
- 'The Jurisdiction to Prosecute Foreigners for Crimes Against Humanity Committed Abroad' *AFLA Quarterly* (April—June 2000) p 12 (Co-author: Suzanne Schairer).
- 'World War against Aviation Terrorism ... the Role of Canada' in MATTE (ed) *Arms Control and Disarmament in Outer Space: Towards a New Order of Survival*, vol iv, 59.
- 'The Duty to Defend an Unnamed Insured - Even the Fourth Generation Driver' (1996) 14 *Canadian Journal of Insurance Law*, p 65.
- 'Repeal of the Ontario Employment Equity Laws: A Lesson in Denial of Equal Protection of the Laws' in Agocs, *Workplace Equality: International Perspectives on Legislation, Policy and Practice* (2002) p 109 (Co-author: Elizabeth McIsaac).
- 'Healing the Rift: the Impasse between the African Union and the International Criminal Court': <http://ceboe-osuji.blogspot.com/2010/03/healing-rift-impasse-between-african.html>.
- 'The Proper Burden of Persuasion for the Issuance of an Arrest Warrant at the International Criminal Court': <http://ceboe-osuji.blogspot.com/2010/02/evidential-correct-standard-for-arrest.html>

- ‘A Thought for Kampala: Kleptocracy’: <http://ceboe-osuji.blogspot.com/2010/02/thought-for-kampala-kleptocracy.html>.
- ‘Responsibility of States for Genocide Crimes’, Law Times 17 May 2007.
- “Grave Breaches” as War Crimes: Much Ado About ... “Serious Violations” (pending publication).
- ‘Forced Marriage: as an International Crime’ (pending publication).
- ‘Burning as a Mode of the War Crime of Pillage’ (pending publication).
- ‘Interlocutory Appeals at The International Criminal Tribunal for Rwanda’ (pending publication).

Theses

- Aviation Incidents and the Earth-based Victims: a Review of Anglo-Canadian Tort Law (Montreal: McGill LL M Thesis, 1991), v. 203 pp. ISBN: 0315744812

Book Manuscripts

- International Criminal Law: an Inside View of an Edifice Under Construction;
- Spirit of Sankey- Commentary on Aspects of Canadian Constitutional Law

Legal research experience

- Very extensive - over 500 academic legal and professional legal research and opinion papers.

Selected speeches and lectures invitations

- The Norwegian Red Cross Society, 150 Anniversary Lectures of the founding of the International Committee of the Red Cross, Oslo, Norway, 8 May 2009 (Paper Presented: ‘ICRC Neutrality and Practicalities of Prosecution’).
- Nigerian Bar Association, 2007 Annual Conference, Ilorin, Nigeria, 28 August 2007. Paper presented: “Ensuring Legally Responsible Development”.
- International Law Association, 2006 Biennial Conference, Toronto, Canada, 7 June 2006. Paper presented: “Rethinking Superior Responsibility for Rape of Women during Armed Conflicts.”
- Canadian Lawyers Abroad, University of Ottawa Chapter, Conference on Staying the Hand of Vengeance: Prosecuting International Crimes, Ottawa, Canada, 10 March 2006. Keynote Speech: “Empathy in Genocide Trials—The Death of Numbers”.
- McGill University Law Faculty, Centre for Human Rights and Legal Pluralism, Conference on Hybrid Courts in Context, Montréal, Canada, 17 February 2006. Moderated discussion on the Contribution of Hybrid Courts to Post-Conflict Reconciliation.
- Canadian Council on International Law, 2005 Annual Conference, Ottawa, Canada, 27 October 2005. Paper presented: “Definition and Analysis of Rape in International Criminal Law—A Continuing Tug-of-War?”
- International Committee of the Red Cross, International Conference on “Customary International Humanitarian Law: Challenges, Practices and Debates”, Montréal, Canada, 30 September 2005. Paper presented: “Customary International Law in the Proceedings of the International Criminal Tribunals for Rwanda and the former Yugoslavia”.
- British Association of Canadian Studies, Legal Studies Group, Canada-UK perspectives on public international law, London, England, 24 June 2005. Paper presented: “‘Vague’ Indictments and Justice at the International Criminal Tribunals: Learning from the World of Common Law’.
- International Criminal Court, OTP Guest Lecture Series, The Hague, The Netherlands, 20 June 2005. Paper presented: “Rape and superior responsibility in international law”: www.icc-cpi.int/otp/otp_guest_lecturer&id=30.html
- Advocates’ Society of Ontario, Fall Convention, Scottsdale, Arizona, 19 - 20 November 2004. Paper presented: The Practice of International Law in a Changing World: a Canadian Perspective.
- The Yukon College, Maddison Chair Lecture, Whitehorse, The Yukon Territory, 22 November 2004. Paper Presented: “Contributions of the International Criminal Tribunal for Rwanda to the Development of International Law of War Crimes”.

- United Nations High Commission for Human Rights, Experts Meeting on the Sierra Leone Independent Special Court and the Sierra Leone Truth and Reconciliation Commission, New York, 19—22 December 2001.
- Africa Legal Aid, Experts Meeting on African Perspectives on Universal Jurisdiction for International Crimes, Arusha, Tanzania, November 2002.
- Africa Legal Aid, Experts Meeting on African Perspectives on Universal Jurisdiction for International Crimes, Cairo, Egypt, 30-31 July 200. Paper presented: “Kleptocracy: A Viable Candidate for International Criminal Law, in Dire Need of Prosecution by Universal Jurisdiction”.
- Harvard University Black Students Association, Conference on Affirmative Action, 7 - 8 February 1997. Title of Speech: “Equality, Democracy and the Politics of Self Interest”.
- University of Western Ontario Law Faculty, 12 March 1997. Title of Lecture: “A Principle of Duty - the State and the Elimination of Unconstitutional Discrimination”.
- Canadian Association of Black Lawyers, 29 June 1997. Title of Speech: “Justiciability of the Constitutional Challenge against the Repeal of the Employment Equity Laws of Ontario”.

Languages

Primary language: English

Mother tongue: Igbo

Other language: Advanced Level French

11. Fremr, Robert (Czech Republic)

(Original: English, French)

Note verbale

The Embassy of the Czech Republic to the Kingdom of the Netherlands 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 advise that the Government of the Czech Republic has decided to nominate Mr. Robert Fremr for election as a judge of the International Criminal Court for the 2012 – 2021 period, in the elections to be held during the tenth session of the Assembly of States Parties in December 2011.

Judge Fremr is a candidate on List A for the purposes of article 36, paragraph 5, of the Rome Statute.

The nomination of Judge Fremr has been approved by the Government of the Czech Republic upon the unanimous recommendation of a Selection Board consisting of the Minister of Foreign Affairs as the Chairperson of the Board, the President of the Constitutional Court, the President of the Supreme Administrative Court, a judge of the Supreme Court, the Deputy Public Defender of Rights, the Supreme Public Prosecutor, a member of the National Group to the Permanent Court of Arbitration and a representative of the Ministry of Justice.

Enclosed with this note is the statement of qualifications required in article 36, paragraph 4 (a), of the Rome Statute, the curriculum vitae of Judge Fremr, the Czech Republic's Rules for the Selection of a Candidate for the Position of Judge of the International Criminal Court, a letter from the President of the Supreme Court of the Czech Republic, and a summary of Judge Fremr's case law proving his legal expertise in terms of article 36, paragraph 8 (b) of the Rome statute.

The Government of the Czech Republic is confident that the rich professional experience as well as personal qualities of Judge Fremr would greatly benefit the work of the International Criminal Court.

* * *

Statement of qualifications

This statement of qualifications is submitted by the Government of the Czech Republic in accordance with article 36 of the Rome Statute and article 6 of the Resolution of the Assembly of States Parties relating to the procedure for the nomination and election of judges to the International Criminal Court (ICC-ASP/3/Res.6).

The Government of the Czech Republic has decided to nominate Judge Robert Fremr, a senior judge of the Supreme Court of the Czech Republic who currently holds the post of judge ad litem at the International Criminal Tribunal for Rwanda (ICTR), for election as a judge of the International Criminal Court in the elections that will take place during the tenth session of the Assembly of States Parties, scheduled to be held at United Nations Headquarters, New York, from 12 to 21 December 2011.

Judge Fremr, whose curriculum vitae in English and French is attached hereto, is nominated under the terms of article 36, paragraph 4(a)(i), of the Rome Statute and in accordance with the attached national Rules of Procedure of the Czech Republic.³ The nomination of Judge Fremr was approved by the Government of the Czech Republic on 24 November 2010⁴ upon the unanimous recommendation of a Selection Board consisting of the Minister of Foreign Affairs as the Chairperson of the Board, the President of the Constitutional Court, the President of the Supreme Administrative Court, a judge of the Supreme Court, the Deputy Public Defender of Rights, the Supreme Public Prosecutor, a member of the National Group to the Permanent Court of Arbitration and a representative of the Ministry of Justice.

¹Czech Republic Rules for the Selection of a Candidate for the Position of Judge of the International Criminal Court, annex to Government Resolution No. 478 of 14 June 2010.

²Government Resolution No. 834 of 24 November 2010.

Judge Fremr is nominated for inclusion in List A, comprised of candidates with “established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings”. Judge Fremr fulfils all the conditions stipulated in article 36, paragraph 3(a), (b) and (c), of the Rome Statute.

Judge Fremr has served as judge of the Supreme Court of the Czech Republic since 2004. In September 2010 he has returned, at President Byron’s request, to the post of judge ad litem at the International Criminal Tribunal for Rwanda (his first term at the ICTR was from 2006 to 2008). Most of his previous career, spanning nearly 25 years, has been devoted to criminal law and procedure. Judge Fremr has served as a criminal judge in all four tiers of the Czech judicial system (the Czech Republic has a continental legal system), specializing in violent crime. His assignments included eight years as a presiding judge in the Appeals Chamber of the High Court in Prague, hearing appeals in the most serious cases of murder and other violent crime. In this and other positions, he has gained considerable expertise in managing complicated and time-intensive cases, including multi-accused cases, as well as in working with women and child victims of violent crime who require special treatment in court.

Judge Fremr has also extensive experience in the area of international criminal law and procedure. As an ICTR judge, he has dealt with criminal cases in the area of international humanitarian law and human rights law, including specific issues such as violence against women or children. He is currently dealing with the case *The Prosecutor v. Ildephonse Nizeyimana*. During his first term at the Tribunal (2006-2008), he heard the cases of *The Prosecutor v. Simeon Nchamihigo* and *The Prosecutor v. Simon Bikindi*, a short summary of which is attached hereto. In addition, Judge Fremr has been several times designated to sit on the ICTR Referral Bench dealing with cases under Rule 11bis of the Tribunal’s Rules of Procedure and Evidence (*The Prosecutor v. Laurent Bucyibaruta*,

The Prosecutor v. Wenceslas Munyeshyaka,

The Prosecutor v. Fulgence Kayishema

The Prosecutor v. Jean Bosco Uwinkindi).

In addition to his judicial practice, Judge Fremr has been active also in the academic field. He has lectured on criminal law at the Faculty of Law of Charles University in Prague and taught human rights courses to judges and trainee judges at the Judicial Academy of the Ministry of Justice of the Czech Republic. In this capacity, he has contributed to the building of the rule of law in his home country.

Finally, as mentioned in his curriculum vitae, Judge Fremr has attended many important international conferences (e.g. the ninth session of the Assembly of State Parties to the Rome Statute, official meetings within the Council of Europe, Organisation for Economic Co-operation and Development (OECD) etc.) and actively participated in various international bodies dealing with criminal law and human rights, such as the Multidisciplinary Group on Corruption of the Council of Europe which had prepared the text of the European Criminal Law Convention on Corruption. Judge Fremr continues to broaden his knowledge of international law and international criminal law. He uses every opportunity to take part in academic seminars and remains strongly committed to training and research. Recently, he has focused on the timely question of how to eliminate the setbacks in the proceedings before international criminal tribunals.

Judge Fremr is fluent in English and Russian, and understands French.

Judge Fremr is a national of Czech Republic.

Annexes

Letter from the President of the Supreme Court of the Czech Republic

The Czech Republic’s Rules for the Selection of a Candidate for the Position of Judge of the International Criminal Court

Summary of Judge Fremr’s ICTR case law proving his legal expertise in terms of article 36, paragraph 8 (b), of the Rome Statute

Annex I**Letter from the President of the Supreme Court of the Czech Republic**

Iva Brožová
Chief Justice of the Supreme Court of the Czech Republic

To whom it may concern

JUDr. Robert Fremr was appointed as a Judge of the Supreme Court in 2004. At the time he was already well recognized as an expert in the field of criminal law, having worked as a judge of both a trial court and a court of appeal. His moral and ethical integrity was and continues to be highly esteemed. At the Supreme Court, Judge Fremr has been sitting at the panel deciding upon the extraordinary remedies, becoming a presiding judge in November 2004.

On top of his decision making practice, Judge Fremr became involved in the international field of criminal justice. During the years 1998 to 2004, he was a representative of the Czech Republic to the Organisation for Economic Co-operation and Development (OECD), namely a member of a Working Group on Bribery of the Foreign Public Officials in the business transactions. During the years 1997 to 2000, Judge Fremr was a representative of the Czech Republic to the OCTOPUS Project (joint project of the Council of Europe and the European Commission focused on fight against various forms of organized crime). In 1996 and 1997, Judge Fremr took part in the intergovernmental negotiations between USA and the Czech Republic on the Extradition Treaty (Prague, Washington) as a member of the Czech delegation. Among other international activities it is worthy to mention his chairing of the Working Group on Corruption in Political Parties Funding (GMCF) preparing drafts of the EC Conventions in the field of fight against corruption and his participation in the expert team Group of the States Against Corruption (GRECO) monitoring Bosna and Hercegovina and Bulgaria. For eleven years, Judge Fremr has been a representative of the Czech Republic to the Consultative Council of European Judges of the Council of Europe (CCJE), an advisory body to the Committee of Ministers of the Council of Europe preparing opinions on essential judicial issues at European level.

JUDr. Fremr has been lecturing at various international conferences and seminars as a distinguished speaker. He is an external teacher at the Law Faculty of the Charles University in Prague and is involved in lecturing judges and legal practitioners at the conferences and seminars organized by the Czech Judicial Academy.

Annex II**Czech Republic Rules for the Selection of a Candidate for the Position of Judge of the International Criminal Court.**

GOVERNMENT OF THE CZECH REPUBLIC

Annex to Government Resolution No. 478 of 14 June 2010

RULES FOR THE SELECTION OF A CANDIDATE FOR THE POSITION OF JUDGE OF THE INTERNATIONAL CRIMINAL COURT

A candidate for the position of Judge of the International Criminal Court (hereinafter referred to as the "Court") in terms of the Rome Statute of the International Criminal Court⁵ shall be selected through a selection process pursuant to the following rules:

Article 1**Timetable of the selection process**

The call for applications for nomination as a candidate for the position of Judge of the Court shall be published by the Ministry of Foreign Affairs (hereinafter referred to as the "Ministry"). The interval between the publication of the call on the Ministry website pursuant to Article 3 (1) below and the deadline for the submission of applications shall be at least two months. The nomination shall be presented to the Government by the Minister of Foreign Affairs as a rule eight months before the anticipated date of the election of the Judge.

¹ Published in the International Treaties Journal No. 84/2009.

Article 2
Qualification requirements for candidates

- (1) A candidate for the position of Judge of the Court shall:
- a) Be a national of the Czech Republic or a national of any State Party to the Rome Statute,
 - b) Be a person of high moral character and possess the qualifications required in the Czech Republic for appointment to the highest judicial offices,⁶
 - c) Have established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings, or have 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,
 - d) Offer a guarantee of independence and impartiality in exercising the functions of Judge of the Court after his potential election,
 - e) Have an excellent knowledge of and be fluent in at least one of the working languages of the Court.⁷
- (2) A candidate for the position of Judge of the Court should:
- a) Have an active knowledge of the other working language of the Court,
 - b) Be a person whose potential election would not result in the necessity to disqualify him from the Court's cases.

Article 3
Submission of applications

- (1) The Ministry shall take the appropriate measures to give the call for applications the widest possible publicity; in particular, it shall publish the call on its website and notify it, in an appropriate manner, to courts, Public Prosecutor's Offices and to Deans of the Faculties of Law of public higher education institutions in the Czech Republic.
- (2) In the call for applications the Ministry shall specify the particulars to be included in the application as well as other details regarding their submission.
- (3) The individual applicants shall submit their applications to the Ministry within the deadline set in the call.

Article 4
Composition of the Selection Board

- (1) The Selection Board shall consist of the Minister of Foreign Affairs, who shall be its Chairperson, the Minister of Justice, the Presidents of the Constitutional Court, Supreme Court and of the Supreme Administrative Court, the Supreme Public Prosecutor, the Public Defender of Rights, and members of the National Group in the Permanent Court of Arbitration.
- (2) A person who has submitted an application shall not be entitled to sit on the Board. In case the Minister of Foreign Affairs submits an application, the Board shall elect a Chairperson from among its members.
- (3) If necessary, for reasons other than those referred to in paragraph (2) above, the individual members of the Board may each designate an alternate from his respective institution. This rule does not apply to members of the National Group in the Permanent Court of Arbitration.
- (4) The Selection Board shall constitute a quorum if at least 6 members are present.

² The qualification requirements for the position of Judge of the Constitutional Court, Supreme Court or of the Supreme Administrative Court shall be applied *mutatis mutandis*.

³ The working languages are English and French (article 50 (2) of the Rome Statute).

Article 5 Meetings of the Selection Board

(1) Meetings of the Board shall be convened by the Minister of Foreign Affairs within two months after the deadline set by the Ministry for the submission of applications. Resolutions of the Board shall be adopted by a majority of votes of members present; in case of equality of votes, the Chairperson of the Board shall have the casting vote.

(2) Any applications that manifestly fail to comply with the requirements specified in Article 2 (1) above or that have been delivered after the deadline set in the call for applications shall be excluded.

(3) The Board shall review the submitted applications and exclude any incomplete applications in cases where the applicant has not given any satisfactory reason for his failure to include any of the particulars specified in the call for applications pursuant to Article 3 (2) above.

(4) The Board shall then interview the applicants whose applications have not been excluded pursuant to (2) above. During the interview it shall comprehensively evaluate the applicant's qualifications for the position of Judge of the Court and determine his motivation. It may ask for additional documents and decide to carry out an additional assessment of linguistic qualifications for the position.

(5) From the remaining applicants, the Board shall select the one who best meets the requirements specified in Article 2 above.

(6) The Board shall draw up a record of its deliberations, stating the reasons for its decisions. The Ministry shall inform the applicants about the result of the selection process not later than one month after the decision on the selection of a candidate.

(7) In case the candidate renounces his candidacy or ceases to meet the requirements specified in Article 2 (1) above, the Board shall select a substitute candidate without undue delay.

Article 6 Approval of the candidate

(1) The candidate shall be approved by the Government at the request of the Minister of Foreign Affairs.

(2) In case the Government does not approve the candidate, the Czech Republic shall not nominate any candidate for the given term, unless the Ministry of Foreign Affairs decides to repeat the selection process. In such case, and in the case of extraordinary elections, the deadlines mentioned in Article 1 above shall be reduced accordingly.

Article 7 Scope of application

These Rules shall apply, *mutatis mutandis*, to the selection of candidates for the position of Prosecutor of the Court.

Annex III ICTR cases heard by Judge Fremr relevant to the legal expertise required in article 36, paragraph 8 (b), of the Rome Statute.

1. *The Prosecutor v. Ildephonse Nizeyimana*

Ildephonse Nizeyimana is charged with six counts including genocide and extermination, murder and rape as crimes against humanity, murder as a violation of article 3 common to the Geneva Conventions and rape as a violation of article 3 of the Statute.

The defendant was the second-in-command in charge of intelligence and military operations at the Noncommissioned Officers School in Butare. According to the indictment, Nizeyimana, as a participant in a joint criminal enterprise, authorized, ordered or instigated subordinated soldiers and members of the Interahamwe militia to kill many civilians identified as Tutsis at Butare Hospital, Butare University and Cyahinda Parish and to rape Tutsi women in 1994. He also allegedly ordered the killing of the Tutsi Queen Dowager Rosalie Gicanda.

The presentation of evidence started in January and is to be closed in June. It has involved the questioning of raped women which requires special approach from judges. Closing arguments are planned for October. The judgement is to be delivered by February 2012.

2. *The Prosecutor v. Simon Bikindi*

Simon Bikindi was a famous Rwandan composer and singer. In 1994 he was also working at the Ministry of Youth and Association Movements. The ICTR Prosecutor charged him with six counts. More specifically, the indictment stated that Bikindi participated in the anti-Tutsi campaign in Rwanda in 1994, composing songs and making speeches at public gatherings that promoted hatred and violence against the Tutsis.

The case was specific as it involved hate speech and alleged incitement of genocide through song lyrics. The Trial Chamber had taken as proved that the broadcasting of Bikindi's songs had had an amplifying effect on the genocide. It concluded, however, that there was no evidence that Bikindi played any role in the dissemination of the three songs in question in 1994 and that the songs constituted direct and public incitement to commit genocide. Simon Bikindi's final conviction was based on the fact that, in one case in June 1994, he publicly addressed people encouraging them to kill the Tutsis. The Chamber found him guilty on this single count and not guilty on the five other counts. An aggravating factor was that Bikindi misused his status as a well-known and popular artist to incite the public to commit genocide. The Chamber sentenced Bikindi to 15 years imprisonment. This verdict was appealed both by the Prosecutor and the accused; however, the Appeals Chamber upheld it in its entirety.

During the presentation of evidence the Trial Chamber examined numerous victims of gross violence, including victims of massacres who survived by sheer luck.

3. *The Prosecutor v. Simeon Nchamihigo*

Simeon Nchamihigo was a deputy prosecutor in the Cyangugu Prefecture of Rwanda.

The Trial Chamber sentenced him to life imprisonment after finding him guilty of genocide, extermination, murder and other acts constituting crimes against humanity because of his role in ordering or instigating the Interahamwe militia to kill Tutsi civilians throughout the 100-day Rwandan genocide.

During the presentation of evidence the Trial Chamber examined numerous victims of gross violence including victims of massacres who survived by sheer luck. On 18 March 2010, the Appeals Chamber reduced the sentence to 40 years imprisonment.

* * *

Personal data

Name	Robert Fremr
Date of birth	1957
Current position	Judge ad litem of the International Criminal Tribunal for Rwanda.
Language skills	English (proficient), French (fair) and Russian (proficient).

Relevant professional activities

2010 - 2011	Judge ad litem of the International Criminal Tribunal for Rwanda, Arusha (Case: <i>The Prosecutor v. Ildephonse Nizeyimana</i>).
2009 - 2010	Judge of the Supreme Court of the Czech Republic. 2006 - 2008 Judge ad litem of the International Criminal Tribunal for Rwanda (Cases: <i>The Prosecutor v. Simeon Nchamihigo</i> , <i>The Prosecutor v. Simon Bikindi</i>).
2004 - 2005	Judge of the Supreme Court of the Czech Republic.
1989 - 2003	Judge of the High Court in Prague (Penal Section).
1986 - 1989	Judge of the Court of Appeal in Prague (Penal Section).
1983 - 1986	Judge of the District Court Prague 4.
1981 - 1983	Judicial practitioner, Municipal Court, Prague.

Education and academic and other qualifications

- 1976 – 1980 Charles University Law School, Prague.
 1981 Doctor of Laws (Juris Utriusque Doctor). Theme of the doctoral thesis: Purpose of Punishment.
 1989 -1991 Postgraduate studies in criminal procedural law, Charles University Law School, Prague.

Further education at the international level

- 2010 ICTR symposium: Increased efficiency in the delivery of high-quality and timely Trial Chamber judgments (Arusha, Tanzania).
 2010 European Justice and Persons Involved: seminar, (Barcelona, Spain).
 2009 Combating Terrorism, seminar, (Trier, Germany).
 2008 International Criminal Tribunal for Rwanda: seminar on the jurisprudence of international tribunals, (Arusha, Tanzania).
 2005 Centro de studios iuridicos: course on the rule of law, the EU project, (Madrid, Spain).
 1999 Eisenhower Exchange Fellowships: two months study stay focused on comparison of the criminal procedure under the common law and the civil law (Washington, Philadelphia, New York, Chicago, Denver, Miami, Little Rock, Reno, Los Angeles, United States of America).
 1999 California Center for Judicial Education and Research: study on Death penalty trials (Costa Mesa, United States of America).
 1998 Independence of Courts: comparative study (Stockholm, Sweden).
 1997 Edinburgh University: course on European law (Edinburgh, Scotland).
 1995 Regional Court in Linz: study stays on the criminal procedure system, (Linz, Austria).
 1994 European Court of Human Rights: study stay for selected judges organized by the Council of Europe focused on practical issues of proceedings before this Court (Strasbourg, France).
 1992 The Hague Academy of International Law: human rights training course for legal practitioners (The Hague, Netherlands).

Other domestic related activities

- 1995 – present Lecturer at Charles University Law School, Prague (lectures on criminal law for Czech students, courses on comparison of Czech criminal law and other criminal law systems for foreign students in English).
 1998 - present Lecturer of the courses for judicial practitioners and judges organized by the Judicial Academy of the Ministry of Justice of the Czech Republic.
 2010 Holocaust and War Crimes: International seminar, Brno, Czech Republic - lecture on the International Criminal Tribunal for Rwanda.
 2010 Review Conference of the Rome Statute: Lecture on perspectives of the ICC, Brno, Czech Republic.

International activities

- 2010 Member of the Czech delegation to the ninth session of the Assembly of States Parties to the Rome Statute, New York.
 2000 - present Representative of the Czech Republic to the Consultative Council of European Judges of the Council of Europe (CCJE), an advisory body to the Committee of Ministers of the Council of Europe preparing opinions on essential judicial issues at European level.

2002 - present	Group of the States Against Corruption (GRECO) of the Council of Europe: member of the Group of experts appointed to the examination teams- member of the international teams which monitored Bosnia and Herzegovina (2002), Bulgaria (2004).
1995 - 2001	Representative of the Czech Republic to the Multidisciplinary Group on Corruption (GMC) of the Council of Europe.
1999 - 2001	Elected Chairman of the Working Group on Corruption in Political Parties Funding (GMCF). Both bodies prepared several drafts of the European Community Conventions in the field of fight against corruption and project of GRECO.
1996 - 1997	Member of the Czech delegation to intergovernmental negotiation between the United States of America and the Czech Republic on the Extradition Treaty.
1997 - 2000	Representative of the Czech Republic to the OCTOPUS Project (joint project of the Council of Europe and the European Commission focused on the fight against various forms of organized crime).
1998 - 2004	Representative of the Czech Republic to the Organization for Economic Co-operation and Development (OECD), Working Group on Bribery of the Foreign Public Officials in the business transactions: member of the evaluation teams which examined Slovakia (2000), Finland (2002) and Norway (2004).

* * *

12. Herrera Carbuccia, Olga Venecia (Dominican Republic)

(Original: Spanish)

Note verbale

The Ministry of Foreign Affairs presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court, and has the honor to transmit for the first time since the entry into force of the Rome Statute, a government nomination from the Dominican Republic for the appointment of judges to the International Criminal Court for the elections that will take place at the tenth session of the Assembly of States Parties to be held at United Nations Headquarters in New York from 12 to 21 December 2011.

Therefore and in accordance with the provisions of the subsections a) i) and ii) of paragraph 4, article 36 of the Rome Statute, the Dominican nation nominates Judge Olga Venecia Herrera Carbuccia, born in the Dominican Republic, for the honorable position of judge of the International Criminal Court, in accordance with the provisions of article 5, paragraph 36 of the Rome Statute the nomination of Judge Herrera Carbuccia is made to List A.

Attached to this document is the Statement of qualifications and curriculum vitae of the nominee, in accordance with the provisions of section 2), paragraph 4, article 36 of the Rome Statute, and paragraph 6 of resolution ICC-ASP/3Res. 6.

* * *

Statement of qualifications

In relation to the election of judges for the International Criminal Court to be held on December 2011, by nominating Judge Olga Venecia Herrera Carbuccia to List A for this election and in virtue of the requirements under article 36 of the Statute of Rome, the Government of the Dominican Republic states that:

Judge Olga Venecia Herrera Carbuccia is a Dominican Judge with "high" moral character, impartiality and integrity who possess the qualifications required for the exercise of the highest judicial offices in the Dominican Republic", as required by the Statute of Rome. As proof of compliance with this requirement Judge Carbuccia Herrera is currently nominated for the Supreme Court of Justice of the Dominican nation, and is a candidate as well for the Constitutional Tribunal. Judge Carbuccia Herrera is recognized in the Dominican Republic for her high independence. She has also been awarded with several national awards, including in 2003 the "Medal of Merit for Women" in the area of law and justice granted by the President of the Dominican Republic.

Judge Herrera Carbuccia has been selected through the same procedure for nominating candidates to the highest judicial offices in the country. Her candidacy was also supported and ratified by the Group Party of Parliamentarians for Global Action in the Congress of the Dominican Republic.

The International Criminal Court requires counting, among its judges to be effective and expedited, with individuals who possess extensive experience in criminal proceedings and the administration of justice. This need is reflected in the requirements of the Statute of Judges from List A. As required by the Statute of Rome, Judge Herrera Carbuccia has abundant and high competencies and skills in criminal proceedings.

The judge holds the title of Doctorate of Law, 1980 (Cum Laude) from the Autonomous University of Santo Domingo.

Judge Herrera Carbuccia has over 30 years of experience in the judicial function in the area of criminal law in the capacity of judge, as prosecutor. From 1986 and for five years, she served as a criminal judge of first instance chambers. Subsequently, from 1991 and for 11 years, she was a member of the Criminal Chamber of the Court of Appeals for the National District of Santo Domingo. From 2003 to date, the judge serves as President of the Criminal Chamber of the Court of Appeal of the Province of Santo Domingo. In the function of Prosecutor, the Judge was part of the peace courts, as well as assistant attorney for the Prosecutor of the National District.

Judge Herrera Carbuccia also has excelled in the academic area with a long career of teaching and publications. Her academic competence as a teacher of the Faculty of Law and Political Sciences of the National University Pedro Henriquez Ureña led her to take over 9 years (1995-2004) the position of dean of the Faculty. Specifically, in addition to her academic skills, Judge Herrera Carbuccia has practical experience in the field of criminal law, human rights protection, children's rights, combat money laundering and financing terrorism " as well as the elimination of the judicial delay with an emphasis on effective judicial administration to strengthen judicial effectiveness and efficiency. Also, in her teaching experience are highlights of specific issues relevant to the procedure of the Court, particularly in the areas of early action, "judicial reasoning and structure of the sentence, modernization of the judicial function and "translation of legal texts.

She has experience in defending the rights of due process as applied to the Dominican procedural law and the Constitution of the Dominican Republic, and in the prosecution of crimes of a sexual nature, perjury to women and children and the general knowledge of the Statute of Rome.

Judge Herrera Carbuccia native language is Spanish. She is fluent in French, having obtained technical instruction at the Sorbonne University (Paris I) and the Alliance Française in the Dominican Republic. Her training at the Alliance Française also includes the translation of legal texts. Judge Herrera Carbuccia has a well rounded knowledge of the English language. Judge Herrera Carbuccia has other technical competencies in the uses of computers and electronic media, as well as in typing and archiving.

At 55 years of age, Judge Carbuccia Herrera is enabled physically and mentally to fulfill the full term of nine years in the ICC, devoting full time to its duty. In case of choice and if the circumstances so require Judge Herrera Carbuccia is physically and mentally ready to fulfill the judicial functions *in situ* as described in Article 3 of the Rome Statute.

By virtue of her preceding nomination to the Supreme Court of Justice of the Dominican Republic, it is stated that the present application before the International Criminal Court, if the candidate should be elected by the Assembly of Member States to the Statute of Rome, that she has the intention and commitment to take up the position and abandon the national candidacies, which shall be decided before December, 2011.

Judge Carbuccia Herrera declares her commitment to the objectives of the International Criminal Court and the delivery of an independent, effective, expeditious, and especially preventive justice.

Written in Santo Domingo, Dominican Republic, day fourteen (14) of the month of September 2011, by or on behalf of:

Carlos Morales Troncoso, Minister of Foreign Affairs

Personal information

Name	Olga Venecia Herrera Carbuccia
Position	Judge President of the Criminal Chamber of the Court of Appeals for the Judicial Department in Santo Domingo.
Degree	Doctor of Law. Cum Laude.
1980	Universidad Autónoma de Santo Domingo, D.N. Dominican Republic.

Positions in the judiciary service

August 2003 - present	Judge President of the Criminal Chamber of the Court of Appeals for the Judicial Department in Santo Domingo, Santo Domingo Province.
January 2001 to July 2003	Presiding Judge of the First Criminal Chamber of the Court of Appeals of Santo Domingo (now the National District) Santo Domingo, D.N.
November 1997 to July 2003	First Deputy Judge President of the Criminal Chamber of the Court of Appeals of Santo Domingo (now the National District) Santo Domingo, D.N.

1991 to 1997	Substitute Second Judge President of the Criminal Chamber of the Court of Appeals of Santo Domingo (now the National District) Santo Domingo, D.N.
1986 to 1991	Judge President of the Eighth Penal Chamber of the Court of First Instance of the National District Santo Domingo, D.N.
1984 to 1986	Assistant Attorney to the National District Prosecutor. Santo Domingo, D.N.
1981 to 1984	Fiscal of the Peace Court of the Second Circuit and of the First Peace Court of the National District. Santo Domingo, D.N.

Teaching activity

1995 to December 2004	Dean of the Faculty of Law and Political Sciences of the National University Pedro Henriquez Ureña. Santo Domingo, D.N.
January 2004	Workshop Facilitator in the Seminar Early steps. National Judicial College Santo Domingo de Guzmán, National District.
November 2003	Teacher, Diplomat in Criminal Law. Institutionalism and Justice Foundation, National University Pedro Henriquez Ureña. Santo Domingo, National District.
1987 to 2002:	Professor of Criminal Law at the School of Law of the Faculty of Law and Political Sciences of the National University Pedro Henriquez Urena Santo Domingo, D.N.
2000	Facilitator of the National Judicial College in the Seminars "Structuring of Judgment II" Criminal Module and "Judicial Ethics".
1993 to March 2000	Director of the Graduate Program Specialization in Legal Studies. Faculty of Law and Political Science, University Pedro Henriquez Urena Santo Domingo, D.N.
1990 to 1996	Director of the School of Law of the Faculty of Law and Political Sciences at the University Pedro Henriquez Urena Santo Domingo, D.N.
1999	Facilitator of the National Judicial College at the seminar "Judicial Reasoning applied to the proper structuring of the sentence," given in the cities of San Francisco de Macoris, Bani and Barahona, Dominican Republic.
1999	Member of Teaching Committee of the National School of Judges. Santo Domingo, D.N.
August 1998	Facilitator in the initial training of officials responsible for implementing the Law No.14-94, Judges and Defenders of the Courts of children and adolescents. School of Magistrates and Commissioner for the Reform and Modernization of Justice. Santo Domingo, D.N.
1993	Coordinator for the National University Pedro Henriquez Urena of judicial training workshops for Criminal Courts. Supreme Court of Justice, Institute for the Prevention of Crime and Treatment of the offender (ILANUD) and UNPHU. Santiago de los Caballeros, Dominican Republic.
1992	Member of the evaluation committee of ordinary deputies of the National District and Monte Plata, appointed by the Supreme Court. October 30, 1992. Santo Domingo, D.N.
1981 to 1986	Professor of Translation of legal texts, School of Law, Faculty of Law, East Central University. San Pedro de Macoris, Dominican Republic.

Participation in academic activities (congresses, courses, seminars, conferences)

- Constitutional rights and migration. Seminar at the Training Centre of the Spanish Cooperation and the Permanent Secretary of the Ibero-American Conference on Constitutional Justice, 14 to 16 July 2010, Montevideo, Uruguay.
- Constitutional Law Symposium. "The protection of human rights by the various judicial tribunals." 12, 13 and 14 March 2008. Supreme Court of Justice, Consultiu Consell de la

- Generalitat de Catalunya and the Centre for Centroamerican Constitutional Studies and Training, Santo Domingo, D.N. Dominican Republic.
- II Theoretical-Practical Seminar on the Implementation of the Regulations of Children and Adolescents' Law 136-03, Juvenile Criminal Law. 6 to 10 February 2006. National Judicial College, Santo Domingo, D.N. Dominican Republic.
 - "Seminar for Criminal Justice officials on combating money laundering and the financing of terrorism," organized by the International Monetary Fund. Brasilia, Brazil, 16 to 20 May 2005.
 - "I and II Seminar for the Implementation of the Code of Criminal Procedure". National Judicial College, Santo Domingo de Guzman, D.N, 2004 and 2005.
 - Workshop on "Money Laundering". National Judicial College, Commissioner for the Reform and Modernization of Justice and the United Nations Program for Drug Control. (PNUFID). Santo Domingo, National District, Dominican Republic, 9 - 10 August, 2001.
 - Seminar on Judicial Delay. National Judicial College. Santo Domingo, National District. Dominican Republic, March 24, 2001.
 - Judicial Career Seminar. National Judicial College. Santo Domingo, Distrito Nacional. Dominican Republic, January 12 - 13, 2001.
 - Specialized Judicial Training Course. "The Control of the Administration of the Courts of Justice." Iber-American Classroom. Judicial Academy of the General Council of Judicial Power of Spain. Barcelona, Spain, 3 - 21 July, 2000.
 - Seminar on "Alternative Mechanisms of Dispute Resolution". National Judicial College and Commissioner for the Reform and Modernization of Justice. Santo Domingo, National District, Dominican Republic, March 2000.
 - Methodological Seminar. National Judicial College. Santo Domingo, National District, Dominican Republic, February 3, 2000.
 - Seminar on "Constitutional Guarantees". National Judicial College. Santo Domingo, National District, Dominican Republic, February 1 - 2, 2000.
 - Seminar on "Judicial Career." Project for Strengthening the Judiciary. Supreme Court of Justice, the Supreme Judicial Council and the Spanish Cooperation. National Judicial College. Santo Domingo, National District. Dominican Republic, November 26 - 27, 1999.
 - Judges Seminar on Copyright and related rights. Higuey, Dominican Republic, October 29 - 30, 1999. Secretary of State for Industry and Commerce, National Bureau of Copyright, National Judicial College and the World Intellectual Property Organization.
 - Workshop on "Structuring sentences." School of Magistrates. Santo Domingo, D.N. Dominican Republic, April 30 - May 1, 1999.
 - Member of the Dominican delegation of judges in the Second Ibero-American Summit of Presidents of Supreme Courts and Tribunals of Justice, Caracas, Venezuela., March 24, - 26, 1999.
 - Seminar "Training for trainers". School of Magistrates. Boca Chica, National District., Dominican Republic. February 27 - 28, 1999.
 - Workshop on "Global trends in current judicial training." School of Magistrates. Boca Chica, National District, Dominican Republic, 18-19 January 1999.
 - Workshop on "Supremacy of the Constitution." Module legal methodology of continuous training program. School of Magistrates, Santo Domingo, D.N. Dominican Republic, 13-21 November 1998.
 - Workshop on "Training for facilitators" of the School of Magistrates. School of Magistrates, Santo Domingo, National District. Dominican Republic, September 8, 1998.
 - Workshop "Judicial Accountability in the Development of Democracy." Co-sponsored by the Commissioner for the Reform and Modernization of Justice, the Supreme Court and the Attorney General's Office. March.
 - 20-21, 1998, Católica Madre y Maestra University, Santo Domingo, Dominican Republic.
 - Workshop on "The National School of Magistrates: consensus recommendations." Commissioner for the Reform and Modernization of Justice., September 17, 1997, Santo Domingo, D.N. Dominican Republic.
 - Workshop on "Judicial Career Law and the National School of Magistrates". Permanent commission on Justice of Senate. Senate of the Republic, September 4, 1997. Santo Domingo, D.N. Dominican Republic.

- Attendance to the various Permanent Forum made by the Commissioner for the Reform and Modernization of Justice. 1997, Santo Domingo, D.N. Dominican Republic
- Seminar on "Youth Policy Legislation." General Bureau on the Promotion of Youth. May 20, 1997, Santo Domingo, D.N. Dominican Republic.
- Workshop on "The Law 14-94 - International Convention on the Rights of the Child." Agency of the system of protection of children and adolescents, and the United Nations Children's Fund (UNICEF). April 16-17, 1997, Santo Domingo, D.N. Dominican Republic.
- Seminar on "Judicial office management." Institutionalism and Justice Foundation Inc. sponsored by the Inter-American Development Bank (IDB). 6 - 8 February, 1997, Santo Domingo, D.N. Dominican Republic.
- International Visitors Program sponsored by the Cultural Information Service of the United States (USIA / USIS). "Administration of Justice." 11-30 November, 1996, Santo Domingo, D.N. Dominican Republic.
- "Strategies for the Improvement of the Administration of Justice in the Dominican Republic." National Forum organized by the Foundation for Institutionalism and Justice Inc. under the auspices of Inter-American Development Bank and the Attorney General of the Dominican Republic. 27-28 September, 1996, Santo Domingo, D.N. Dominican Republic.
- "First day of reflection on teaching Law facing the twenty-first century." Law Schools Universities, PUCMM, UNPHU, UNAPEC, UASD, UNIBE, UCSD. August 3, 1996. Pontificia Universidad Católica Madre y Maestra, Santo Domingo, D.N. Dominican Republic.
- Fellows in the program "Transnational Organized Crime and Money Laundering." Commission on Crime Prevention and Criminal Justice United Nations Office in Vienna, September 25 - October 28, 1995, Vienna, Austria.
- Workshop "Dr. Manuel Ramon Ruiz Tejada" on the draft Judicial Career Law. Sponsored by the Foundation for Institutionalism and Justice, Inc. 19-20 May, 1995, Santo Domingo, D.N. Dominican Republic
- Member of the Dominican delegation in the seventeenth regular session of the Inter-American Drug Abuse Control Commission (CICAD-OAS). 7-10 March, 1995, Panama City, Republic of Panama.
- Seminar on "The Laws of Money Laundering". Citibank and National Council on Drugs. February 21, 1995, Santo Domingo, D.N. Dominican Republic.
- "Eighth National Seminar of Training for officers in charged of Controlling Precursors and Chemicals Substances". National Drugs Council. 14-17 February 1995, Santo Domingo, D.N. Dominican Republic.
- "Implementation of the Code of protection of Children and Adolescents". Technical Secretariat of the Presidency, 1994, Santo Domingo, D.N. Dominican Republic.
- "Sixth Regional Seminar on Effective Measures to Combat Drug Crime and Improve the Administration of Criminal Justice." United Nations Latin American Institute For the Prevention of Crime and Treatment of Offenders. (ILANUD). 7-18 March 1994, San Jose, Costa Rica.
- Member of the Dominican Delegation in the Fourteenth Ordinary Session of the Inter-American Drug Abuse Control Commission. (CICAD-OEA). 20-23 October 1993, Washington, DC. United States of America.
- Participant in the "Second Meeting of Pro-Improvement of Justice". Sponsored by the Institutionalization and Justice Foundation, inc. and other institutions. September 30, 1993, Santo Domingo, D.N. Dominican Republic.
- First Seminar on "Prevention Policy and Drug Control for Legislators in Dominican Republic." National Drugs Council and the Senate of the Republic, 1993, Santo Domingo, D.N. Dominican Republic.
- Workshop Course "Andragogical Methodology". Supreme Court of Justice, United Nations Institute for the Prevention of Crime and Treatment of Offenders (ILANUD) and Third Age University, 1993, Santo Domingo, D.N. Dominican Republic.
- First Seminar Workshop Update of the Law No. 50-88 on Drugs and Controlled Substances. National Drug Council, 1993, Santo Domingo, D.N. Dominican Republic.
- International visitors program sponsored by the United States Information
- Agency. (USIS/USIA). "Drug Control and Law Administration against Narcotic
- Trafficking in the USA"., August 1992. United States of America.

- Course “Overview Investigative Techniques.” Department of Justice of the United States of America, 1989, Santo Domingo, D.N. Dominican Republic.
- Course, “Retention of Income Tax.” Tax Training Institute. 1982, Santo Domingo, D.N. Dominican Republic.
- Course “Personal Administration”. National Office of Personnel Management, 1982, Santo Domingo, D.N. Dominican Republic.
- First Symposium on “Criminality: Prevention and Technical Aspects in the Treatment of its Authors” University Central of East, San Pedro de Macorís, Dominican Republic, 1980.

Has written articles and exhibitor at the following events

- The Constitution of the Dominican Republic commented by the Judges of the Judiciary, Santo Domingo de Guzman, D.N. 2006
- Justice System in the Dominican Republic. Presentation at the International Seminar on the Human Rights and Democracy. Organized by the Organization of American States, Ministry of Foreign Affairs and the Pan-American Development Foundation, Santo Domingo de Guzman, D.N. 21-23 March 2005.
- Closing Permanent Forum on “Recommendations for Reform to the Codification of Criminal Procedural and Substantive Law, 26 July 1997. Commissioner for the Reform and Modernization of Justice, Santo Domingo, D.N. Rep. Dom.
- Politics and Youth Legislation. Legal Assistance for Youth. Seminar Sponsored by the General Bureau for the Promotion of Youth, May 20, 1997, Santo Domingo, D.N. Rep. Dom.
- Suggestions for Reform of the Law of Judicial Organization. Panel. Permanent Forum. Commissioner for the Reform and the Modernization of the Justice 10 May 1997, Santo Domingo, D.N. Rep. Dom.
- Closing in the Permanent Forum “Suggestions for the Design of a Modern Prison Regime, 22 March 1997. Commissioner for the Reform and Modernization of Justice, Santo Domingo, D.N. Republica. Dominicana.
- Transnational Organized Crime and Money Laundering in the Dominican Republic. Final Report to the United Nations, Subdivisions of Crime Preventions and Criminal Justice in the Program: Transnational Organized Crime and Money Laundering. October 1995, Vienna, Austria.
- The Jurisdictional Application on drugs in the Dominican Republic. Sixth Regional Seminar on effective measures to combat drug crime and improve the administration of criminal justice, (ILANUD) March 1994, San Jose de Costa Rica.
- The preparatory instruction and the jurisdictional application on drugs. First Seminar Workshop to Update the Law No.50-88 on drugs and controlled substances in Dominican Republic. January 1993, Santo Domingo, D.N. Dominican Republic. Published in the Journal of Law and Political Sciences of the National University Pedro Henríquez Ureña. Year 2, No.1 August – December 1991.
- Legal Education in the Dominican Universities, together with the Lic. Víctor José Castellanos, Dra. Dora Eusebio y Lic. Américo Moreta Castillo. II Second Meeting of a Pro-Improvement of Justice. By a State of Right. Institutionalism and Justice Foundation, Inc. 30 September 1993, Santo Domingo. D. N.

Professional honors and awards

- Recognition Woman for the Cooperative of Savings and Credit Herrera Inc. In the area of justice and transparency, on the Occasion of the Celebration of International Women’s Day, 5 March 2011. Herrera, municipality, Santo Domingo West.
- Recognition of the foundations Cruz Jiminián, Solidarity against Crime, the Corruption and Impunity and others Institutions of the Sector Cristo Rey. September 2010.
- Recognition in the Gala “Successful Women Covered in Hope 2009”, 25 November 2009, Santo Domingo de Guzman, D.N.
- Elected Member to the “Supreme Silver Circle 2003.” By Jaycees “72”, Inc. 6 July 2004, Santo Domingo de Guzmán, D.N.
- Recognition Plaque of the Law School of the Dominican Republic, in December 2004 and the Sectional of the Province of Santo Domingo, 26 December 2009, Dominican Republic.

- “Medal in Merit to Women” in the Law and Justice Area, by the Constitutional President of the Republic, 8 March, 2003.
- Certificate of Recognition issued by the National Judicial School for dedication in the task of training members of the Judiciary during the year 2000. Seminars: Structuring of Sentences II and Judicial Ethics, 2000, Santo Domingo, D. N.
- Certificate of recognition issued by the National Judicial School for the work made at the school as part of the Teaching and Evaluation Committee 2000, Santo Domingo, D.N.
- Certificate of Recognition issued by the National Judicial School for the works as Trainer at the Seminar “Judicial Reasoning applied to the Proper Structuring of the Sentence. 1999, Santo Domingo, D.N.
- Certificate of Recognition issued by the National Judicial School for the work made as member of a teaching Committee. 1999, Santo Domingo, D.N.
- Certificate of Recognition issued by the Commissioner to Support the Reform and Modernization of Justice and the Attorney General of the Republic, by the Contribution to the Upgrade Program for Judges, Prosecutors and Auditors, 1999, Santo Domingo, D.N.
- Recognition Plate issued by the National Drug Council for the collaboration in the arduous fight against Drugs. 18 August 1993, Santo Domingo, Dominican Republic.
- “The Golden Guachupita”, 26 January, 1992 and 8 March, 2001. Santo Domingo, D.N. Dominican Republic.
- Certificates of Recognitions issued by the Evaluation and Professional Achievement Unit in the Pedro Henríquez Ureña University by the outstanding teaching evaluation during the semesters 2-91-92 and 1-92-93. 1992 and 1993, Santo Domingo, Dominican Republic.
- Elected "Outstanding Youth" for 1990 by Jaycees ‘72 Inc., 8 November, 1991, Santo Domingo, D.N.

Technical Studies

- Course Introduction to the Computer. Windows 95. Computer Science Institute, Inc. Santo Domingo, DN Dominican Republic 1996.
- Course in Language and French Civilization. University La Sorbonne, Paris I. Paris, France. 1980.
- Course in Office and Storage Techniques. Youth Christian Association. Santo Domingo, D.N. Dominican Republic. 1980.
- Course Translation of Legal Texts. French Alliance. Santo Domingo, D.N. Dominican Republic. 1979
- French Language Studies. French Alliance. Santo Domingo, D.N. Dominican Republic. 1979
- Typing Studies. Macoris Vocational Technical Institute. San Pedro de Macoris, Dominican Republic. 1974

* * *

13. Kam, Gberdao Gustave (Burkina Faso)

(Original: French)

Note verbale

The Permanent Mission of Burkina Faso to the United Nations presents its compliments to the Secretariat of the Assembly of the States Parties to the Rome Statute and has the honor to inform it that the Government of Burkina Faso has decided to nominate Judge Gberdao Gustave Kam as a candidate for the post of judge of the International Criminal Court (List A), at the election to be held from 12 to 21 December 2011 in New York, during the tenth session of the Assembly of States Parties to the Rome Statute.

The Government of Burkina Faso attaches great importance to the work of the International Criminal Court and appreciates the progressive contribution it is making against impunity.

The candidate of Burkina Faso is a judge with an exceptional level and has held senior positions in both the national judicial system and the international level.

On the national level, Judge Kam has been repeatedly Attorney in various high courts across the country and has also assumed the position as Technical Advisor and Director of the Department of Justice.

On the international level, he has actively participated as a delegate from Burkina Faso in several meetings that led to the creation of the International Criminal Court. Since 2003, he is judge of the International Criminal Tribunal for Rwanda (ICTR).

The Government of Burkina Faso strongly believes that Judge Kam's expertise and knowledge in both national and international field of criminal justice would greatly contribute to the work of the International Criminal Court.

The Permanent Mission of Burkina Faso has attached herewith an information note on the candidate.

* * *

Statement of qualifications

Detailed statement of qualifications of the candidate of the Government of Burkina Faso, Gberdao Gustave Kam, for the post of judge at the International Criminal Court, presented in accordance with article 36, paragraph 4 (a), of the Rome Statute and paragraph 6 of resolution ICC-ASP/3/Res.6 of the Assembly of States Parties on the procedure of nomination and election of judges to the International Criminal Court.

The Government of Burkina Faso has decided to nominate Judge Gberdao Gustave Kam for the position of judge of the International Criminal Court, the elections to be held from December 12 to 21, 2011 in New York during the tenth session of the Assembly of States Parties to the Rome Statute.

The nomination of Judge Kam is on List A because he fully meet the requirements for applicants with an "established competence in criminal law and procedure and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity" (paragraph 3 b) i) and paragraph 5 of article 36 of the Rome Statute).

The candidate of Burkina Faso is a judge with an exceptional level and has held senior positions in both the national judicial system and the international level. He performs, as a result, all the conditions of experience and seniority required to hold the highest judicial offices as required by the Rome Statute (article 36 paragraph 3 (a)).

As emphasized in his resume sent by note verbal No.11.286/PCS/ac of 16 June 2011 from the Permanent Mission, Judge Gberdao Gustave Kam holds a degree of judge obtained at the National School of Magistracy, International Section, in Paris, France and a Master of Laws from the University of Ouagadougou.

On the national level, Judge Kam has held several positions including member of the National Codification Commission for proofreading the Criminal Procedure Code and the Law governing the procedure applicable by the Criminal Bench, Advocate, Investigating Judge at Bobo-Dioulasso Court of First Instance, President of Tenkodogo (Regional) Court of First Instance, President of Bobo-Dioulasso and Koudougou (Regionals) High Court, and Principal State Prosecutor at the Ouagadougou Court of Appeal.

On the international level, Judge Kam was elected in 2003 by the General Assembly of the United Nations as an ad litem judge at the International Criminal Tribunal for Rwanda (ICTR) where he received assignment of several single or multiple accused cases. In the Trials work, his bench delivered its sentencing judgment on the following cases:

- *The Prosecutor v. Michel Bagaragaza*;
- *The Prosecutor v. Tharcisse Muvunyi*;
- *The Prosecutor v. Kalimanzira*;
- *The Prosecutor v. Simeon Nchamihigo*;
- *The Prosecutor v. GAA*;
- *The Prosecutor v. Andre Rwamakuba*;
- *The Prosecutor v. Seromba*.

In the case of *the Prosecutor v. Karemera and others*: This multi accused case was assigned to him in 2005, the decision must be made at the end of 2011.

Basically, Judge Kam is an activist of human rights and a fervent advocate of human rights, a founding member of associations working in the area of human rights in Burkina Faso.

Judge Kam is a citizen of Burkina Faso. He speaks French and English.

He holds the honors of “Chevalier de l’Ordre national” (Order of Distinction in Burkina Faso).

* * *

Personal data

Name	Gberdao Gustave KAM
Nationality	Burkina Faso
Date of birth	9 May 1958, Dolo (Bougouriba, Burkina Faso)

Profession	Judicial Officer (Judge), special class, step 4 Currently judge at the International Criminal Tribunal for Rwanda (ICTR).
-------------------	--

Decoration	Medal of Knight of the Burkina Faso National Order of Valour
-------------------	--

Education

July 1985	Diplôme de Magistrat (Law School Diploma), École nationale de magistrature (National School of Magistracy), Section internationale (International Department), Paris, France.
July 1983	Maîtrise en droit, option Droit privé, Université de Ouagadougou (École supérieure de Droit) (Masters in Law, University of Ouagadougou, Law School), Burkina Faso.
June 1978	Baccalauréat série B (GCE A' level) Lycée Ouezzin Coulibary de Bobo Dioulasso, Burkina Faso.

Other qualifications

- 1) Diplôme universitaire de communicateur en multimédia (création et maintenance de sites Internet, publication assistée sur ordinateur) (University Diploma in multimedia communication – creation and maintenance of websites, computer-aided publishing).
- 2) Participation in various internship programmes, seminars and workshops related to my profession as a judicial and legal officer.

Professional experience*International Criminal Tribunal for Rwanda*

- From March 2008 The President of the ICTR appointed me member of the Rules Committee of the Tribunal. The role of the said committee is to study the Rules in order to propose amendments thereto, where necessary, and to study all amendment proposals so as to give a reasoned opinion thereon to the President and to the Plenary Meeting of judges.
- 13 September 2004 The Secretary-General of the United Nations appointed me, for the first time, as ICTR Judge in the *Seromba* case, in accordance with article 12 *ter*, paragraph 2 of the Statute of the Tribunal.
- 25 June 2003 Elected by the United Nations General Assembly as ad litem judge of the International Criminal Tribunal for Rwanda. The list of *ad litem* judges was introduced by the Security Council (S/RES/1431 (2002) to enable the Tribunal to expedite its work.

Cases

- August 2009 *The Prosecutor v. Michel Bagaragaza*
Trial commenced in August 2009 and the Trial Chamber delivered its sentencing judgement on 17 November 2009.
- The Prosecutor v. Tharcisse Muvunyi*
Re-trial of the accused after an Appeals Chamber ruling. The Trial Chamber delivered its sentencing judgement on 11 February 2010.
- 30 April 2008 *The Prosecutor v. Callixte Kalimanzira*
The Secretary-General of the United Nations assigned me to this case. The trial started on 5 May 2008 and the Tribunal estimate that it should end during the first half of 2009.
- 8 November 2007 *The Prosecutor v. GAA*
The Secretary-General of the United Nations assigned me to this case of contempt of Court in which a protected witness is accused.
- 4 December 2007 The accused pleaded guilty to the offence of false testimony and the Trial Chamber delivered its sentencing judgement. To date, this is the only judgement of its kind delivered by the ICTR.
- 18 September 2006 *The Prosecutor v. Siméon Nchamihigo*
The Secretary-General of the United Nations assigned me to this case. The trial started on 25 September 2006.
- 24 September 2008 The Trial Chamber delivered its judgement convicting the Accused, including the sentence.
- 1 September 2005 *The Prosecutor v. Édouard Karemera, Mathieu Ndirumpatse and Joseph Nzirorera*
The Secretary-General of the United Nations assigned me to this case. It is ongoing, and every year, the Chamber renders about 100 decisions.
- 26 May 2005 *The Prosecutor v. André Rwamakuba*
The Secretary-General of the United Nations assigned me to this case which was the result of the severance of the Karemera et al. case. The trial started on 5 June 2006.
- 20 September 2006 The Trial Chamber delivered its judgement acquitting the Accused.
- 27 August 2004 *The Prosecutor v. Athanase Seromba*
The Secretary-General of the United Nations assigned me to this case. The trial started on 20 September 2004.
- 13 December 2006 The Trial Chamber delivered its judgement convicting the Accused, including the sentence.

Ministry of Justice, Burkina Faso

- July 2004 Technical Adviser to the Minister of Justice (alongside my duties as Coordinator of PADEG). My role was to assist the Minister in the study of all matters under his authority and to represent him whenever necessary.
- 2003 PADEG (Programme d'appui à la consolidation du processus démocratique, l'état de droit et la bonne gouvernance) (Programme for the Consolidation of the Democratic Process, the Rule of Law and Good Governance). PADEG National Coordinator, alongside other duties in the Ministry of Justice. In this capacity, I was in charge of the preparation and execution of the annual programme of activities and draft budget, the presentation of technical and financial reports to the programme's steering committee, the opening and management of the programme's State-controlled European Development Fund Account. I was also the Authorizing Officer (pursuant to Article 313 of the Lomé IV Convention) regarding the signing of various contracts (works, supplies/equipment) and protocols. Lastly, I was the Manager of local payments expenses. The program specifically aims at providing training in various aspects of the law to magistrates and other officers of the Court (Registrars, Police Officers, Attorneys, etc.), and to human rights organizations. To that end, we have published some textbooks and compendium on different legal issues: criminal procedure, criminal law, international criminal law, family law, etc.
- 2001-2003 Director of Studies and Planning.
In this capacity, I was in charge of:
- (i) Centralizing all data relating to the activities of the Ministry and to ongoing projects or projects to be carried out;
 - (ii) Following up and monitoring projects, whether or not such projects were included in development plans and programmes;
 - (iii) Carrying out studies necessary for galvanizing the Ministry, in particular the study and design of the Ministry's projects;
 - (iv) Organizing the award of public contracts that fell under the authority of the Ministry; this comprised the preparation of tender specifications and letters of intent to order;
 - (v) Following up relations with international institutions;
 - (vi) Following up the work of cooperation joint committees;
 - (vii) Preparing, implementing and following up the data processing programme of the Ministry;
 - (viii) Preparing and following up the Ministry's plan of activities;
 - (ix) Preparing and ensuring the implementation of annual and triennial investment programmes of the Ministry.
- 1998-2002 Director of Civil and Criminal Matters and of the Seal.
My duties consisted of:
- (i) Following up the activities of various courts regarding civil, commercial, criminal, social and administrative cases;
 - (ii) Monitoring the functioning of regional and district courts (tribunaux départementaux et d'arrondissement);
 - (iii) Ensuring the effective implementation of international conventions relating to private law, the service of processes, the transcription of marginal entries in civil status registers the study of naturalization applications.

- 1998-2003 Member of the Burkina Faso delegation to the preparatory meetings which preceded the creation of the International Criminal Court.
In this capacity, I participated in Rome and at the United Nations Headquarters (New York) in drafting the Statute of the International Criminal Court (1998), the Rules of Procedure and Evidence and in determining the Constituent Elements of Crimes. I also participated in drafting the Financial Rules and Regulations and the Financial Management Rules; the Agreement on Privileges and Immunities and the Agreement on the Relations between the Court and the United Nations Organization.
- 2001 Member of the Public Enterprises Privatization Commission. The mandate of this Commission whose members came from various professional backgrounds was to privatize some State corporations. I represented the Ministry of Justice in the Commission.
Member of the National Codification Commission for proofreading the Criminal Procedure Code and the Law governing the procedure applicable by the Criminal Bench.
In the Commission, I participated in proofreading the legal texts of the Ministry and gave my opinion on matters that did not directly fall under the Ministry.
- 1998-2000 Government Representative at the Military Tribunal of Ouagadougou.
In this capacity, I served as Prosecutor before the Military Tribunal and took or caused to be taken all measures necessary for the prosecution of violations of criminal law.
- 1996-1999 Principal State Prosecutor at the Ouagadougou Court of Appeal.
As Principal State Prosecutor before this Court, my duties consisted of ensuring the application of criminal law throughout the national territory, taking or causing to be taken all measures necessary for the prosecution of violations of criminal law and supervising the work of prosecutors appearing before Courts of First Instance.
- 1995-1996 President of the Koudougou High (Regional) Court
1992-1995 President of the Bobo Dioulasso High (Regional) Court.
In this capacity, I had to decide, at first instance, civil, commercial and criminal cases that fell within the jurisdiction of the High Court and were brought before the said Court. I also ordered protective and restitution measures, as and when necessary.
- 1988-1992 Lawyer, Cabinet Populaire d'assistance judiciaire Ouagadougou (a law practice in Ouagadougou), Burkina Faso. My work consisted of representing and assisting litigants, in particular state corporations and joint ventures, in Court.
- 1991-1992 Member of the Commission d'enquête indépendante sur les crimes d'assassinat de Oumarou Clément Ouedraogo, de tentative d'assassinat sur la personne de Moctar Tall (Commission on an independent inquest into the assassination of Oumarou Clément Ouedraogo and the attempted murder of Moctar Tall).
The Commission carried out all necessary investigations throughout the national territory in order to identify and apprehend the perpetrators and co-perpetrators of the crimes committed on Oumarou Clément Ouedraogo, former member of Government, as well as their accomplices.
- 1987-1988 President of the Tenkodogo Court of First Instance.

1985-1987 In this capacity, I decided, at first instance, civil, commercial and criminal cases that fall under the jurisdiction of the High Court and were brought before it. I also ordered protective or restitution measures, as and when necessary.
Investigating Judge at Bobo Dioulasso Court of First Instance.
In this capacity, it was my duty to carry out or cause to be carried out, in accordance with the law, all judicial investigations necessary for the unveiling of the truth.

Other areas of interest

1986 Member of the Mouvement burkinabè de lutte contre le racisme, l'apartheid et pour l'amitié entre les peuples (MOBRAP) (Burkina Faso Association for the fight against Racism and Apartheid and for Friendship amongst Peoples), an international humanitarian association in Burkina Faso

1989 Founding Member and Secretary-General of APED-Liberté: An association for the defence of democracy and freedom.

1992 Founding Member of la Ligue des Consommateurs du Burkina (LCB) (a Burkina Faso consumers association): The Ligue des Consommateurs du Burkina is an association for the defence of consumers' rights. The consumption of illicit, expired and poor quality products has become a public health issue in Burkina Faso.

Knowledge of languages

French	Spoken :	Very good
	Reading:	Very good
	Written :	Very good
English	Spoken :	Quite good
	Reading:	Good
	Written :	Good

14. Laynez Potisek, Javier (Mexico)

(Original: Spanish)

Note verbale

The Embassy of Mexico to the Kingdom of the Netherlands 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 the latter's note ICC-ASP/10/S/04 dated 07 February 2011, has the honor to inform the Secretariat that the Government of Mexico hereby nominates Dr. Javier Laynez Potisek as a candidate for election as a judge of the International Criminal Court at the elections to be held during the tenth session of the Assembly of States Parties in New York from 12 to 21 December 2011.

Dr. Laynez is being nominated by the Government of Mexico for inclusion in List A for the purposes of article 36, paragraph 5, of the Rome Statute, covering candidates with established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings.

For the purposes of article 36, paragraph 8(a) (i) to (iii), Dr. Laynez is a male candidate who will represent the civil/continental law system. He is nominated by a State from the Group of Latin American and Caribbean Countries. He is fluent in both French and English.

The statement prepared in accordance with article 36, paragraph 4(a), of the Rome Statute of the International Criminal Court and the curriculum vitae of Dr. Laynez are attached to this note.

The Embassy of Mexico to the Kingdom of the Netherlands avails itself of this opportunity to reiterate to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court the assurances of its highest consideration.

* * *

Statement of qualifications

The following statement is submitted in accordance with article 36, paragraph 4 (a), of the Rome Statute of the International Criminal Court and paragraph 6 of the resolution of the Assembly of States Parties on the procedure for the nomination and election of judges of the Court (ICC-ASP/3/Res.6).

Dr. Javier Laynez Potisek is exceptionally well qualified and completely fulfils the requirements set forth in article 36, paragraph 3, of the Rome Statute to sit as a judge of the International Criminal Court, having established competence and extensive experience in criminal law and proceedings.

Dr. Laynez has been a public servant involved directly with criminal law for over 25 years, during which he has been known for his unbreakable moral standards and legal interpretation skills, undoubtedly meeting the standards of high moral character, impartiality and integrity set forth in article 36, paragraph 3(a), of the Rome Statute.

He enjoys an excellent reputation among the highest elite in our national criminal system, including justices of the Supreme Court, prosecutors, attorneys and national and international legal experts and academics. His appointment to his current post was ratified unanimously by the Mexican Senate. As the Presidency's Deputy Legal Advisor during the last three administrations, including the political transition, he has earned respect as an impartial advisor who only holds his allegiance to the law itself. His merits and career have been acknowledged by the national and international community with various honour awards. He also possesses the qualifications required for appointment to the highest judicial offices in Mexico.

Dr. Laynez has established competence in criminal law and procedure, as required by article 36, paragraph 3(b) (i), of the Rome Statute. An acting lawyer, he also holds a masters and a doctorate degree from *l'Université de Paris*, graduating with honours. He enjoys a distinguished reputation in the academic community, as a lecturer in various prominent law schools in Mexico and author of several well-reviewed publications on

issues such as *habeas corpus*, the structure and functioning of judicial systems, strengthening the rule of law, and challenges of public governance.

The candidate has a solid, successful and extensive experience in criminal proceedings as required by the above-mentioned article 36, paragraph 3 (b)(i), of the Rome Statute.

As Deputy Attorney-General for Legal and International Affairs, he confirmed his expertise in both criminal and international law, leading several cases of utmost importance for Mexico and other States. To mention a few, in 2006 he advocated for the implementation of international treaties regarding criminal extraditions before the Mexican Supreme Court, and by obtaining a favorable ruling, he personally managed to accomplish the extradition to Mexico from the United States of Mr. Succar Kuri, later processed and convicted by a Mexican tribunal for child sexual abuse. In 2005, he accomplished the extradition of Mr. Thomas Frank White from Thailand, accused of the same charges. In 2006, he also overcame various legal obstacles and succeeded in turning in five members of the terrorist organization ETA to the Government of Spain. During such years, he was also directly involved in the trial of a former Mexican President's brother for diversion of public funds, which, after years of litigation, was resolved and resulted in the recovery of such funds. He also led the negotiation of various agreements on international assistance and cooperation for criminal matters (with China, Switzerland and Spain).

As the Presidency's Deputy Legal Advisor, he was also involved in drafting and negotiating various constitutional reforms in criminal law matters. In 2005, he directly participated in the drafting and negotiation of the constitutional recognition of the International Criminal Court's jurisdiction. In 2007, he coordinated the drafting of the constitutional amendment which adopted the accusatorial criminal system in Mexico and promoted its adoption by Congress, promoting in particular the inclusion of provisions on the protection of human rights of victims and defendants during the entire criminal proceeding. During his stay in such office, he directly participated in the litigation of the *Radilla Pacheco v. Mexico* case before the Inter-American Court of Human Rights.

Recently, he headed the legal design of the *Social Prosecutor Office for the Defense of Crime Victims*, a new entity for the protection of victims which gathers both private individuals and organizations as well as public entities in the board of governors. He also participated actively in the negotiations regarding the recent amendment to the Mexican Constitution regarding human rights.

As Attorney-General for Tax Issues, he successfully drafted and negotiated the Money Laundry Bill which regulates the compliance, by Mexico, of the recommendations of the Financial Action Task Force (FATF).

As for the requirements of article 36, paragraph 3(c), of the Rome Statute, Dr. Laynez has excellent domain of the French language and is also fluent in English. His native language is Spanish.

Letter from the Mexican National Group of the Permanent Court of Arbitration

Mexico D.F., 2 September 2011

We refer to the elections to be held in December 2011 during the tenth session of the Assembly of States Parties to the Rome Statute of the International Criminal Court in order to fill the Court's six judicial vacancies.

As members of the Mexican National Group of the Permanent Court of Arbitration, we have the pleasure to endorse the candidacy of Dr. Javier Laynez Potisek, who is of Mexican nationality, to fill one of the vacant posts of judge of the International Criminal Court.

Dr. Laynez Potisek has extensive experience and established competence in criminal law and procedure, and is of high moral character, impartiality and integrity, thus satisfying the requirements for candidates for election as judges of the Court.

This letter is submitted in accordance with the provisions of article 36 (4) (ii) of the Rome Statute of the International Criminal Court.

Dr. Alonso Gómez Robledo Verduzco, Member of the Mexican National Group of the Permanent Court of Arbitration;
 Ambassador Antonio de Icaza, Member of the Mexican National Group of the Permanent Court of Arbitration;
 Dr. Alberto Székely, Member of the Mexican National Group of the Permanent Court of Arbitration;
 Dr. Alejandro Sobarzo Loaiza, Member of the Mexican National Group of the Permanent Court of Arbitration.

Personal data

Date of birth 2 June 1959, in Torreón, Coahuila
 Civil status Single

Academic background

1987 – 1990 PHD. in Public Law
Université Paris XI Sceaux
 Honourable Mention.
 1987 – 1989 Master in Tax Administration
 Université Paris IX Dauphine.
 1985 – 1987 Master in Public Law
 Université Paris XI Sceaux.
 1985 – 1986 Postgraduate Diploma in Public Administration
 Institut international d'administration publique, Paris, France.
 1978 – 1981 Law Degree
 Universidad Regiomontana- Monterrey, Nuevo León, Mexico

Professional background

February 2008 – present Attorney-General for tax issues

- Office of the Attorney-General for Tax Issues
- Attorney of the Ministry of Finance.
- He lodges legal complaints before the Federal Prosecutor's Office for tax, financial and smuggling crimes, as well as those committed by public officials.
- He represents the Federal Government in constitutional lawsuits against laws and acts concerning tax policy before the Mexican Supreme Court of Justice. Leading responsible for the project for the creation of the Social Prosecutor Office for the Defense of Crime Victims.
- Recently, responsible for the preparation and negotiation of the legislative initiative for the prevention of money laundering and terrorism funding.
- Direct participant in the negotiations of the constitutional reform on human rights issues.

On two occasions

January 2007 – February 2008 Deputy Legal Advisor
 and December 1994 – April 2005

- Office of the Legal Advisor of the Presidency
- Reviewed and approved constitutional and legal initiatives, namely the constitutional reform regarding the implementation of the accusatorial system of criminal justice and the extension of the rights of victims and suspects.
- Reviewed and approved draft bills, presidential agreements and international treaties.
- Statement of legal criteria applicable to the Federal Public Administration as a whole.
- Attended legal consultations issued by the Office of the Presidency.
- Participated in the drafting of constitutional and legal reforms, particularly regarding the integral reform to the public security and justice systems, the creation of the Federal Counsel of the Judiciary and the implementation of constitutional procedures.
- Participated in the drafting and the negotiations of the constitutional reform for the recognition of the jurisdiction of the International Criminal Court.

- May 2005 – December 2006 Deputy Prosecutor General of legal and international affairs Office of the Attorney General
- Responsible for the actions concerning extradition and international legal assistance.
 - Litigated before the Mexican Supreme Court of Justice on the necessary criteria for the implementation and compliance of the international bilateral agreements on extradition which allowed the extradition of Succar Kuri to Mexico, as well as his processing and conviction for pederasty (sexual abuse of children) as well as sexual exploitation of children Mexico. These criteria allowed the delivery to Spain of five members of the terrorist group ETA.
 - Among other notable cases, he managed the extradition of Thomas Frank White from Thailand also charged with sexual child abuse.
 - He also advocated on behalf of the Mexican government on the trial of the brother of the former President, Raul Salinas de Gortari, obtaining a convicting sentence and negotiating the return of diverted resources from Switzerland and the United Kingdom.
 - Negotiated the Treaties of Mutual Legal Assistance with Spain, Switzerland and China, as well as the Extradition Treaty with China.
 - Approved draft statements of the Attorney General in constitutional procedures.
 - Presentation and follow-up of federal lawsuits lodged by the Office of the Attorney General representing the Federation.
 - President of the Committee of Professionalization; in charge of the police and ministerial carriers, where he focused his efforts in providing human rights education and training to police officers.
 - Participated in the preparation and negotiation of the constitutional and legal reform on drug dealing.

January 1992 – November 1994 Director of Regulation

- Ministry of Public Education
- Responsible for the legal review of all the acts and documents issued by the Ministry.
- Prepared and implemented the system for the decentralization of national basic education.
- Drafting member and participant in the negotiations of the constitutional reform of access to education and the issuing of the new General Law on Education.

March 1990 – December 1991 Director of legislation and regulation

- Ministry of Planning and Budget
- Legal review of expenditure budget decree.
- Preparation of draft laws, decrees and regulations in the jurisdiction of the Ministry.

February 1983 – May 1985 Tax attorney

- Office of the Attorney-General for Tax Issues
- Federal Government's legal representation in contentious proceedings before the Federal Tax Court.
- Legal representation in litigations before the Mexican Supreme Court of Justice.

Lectures

- | | |
|----------------------|---|
| At present | Professor of Administrative Law <ul style="list-style-type: none"> - Centro de Investigación y Docencia Económica (CIDE). |
| At present | Professor of the Masters Degree in Public Management <ul style="list-style-type: none"> - Centro de Investigación y Docencia Económica (CIDE). |
| 1994 – 1997,
1999 | Professor of Legal Structure of the Mexican State in the Masters Degree in Public Administration <ul style="list-style-type: none"> - Centro de Investigación y Docencia Económica (CIDE). |
| 1998 – 1999 | Professor of the Course in Administrative Law <ul style="list-style-type: none"> - Training Program of Tax Attorneys of the Internal Revenue Service (SAT). |
| 1990 – 1996 | Professor of Administrative and Tax Law El Colegio de México. |
| 1984 – 1985 | Professor of Income Tax Colegio Nacional para la Educación Profesional |
| 1981 – 1983 | Professor on Tax Law I (general part) and Tax LawII (tax litigation).
Universidad Regiomontana, Facultad de Contaduría. |

Others

Member of the Advisory Board of the Masters Degree in Tax Law
Instituto Tecnológico Autónomo de México (ITAM).

- Member of the Advisory Board of the Law Degree
- Centro de Investigación y Docencia Económicas (CIDE).
- Speaker in various fora, seminars, courses and conferences
- Universidad Nacional Autónoma de México (UNAM), Cámara de Diputados, Senado, Instituto Tecnológico Autónomo de México (ITAM), Internal Revenue Service (SAT), Federal District Department (DDF), Universidad Anáhuac.

Honours and awards

- Presea Isidoro Fabela al Mérito Público; granted by the “Federación Nacional de Abogados al Servicio de México”. July 1997.
- Condecoración de Honor, in silver, granted by the Government of the Republic of Austria. August 2005.
- He will receive the award of San Raymundo de Peña Fort, by the Kingdom of Spain. The authorization to receive the award was published on the Official Journal of the Federation of the Congress on January 24, 2011.

Publications

- Puntos Finos, “No utilizar el amparo como instrumento de planeación fiscal”, May 2009, Núm. 166, Vol. XXV.
- “Entre la reforma energética y el amparo fiscal”, Journal El Mundo del Abogado, N. 112, August 2008.
- “Equilibrio entre los Poderes Ejecutivo y Legislativo. Gobernabilidad: nuevos actores, nuevos desafíos”, IBERGOB-MEXICO, Ed. Porrúa, Vol. II, Mexico 2002.
- “La Suprema Corte de Justicia como Tribunal Constitucional: su impacto en la Administración Pública Federal”. Seminar: La Justicia Mexicana hacia el Siglo XXI. UNAM-Senado de la República, Mexico 1997.
- “La Justicia Constitucional en materia Político-Electoral”. Seminar Defensa y Protección de la Constitución. UNAM 1997.
- “La Consejería Jurídica del Ejecutivo Federal”. In the compilation Fortalecimiento del Estado de Derecho. FENASEM, Mexico 1996.
- “La Desincorporación de Entidades Paraestatales: ¿Un retorno al Estado mínimo?” Memory of the international seminar Redimensionamiento del Estado. INAP 1987.

Language French (100%), English (85%)

15. Mindua, Antoine Kesia-Mbe (Democratic Republic of the Congo)

(Original: French)

Note verbale

The Ministry of Foreign Affairs of the Democratic Republic of the Congo presents its compliments to the Field Office of the International Criminal Court in Kinshasa, and has the honour to kindly request it to submit to the seat of the International Criminal Court in The Hague the nomination by the Congolese government of His Excellency Judge Antoine Kesia-Mbe Mindua, Dr., with a view to the election of six judges of the International Criminal Court which will take place during the tenth session of the Assembly of States Parties to be held at the United Nations Headquarters in New York, United States, from 12 to 21 December 2011.

The following documents are appended hereto in French and in English by the Ministry of Foreign Affairs:

- Curriculum vitae,
- Statement of qualifications,
- Cover letter of Dr. Antoine Kesia-Mbe Mindua, nominated for a post of judge at the Court.

* * *

Statement of qualifications

Statement submitted pursuant to article 36 (4) (a), of the Rome Statute of the International Criminal Court and paragraph 6 of the resolution of the Assembly of States Parties on the procedure for the nomination and election of judges at the International Criminal Court (ICC-ASP/3/Res.6).

The Government of the Democratic Republic of the Congo has decided to nominate His Excellency Dr. Antoine Kesia-Mbe Mindua, who is currently a judge at the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague, for a post of judge at the International Criminal Court with a view to the elections which will take place during the tenth session of the Assembly of States Parties to be held in New York from 12 to 21 December 2011 (article 36 (4) (a) (i)).

Judge Mindua is a person of high moral character, impartiality and integrity who possesses the qualifications required in the Democratic Republic of the Congo for appointment to the highest judicial offices.

Although he meets the conditions required to be included in Lists A and B, Judge Mindua is nominated for inclusion in List A, which contains the names of candidates with “established competence in criminal law and procedure, and the necessary relevant experience, whether as a judge, prosecutor, advocate or in other similar capacity, in criminal proceedings” (article 36 (3) (b) (i) and article 36 (5), of the Rome Statute).

As stated in his curriculum vitae, which is appended hereto, in addition to his internationally recognized law studies and academic qualifications, Judge Mindua has experience of both national and international criminal proceedings (article 36 (3) (b) (i)).

Judge Mindua is amongst the most distinguished legal experts of the Democratic Republic of the Congo and a qualified jurist in the civil law system. He has dedicated himself to criminal law and procedure for many years.

Thus, he has a Master’s degree in Private and Criminal Law, which involves a very thorough study of criminal law and procedure. Moreover, he still continues to carry out research and to be published in this area. In addition to Public International Law, he is a professor and lectures on International Criminal Law at the Geneva School of Diplomacy and International Relations of the University Institute in Geneva.

Judge Mindua had ample time to extend his knowledge of military law and procedure in practice whilst he was a trainee Military Magistrate at the Court-Martial of the Garrison of Kinshasa-Gombe in the Democratic Republic of the Congo.

Judge Mindua has demonstrated experience in criminal law and procedure at the international level. For close to five years he was a legal officer in the Chambers and in the Registry of the International Criminal Tribunal for Rwanda (ICTR) in Arusha, Tanzania. His work at the ICTY in The Hague for just over five years in complicated trials clearly shows that Judge Mindua is a great practitioner in the area of international criminal trials on a variety of crimes.

Judge Mindua also has expertise on the issue of violence against women and children (article 36 (8) (b)). Having worked extensively on the crimes committed in Rwanda and in the former Yugoslavia, he has judicial experience of those issues. He also has particular and recognized knowledge of this type of violence owing to, inter alia, his mandate as Vice-Chairman of the Executive Committee of the United Nations High Commissioner for Refugees in Geneva in 2005 and 2006. And in his capacity as Permanent Representative of the Democratic Republic of the Congo and Head of the governmental delegation to the United Nations Human Rights Commission/Council in Geneva, Ambassador Mindua has initiated and/or keenly supported a large number of resolutions condemning violence against children (abductions, forced labour, rape, enlisting in armed forces, etc.).

Judge Mindua is a fervent advocate of the rule of law and of safeguarding human rights.

It should also be noted that Judge Mindua has established competence and broad experience of international law, international humanitarian law and the law of human rights (article 36 (5)). He has a doctorate in law and is an expert in above areas. He has lectured in these subjects at universities in the Democratic Republic of the Congo, in Switzerland and in France.

Judge Mindua is a highly qualified and distinguished diplomat who, during his mandate as Ambassador Extraordinary and Plenipotentiary and Permanent Representative of his country to the United Nations in Geneva has, on many occasions, been the head of his governmental delegation to the United Nations Human Rights Commission/Council, thereby initiating and defending several important resolutions considered as true advancements for human rights.

In sum, Judge Mindua has “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)).

Judge Mindua holds many titles and academic distinctions.

In addition to other languages, Judge Mindua is fluent in French and English, the two working languages of the Court.

Judge Mindua, a male, is a national of the Democratic Republic of the Congo (Group of African States) and does not possess the nationality of any other State.

* * *

Statement submitted to support the nomination of Dr. Antoine Kesia-Mbe Mindua as judge of the International Criminal Court

My country, the Democratic Republic of the Congo, has suffered recently from the throes of the war and it is still experiencing, especially in the eastern provinces, serious breaches of international humanitarian law and human rights, particularly against women. Our people are now convinced that impunity is one of the reasons for these repetitive violations. Recognizing the importance of the international criminal justice system, especially for Africa, my country was the sixtieth to ratify the Rome Statute of the International Criminal Court (“the Court”), allowing the latter to enter into force. My Government has agreed to transfer to the Court’s Detention Unit at The Hague its nationals indicted by the Prosecutor; and they constitute today the majority of the Court’s detainees. Moreover, my country collaborates very closely with the International Criminal Tribunal for Rwanda (ICTR) on the arrest of the accused and suspects. However, my country has never had the honour of having one of its nationals elected judge of the Court.

Personally, I am a believer and fervent defender of the Rule of Law. I am committed to the ideals of human rights. That is why I have always been a human rights activist both at a national as well as at an international level. My university background and my career certainly demonstrate this. As a former Legal Officer of the ICTR in Arusha, I personally took part in the work of international justice in Rwanda. Today, I also contribute to the work of justice and reconciliation in the former Yugoslavia in my capacity as judge of the International Criminal Tribunal for the former Yugoslavia (ICTY).

The Government of the Democratic Republic of the Congo has always encouraged my personal commitment as well as my international judicial activities. My profound conviction is that the law, particularly international humanitarian law, must be used to protect the most vulnerable, and that its judicial implementation is crucial to put an end to the vicious circle of violence, through the end of impunity.

As a professional of criminal courts of law in my country and within the United Nations system, and in accordance with my personal convictions, being a judge of the Court would be the logical outcome of my struggle in the service of the weak. If I am elected judge, I will greatly contribute to the work of this high jurisdiction whose challenges I know very well, such as the slowness of the proceedings with the consequences of excessive expenses, as well as its current disrepute in some public opinion. My practical experience in the judiciary, military and diplomacy as well as my academic background have prepared me for this post. Actually, it is essential that the international (criminal and humanitarian) law be implemented in a diligent and responsible manner. Peace and development depend on this.

Done at The Hague, 11 May 2011
Dr. Antoine Kesia-Mbe Mindua

Personal data

Name	Dr. Antoine Kesia-Mbe Mindua
Date of birth	31 December 1956 (Mushie, Democratic Republic of the Congo).
Nationality	Congolese from the Democratic Republic of the Congo
Marital status	Married

University education and qualifications

1992-1995	Doctorate (PhD) in Public International Law (Geneva, Switzerland). Title of doctoral thesis: "International Organisations, Armed Interventions and Human Rights".
1996	Prize for the best thesis of the University of Geneva for.
1990-1992	Diplôme d'Etudes Supérieures (Advanced University degree obtained after Master's degree) in Public International Law, Geneva, Switzerland.
1989-1990	Diploma in International Law and Comparative Human Rights Law, Strasbourg, France.
1988-1990	Diplôme d'Etudes Approfondies (Advanced University degree obtained after Master's degree) in European Community Law, Nancy, France.
1988-1990	Diplôme d'Etudes Supérieures (Advanced University degree obtained after Master's degree) in European Politics and Law, Nancy, France.
1976-1982	Graduat et Maîtrise (Bachelor's and Master's degrees) in Law, Private and Criminal Law, Kinshasa, Democratic Republic of the Congo.

Professional experience

Judicial and legal experience

2006-present	Judge at the International Criminal Tribunal for the former Yugoslavia (ICTY), The Hague, The Netherlands.
--------------	--

1997-2001	Legal Officer and Chief of the Judicial Proceedings Support Unit of the International Criminal Tribunal for Rwanda (ICTR) and International Civil Servant of the United Nations, Arusha, Tanzania.
1985-1988	Assistant Representative and Legal Adviser to the Vice-Prime Minister and Minister of Citizens Rights and Freedoms, in Kinshasa, Democratic Republic of the Congo.
1983-1985	Legal Officer to the Police Headquarters (Garde Civile) and Assistant Legal Adviser at the Office of the President of the Republic, in Kinshasa, Democratic Republic of the Congo.
1981-1982	Trainee Military Magistrate, Assistant Military Prosecutor at the Court-Martial of the Garrison of Kinshasa-Gombe, Democratic Republic of the Congo.

Diplomatic experience as Ambassador Extraordinary and Plenipotentiary (2001-2006)

- Ambassador Extraordinary and Plenipotentiary of the Democratic Republic of the Congo to the Swiss Confederation in Bern, Switzerland.
- Ambassador Extraordinary and Plenipotentiary, Permanent Representative of the Democratic Republic of the Congo to the United Nations Office and other International Organizations in Geneva, Switzerland and in Vienna, Austria.
- Governor of the Common Fund for Commodities (CFC) for the Democratic Republic of the Congo in Amsterdam, The Netherlands.

Experience in teaching and scientific research

2009- present	Invited Lecturer at the International Institute for Human Rights of the University of Strasbourg, France.
2004- present	Professor of Public International Law and International Criminal Law at the “Geneva School of Diplomacy and International Relations, University Institute”, Geneva, Switzerland.
1999- 2006	Visiting Lecturer at the University of Geneva (Programme plurifacultaire ACTION HUMANITAIRE) for Public International Law, and International Humanitarian Law, in Geneva, Switzerland.
1995- 1996	Researcher at the Faculty of Law, University of Geneva, Switzerland.
1982- 1988	Professor for Civil and Commercial Law at the Kinshasa-Gombe University School of Commerce, in Kinshasa, Democratic Republic of the Congo.
1982-1983	Instructor for Human Rights and Freedoms courses at the Police (Garde Civile) Training Centre, Kinshasa-Maluku, Democratic Republic of the Congo.

Some multilateral positions occupied

2005-2006	Vice-Chairman of the Executive Committee of the United Nations High Commissioner for Refugees (HCR), Geneva, Switzerland.
1 January- 31 December 2005	Chairman (Ambassadorial level) of the Group of 77 and China (G77 + China), the then group of 132 States members of the Non- Aligned Movement, in Geneva, Switzerland.
1 October 2004 - 31 January 2005	Coordinator (Ambassadorial level) of the Group of 21 (G-21), a group of 21 developing countries, at the United Nations Conference on Disarmament, Geneva, Switzerland.

Professional expertise and skills

Academic and scientific skills

I have been teaching Law at the Kinshasa-Gombe University School of Commerce for several years and I was a Researcher at the University of Geneva, where I later taught International Law and Humanitarian Law. At present, I am still an invited Lecturer at the International Institute of Human Rights of Strasbourg as well as a Professor at the Geneva School of Diplomacy and International Relations, University Institute in Geneva.

My fields of research are: Public International Law, International Criminal Law, International Humanitarian Law, Human Rights, International Organizations, Use of armed force, Cooperation Europe-Developing countries, Child Rights, Gender, etc.

Judicial, legal and administrative expertise

As a Trainee Military Magistrate to the Court-Martial in Kinshasa, I worked as a military Prosecutor and as a single Judge. I have been also a Legal Officer at the International Criminal Tribunal for Rwanda (ICTR) where I worked for the Chambers and for the Registry. I was responsible for, inter alia, the management of trials, hearings and appeals. Currently, I am a Trial Judge at the International Criminal Tribunal for the former Yugoslavia (ICTY). I have participated in many trials, including the most complicated one in the history of the Tribunal. I have mastered the organization and the functioning of international justice very well.

I worked as a Legal Adviser to the Vice-Prime Minister and Human Rights Minister in Kinshasa. I have studied administrative science and law. I was thus able to occupy and to easily discharge various administrative and management functions, such as Head of diplomatic Mission in Bern and Geneva for two successive terms.

I have good knowledge of personnel matters within the United Nations system. I attended workshops on that. At the United Nations, in my capacity of Officer-in-charge of "Court Management Section", I dealt with administrative issues and with management matters as well.

Diplomatic skills and international expertise

Thanks to my several internships within the United Nations, I have acquired early a perfect knowledge of the mechanisms of the multilateral diplomacy and of the United Nations system itself. Naturally, I master all human rights issues. For years, I have been Head of my governmental delegation to the United Nations Human Rights Commission/Council. And I am of course familiar with international conferences.

In my capacity as Legal Officer to the Arusha Tribunal, I often travelled to foreign countries to represent this high international jurisdiction. My assignments consisted in serving judicial documents (warrants of arrest, order for transfers and other orders) on Governments (Ministers of Foreign Affairs, Ministers of Justice, Attorneys General, Principal Prosecutors, Supreme Police Commanding Officers), negotiating with States the transfer of the persons accused or suspected by the Tribunal, and bringing personally the detainees, on the special aircraft put at my disposal by the United Nations, to the seat of the Tribunal in Arusha, Tanzania. I am familiar with matters related to headquarters agreements, in particular between the United Nations Tribunal and the host Government of Tanzania. Of course, I have acquired a great deal of experience in drafting correspondence related to such matters.

In my capacity as former Ambassador Extraordinary and Plenipotentiary of my country to the Swiss Confederation in Bern, I engaged in bilateral diplomacy on a daily basis. My other previous functions as Head of diplomatic Mission and Permanent Representative to the United Nations Office and other International Organizations in Geneva and in Vienna have made me more than familiar with multilateral diplomacy. My proven skills as a leader and a consensual negotiator led my fellow Ambassadors to elect me successively as Coordinator of the Group of 21 developing countries (G-21) at the United Nations Conference on Disarmament in Geneva, Chairman of the Group of 77 and China (Group of 132 Non-Aligned States) in Geneva and finally, Vice-Chairman of the Executive Committee of the Program of the United Nations High Commissioner for Refugees. During my tenure as Head of diplomatic Mission, and as leader of regional groups or international conferences, I had the opportunity to demonstrate my commitment to multilateral diplomacy, which allows people to meet and to cooperate fruitfully. I firmly believe in the richness of cultural diversity.

Proven drafting skills

My legal and political analyses, my correspondence as well as the reports I write in both French and English show a very high standard of my drafting skills. Presently, as a Judge at the International Criminal Tribunal for the former Yugoslavia, I draft various

opinions, decisions and judgements. Yet, at the International Criminal Tribunal for Rwanda, I participated in the drafting of decisions and judgements as well. Finally, in my capacity as Head of diplomatic Missions, my drafting skills were proven on a daily basis and were of paramount importance in both Bern and Geneva as well as at several other international fora.

Some international meetings

12-16 April 2006	Head of the Democratic Republic of the Congo governmental delegation to the African Union Ministers of Trade Conference, Nairobi, Kenya.
13-18 December 2005	Deputy Head of the Democratic Republic of the Congo governmental delegation to the Sixth Ministerial Conference of the World Trade Organization, Hong Kong, China.
21-23 November 2005	Head of the Democratic Republic of the Congo governmental delegation to the Ministerial Conference of the Trade Ministers of the African Union on commodities, Arusha, Tanzania.
14 March-22 April 2005	Head of the Democratic Republic of the Congo governmental delegation to the 61 st Session of the United Nations Commission of Human Rights, Geneva, Switzerland.
18-22 January 2005	Head of the Democratic Republic of the Congo governmental delegation to the World Conference on Disaster Prevention, Kobe, Japan.
29 November	Deputy Head of the Democratic Republic of the Congo governmental 3 December 2004 delegation to the World Summit on a Mine Free World, Nairobi, Kenya.
9-13 July 2004	Head of the Democratic Republic of the Congo governmental delegation to the Conference of the African, Caribbean and Caribbean Group of States (ACP) and G-90 Trade Ministers, Grand Baie, Mauritius.
13-18 June 2004	Deputy Head of the Democratic Republic of the Congo governmental delegation to the eleventh UNCTAD Ministerial Conference of the United Nations Conference on Trade and Development, São Paulo, Brazil.
15-23 April 2004	Head of the Democratic Republic of the Congo governmental delegation to the 60 th Session of the United Nations Commission of Human Rights, Geneva, Switzerland.
10-14 September 2003	Deputy Head of the Democratic Republic of the Congo governmental delegation to the Fifth Ministerial Conference of the World Trade Organization (WTO), Cancun, Mexico.
17 March	Head of the Democratic Republic of the Congo governmental 25 April 2003 delegation: to the Fifty-ninth Session of the United Nations Commission on Human Rights, Geneva, Switzerland.
4-5 November 2002	Head of the Democratic Republic of the Congo governmental delegation to the Ministerial Meeting on the Kimberley Process Certification Scheme for Rough Diamonds, Interlaken, Switzerland.
23 September-1 October 2002	Head of the Democratic Republic of the Congo Government delegation to the Thirty-seventh Series of the Assemblies of the Member States of World Intellectual Property Organization (WIPO), Geneva, Switzerland
16-20 September 2002	Head of the Democratic Republic of the Congo governmental delegation to the Fourth Meeting of States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, Geneva, Switzerland.
5-7 August 2002	Head of the Democratic Republic of the Congo governmental delegation to the Common Market for Eastern and Southern Africa (COMESA) / Southern African Development Community (SADC) Regional Workshop for Trade negotiators on the Doha Development Agenda, Nairobi, Kenya.

- 30-31 May 2002 Head of the Democratic Republic of the Congo governmental delegation to the Joint Seminar AIF (Agence Internationale de la Francophonie), COMSEC (Commonwealth Secretariat) and ACP (African, Caribbean and Pacific Countries Secretariat) on “the Multilateral Aspects of the Cotonou Partnership Agreement”, Brussels, Belgium.
- 28-29 May 2002 Head of the Democratic Republic of the Congo governmental delegation to the Seminar on the Work Program of Doha and priorities for the French-speaking World (Francophonie), Paris, France.
- 13-17 May 2002 Head of the Democratic Republic of the Congo governmental delegation to the International Conference on the migration policies in Eastern Africa, the Horn of Africa and the Great Lakes Region, organized by the International Migration Policy Program (IMP) with the assistance of the UNFPA, UNITAR, IOM and ILO, Nairobi, Kenya.
- 29 April- 2 May 2002 Head of the Democratic Republic of the Congo governmental delegation to the UNCTAD, Trade and Development Board, Nineteenth Special Session at UNCC-ESCAP, Bangkok, Thailand.
- 18 March-26 April 2002 Head of the Democratic Republic of the Congo governmental delegation to the Fifty-eighth Session of the United Nations Commission on Human Rights, Geneva, Switzerland.

Participation in seminars, workshops and colloquiums

- 3 May 2002 Participated in the Inaugural Seminar of the International Institute for Trade and Development on “the International Economic Agenda and Coherence of Finance, Trade, Investment, Technology and Development” at the Chulalongkorn University, Bangkok, Thailand.
- 19-22 October 1998 Participated in the workshop organized by the United Nations Department of Management, New York, Office of Human Resources Management, on “Job classification”, Arusha, Tanzania
- 21-25 September 1998 Participated in the workshop organized by the United Nations Department of Management from New York, Office of Human Resources Management, on “ Job description”, Arusha, Tanzania.
- 1-9 June 1998 Attended the Fifth Plenary Session of the Judges of the ICTR, including those of the Appeals Chamber. During this plenary session, amendments to the principal legal texts regarding the organization, the functioning and the procedure of the Tribunal were discussed and adopted.
- 20-22 October 1997 Participated in a seminar on International Humanitarian Law organized by the International Committee of the Red Cross (ICRC) for Judges and Legal Officers of the ICTR, Arusha, Tanzania.
- 1-5 June 1997 Attended the Fourth Plenary Session of the Trial and Appeal Judges of the ICTR, Arusha, Tanzania. During this plenary session, amendments to the principal legal texts on the organization, the functioning as well as the procedure of the Tribunal were discussed and adopted;
- 1995-1996 Internship at the United Nations Centre for Human Rights, Geneva, Switzerland.
- October 1995 Participated in a Colloquium organized by the Law Faculty of the University of Geneva on “The United Nations and the International Humanitarian Law” on the occasion of the 50th anniversary of the United Nations, Geneva, Switzerland.

- August-October 1989 Internship in the field of human rights at the International Labour Organization (ILO), at the Centre for Human Rights of the United Nations and at the United Nations High Commission for Refugees, Geneva, Switzerland.
- August 1989 Internship at the International Committee of the Red Cross (ICRC) in the field of International Humanitarian Law and of Human Rights, Geneva, Switzerland.

Other training received

- September 1996 Advanced learning of English language at Anglo World Centre, Oxford, United Kingdom.
- February-October 1982 Military special training (Brevet B Commando) at the Commando Training Centre (Centre d'Entraînement Commando) of Kota-Koli, Democratic Republic of the Congo.
- October 1975-July 1976 Ecclesiastical training at the Regional Major Seminary Saint Robert Bellarmine (Jesuit Fathers). Studies in Philosophy and Religion, Mayidi, Democratic Republic of the Congo.

Academic distinctions and awards

Academic distinctions

- 1996 Bellot Prize, Geneva: Medal, certificate and cash award for the best doctorate thesis of the University of Geneva in 1996, Geneva, Switzerland.
- 1993 Certificate of the Friends of Saint-Justin, 1993, Geneva, Switzerland.

Awards received

- Award of Ernest and Lucie SCHMIDEINY Foundation, Geneva, Switzerland.
- Fellowship of the "Oeuvre Saint-Justin" of Fribourg, 1990-1994, Fribourg, Switzerland.
- Hans WILSDORF (Rolex Watches)'s Grant, 1992, Geneva, Switzerland.

Research

Academic work

- "Death penalty in Zairian Criminal Law", Bachelor's degree paper, Kinshasa, 1979.
- "Parental authority in Zairian Civil and Customary Law", Master's degree thesis, Kinshasa, 1982.
- "Human Rights in the relationship between the European Economic Community (ECC) and the African, Caribbean and Pacific Countries (ACP)", Advanced University degree thesis, Nancy, 1990.
- "Armed Interventions in Iraq, Somalia and Liberia", Advanced University degree thesis, Geneva, 1992.
- "International Organisations, Armed Interventions and Human Rights", Doctorate thesis, Geneva, 1995.

Selected publications

- "The African Charter of Human and People's Rights face to the Pluralist Democracy", La Voix des Sans Voix, Le Trimestriel des Droits de l'Homme, avril-juin 1991, No.1, Vol.1, pp.101-112, Paris.
- "De la légalité de la "zone de sécurité française" au Rwanda", Afrique 2000, Revue Africaine de politique internationale, Trimestriel, No. 18, juillet-août-septembre 1994, pp.19-26, Bruxelles.
- "L'ONU face aux coups d'Etat militaires et aux Gouvernements non-démocratiques", R.A.D.I.C, Tome 6, No.2, pp.209-234, London.
- "Intervention armée de la C.E.D.E.A.O. au Liberia ; illégalité ou avancée juridique ?" R.A.D.I.C., juin 1995, Tome 7, No.2, pp.257-283, London.
- "Index analytique", in Les Nations Unies et le Droit international humanitaire, édité par Luigi Condorelli, Anne-Marie La Rosa et Sylvie Scherrer, Faculté de Droit, Geneva, 1995.

- “Normes péremptoires du Droit international et Etat de droit en Afrique”, R.A.D.I.C., Tome 10, No.2, 1998, pp. 216-243, London.
- Tribunal Pénal International pour le Rwanda, Recueil des Ordonnances, Décisions et Arrêts, 1995-1997, édité par Eric David, Pierre Klein et Anne-Marie La Rosa avec la collaboration de Jean-Pelé Fomete et Antoine Kesia-Mbe Mindua et l’assistance de Catherine Denis et Véronique Parque, sous les auspices du Centre de droit international de l’Université libre de Bruxelles, Bruylant, Bruxelles, 2000.
- “The Immunity of Heads of State and Government in International Criminal Law”, Protecting Humanity, Essays in International Law and Policy in Honour of Navenethem Pillay, Edited by Chile Eboe-Osuji, Martinus Nijhoff Publishers, Leiden, Boston, 2010, pp. 729-748.

Organizational affiliations and membership

1981-1982	Representative (Commissaire) of the Union of the Students of the University of Kinshasa; elected out of 9000 members of the Assembly, Kinshasa.
1990-1993	President of the Inter-religious Association (Christians, Muslims, Jews, Buddhists, etc.) of Saint-Justin, Geneva.
1990-2002	Member of the International Committee for the Respect and the Application of the African Charter of Human and Peoples’ Rights (ICRAC), Paris and Geneva.
1994-1998	Member of the African Society of International and Comparative Law (ASICL), London.
1995 – present	Life Member of the Academic Society of Geneva (Société Académique de Genève), Geneva.
1997- present	Member and prominent citizen of the Association of Congolese of Arusha, Arusha.
2010- present	Member of the General Assembly of the International Institute of Human Rights of Strasbourg, Strasbourg.

Knowledge of languages

Modern languages written and spoken

	French, English, Lingala, Kikongo, Kinunu, Kiswahili.
Dead language:	Latin

16. Morrison, Howard (United Kingdom)

(Original: English)

Note verbale

Her Britannic Majesty's Embassy presents its compliments to the Secretariat of the Assembly of States Parties and with reference to the latter's note ICC-ASP/10/S/04 dated 07 February 2011, has the honour to inform the Secretariat that the Government of the United Kingdom of Great Britain and Northern Ireland nominates Judge Howard Morrison QC as a candidate for election as a judge of the International Criminal Court at the elections to be held during the tenth session of the Assembly in New York from 12 to 21 December 2011.

Judge Morrison QC is nominated for election under the terms of article 36, paragraph 4(a) (i), of the Rome Statute of the International Criminal Court, i.e. by the procedure provided for the nomination of candidates for appointment to the highest judicial offices in England, Wales and Northern Ireland. The United Kingdom used a transparent process for selection, involving advertisements and a selection panel of senior members and representatives of the judiciary of England and Wales, the Northern Ireland Department of Justice, the Scottish Government, the Ministry of Justice and the Foreign and Commonwealth Office.

Judge Morrison QC is being nominated for inclusion in list A, covering candidates with established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings.

For the purposes of article 36, paragraph 8 (a) (i) to (iii), Judge Morrison QC is a male candidate who will represent the Common Law system and the Western Europe and Other Regional Group. He is a native English speaker.

The statement prepared in accordance with article 36, paragraph 4 (a), of the Rome Statute of the International Criminal Court and the curriculum vitae of Judge Morrison QC are attached to this note.

* * *

Statement of qualifications

Statement submitted in accordance with article 36, paragraph 4 (a), of the Rome Statute of the International Criminal Court and paragraph 6 of the resolution of the Assembly of States Parties on the procedure for the nomination and election of judges of the Court (ICC-ASP/3/Res.6).

Judge Morrison is exceptionally well qualified to sit as a judge of the International Criminal Court, having extensive judicial experience and expertise in the field of international criminal justice. As a highly respected judge at the International Criminal Tribunal for the former Yugoslavia, he is currently assigned to the trial of Radovan Karadzic. Prior to this, he represented defendants in a number of high profile cases before the United Nations Tribunals for the former Yugoslavia and Rwanda; these included the Celebici appeal, and the Dragan Nikolic and Justin Mugenzi cases. Judge Morrison was also a founding member of the original Defence Counsel Association at the Yugoslavia tribunal and an active participant in the Rules Committee. His broad first-hand experience, in-depth knowledge of international criminal law issues and proven ability to work effectively with colleagues from both civil and common law jurisdictions are all highly relevant to the work of the International Criminal Court.

Judge Morrison has 21 years of extensive judicial experience in across a range of jurisdictions, both at the national and international level.

Judge Morrison is an internationally recognised expert on international criminal, humanitarian and human rights law, and has spoken and lectured at many universities and conferences around the world, including in Australia, Croatia, Dubai, Egypt, Germany, Italy, Jordan, the Netherlands and the United States. He holds a number of visiting lectureships and has written on issues of international criminal law. He has a longstanding

connection with the International Criminal Court, having attended Preparatory Commissions on the Rome Statute on behalf the International Defence Attorneys Association. He has also worked extensively in the Middle East on international law issues.

* * *

Personal data

Name	Judge Howard Morrison, Q.C.
Date of birth	20 July 1949
Academic qualifications	LL.B London University, Inns of Court School of Law
Called to the Bar	Gray's Inn 1977
Master of the Bench	2008
Nationality	British

Current position

Judge of the United Nations International Criminal Tribunal for the former Yugoslavia

Former positions

- Resident Magistrate and latterly Chief Magistrate of Fiji and concurrently Senior Magistrate of Tuvalu exercising similar jurisdiction to a United Kingdom Circuit Judge and coroner.
- Ad hoc Attorney General for Anguilla.
- Member of Race Relations and Equal Opportunities Committees of the Bar Council.
- Assistant Recorder in crime, civil and family jurisdictions.
- Advocacy teacher/trainer for Gray's Inn.
- Recorder in crime, civil and family jurisdictions.
- Defence counsel at the United Nations International Criminal Tribunals for the former Yugoslavia and for Rwanda.
- Circuit Judge, crime and civil.
- Senior Judge of the Sovereign Base Areas of Cyprus.
- Master of the Bench, Gray's Inn.
- Judge of the Special Tribunal for the Lebanon.

Career history

2009 - present	Appointed Judge of the United Nations International Criminal Tribunal for the former Yugoslavia. Appointed inter alia as trial judge to the trial of Radovan Karadzic concerning counts alleging genocide, crimes against humanity, and violations of the laws or customs of war.
2009	Appointed judge of the Special Tribunal for the Lebanon by United Nations Secretary General.
2008	Appointed Senior Judge of the Sovereign Base Areas of Cyprus. Elected Master of the Bench, Gray's Inn.
2007	CBE for services to international law.
2004	Appointed Circuit Judge, crime and civil, holding all circuit judge criminal judge authorizations, including class 1 cases.
2001	Appointed Queen's Counsel.
1998 - 2004	Appointed defence counsel at the United Nations International Criminal Tribunals for the former Yugoslavia and for Rwanda. Defended in a number of high profile cases involving allegations of crimes against humanity, war crimes and genocide.
1998	Appointed Recorder in crime, civil and family jurisdictions.
1993 - present	Advocacy teacher/trainer for Grays Inn.
1993	Appointed Assistant Recorder in crime, civil and family jurisdictions.
1990 -1998	Member of Race Relations and Equal Opportunities Committees of the Bar Council.
1988	Ad hoc Attorney-General for Anguilla, with special responsibility for enactment of anti-drugs legislation. Called to Bar of the Eastern Caribbean Supreme Court.

- 1986 -1988 Resident Magistrate and latterly Chief Magistrate of Fiji and concurrently Senior Magistrate of Tuvalu, exercising similar jurisdiction to United Kingdom Circuit Judge and coroner. Called to the Fijian Bar. Awarded OBE for services to the Fijian judiciary during military coups.
- 1977 -2004 Practice on the Midland and Oxford Circuit and latterly Midland Circuit, mostly crime and equally divided between prosecution and defence. Prosecuted for the Crown Prosecution Service, HM Customs and Excise, and the Serious Fraud Office.
- 1975 Worked in Malawi and Zambia placing medical and engineering volunteers.

Other professional activities, 2000 – present

- Delegate to the United Nations Preparatory Commissions for the Rome Statute, United Nations Headquarters, New York, dealing with defence issues (2001-2002).
- Advisor to Iraqi judges and lawyers on international law.
- Member of the Advisory Board for the OUP Journal of International Criminal Justice.
- Frequent lecturer and conference speaker in matters of international criminal and humanitarian law and human rights law.
- Holding Redlich Distinguished Visiting Fellow, Monash University.
- Visiting lecturer Amsterdam VU University.
- Visiting lecturer at the Scuola Superiore of the University of Catania, Sicily.
- Moot Court judge, Leiden University.
- Member of Expert Advisory Group of Amsterdam University on International Criminal Procedure.
- Moot judge International Criminal Law Network of International Criminal Court.
- Member of the British Institute for International and Comparative Law.
- Member of the Commonwealth Judges and Magistrates Association.
- Conducted specialist advocacy training courses for lawyers in South Africa through Gray's Inn.

Publications

Judge Morrison has written numerous articles and pieces on international courts and international criminal law for various publications and periodicals, including a chapter on judicial independence in "Essays on ICTY Practice and Procedure in Honour of Judge Kirk McDonald", IHL Series 2000, and a chapter concerning the defence of alleged genocidaires in "The United Nations Genocide Convention: A Commentary", OUP 2009.

Languages

- English: fluent (mother tongue).
- French: good (reading and speaking).

* * *

17. Nouhou, Hamani Mounkaila (Niger)

(Original: French)

Note verbale

The Permanent Mission of Niger 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, with reference to note ICC-ASP/10/S/04 of 7 February 2011, has the honour to inform the Secretariat of the decision of the Niger Government to nominate Mr. Nouhou Hamani Mounkaila, Magistrate, as a candidate for the post of judge at the Court under List A. His curriculum vitae is appended to this note.

* * *

Statement of qualifications

This statement is submitted pursuant to paragraph 3, subparagraphs (a), (b) and (c), and paragraphs 4 and 5, of article 36 of the Rome Statute of the International Criminal Court and to paragraph 6 of resolution ICC-ASP/3/Res.6, and provides detailed information on the qualifications of Judge Nouhou Hamani Mounkaila, candidate of Niger for the post of judge at the International Criminal Court.

With 22 years' experience as prosecutor and judge, the candidate has held posts in each of the sectors of criminal proceedings: prosecution, investigation and trial.

He has been successively:

- Investigating judge (responsibility for investigations with a view to gathering incriminating and exculpatory evidence);
- Court Divisional President (trial function);
- Public Prosecutor (prosecution of criminal offences);
- Counsellor at the Court of Appeal (hearing appeals and trying serious crimes in the assize courts);
- Counsellor at the Supreme Court, Judicial Chamber (including in particular applications for cassation in minor and major criminal cases).

Judge Nouhou Hamani Mounkaila has been appointed a number of times to the High Court of Justice (1991, 2003 and 2008) and the Court of State Security (1992) as investigating judge.

He currently combines his duties as chamber President of the Cour des Comptes (Court of Audit) with the post of Coordinator of the Magistracy division of the National School of Administration and Magistracy (ENAM), Niamey, where, as coordinator of the group responsible for drafting the training manual for Niger prosecutors and judges on human rights issues, he is also involved with the human rights training module for prosecutors and judges.

Judge Nouhou Hamani Mounkaila has two main fields of interest: first, the correlation between human rights and judicial activities; secondly, good financial governance, with emphasis on economic and financial crimes.

His working language is French.

By Decree No. 99-526/PRCN/CHAN of 21 December 1999, he was made Chevalier de l'ordre du mérite du Niger (Knight of the Niger Order of Merit).

Enjoying high moral esteem and known for his impartiality and integrity, Nouhou Hamani Mounkaila offers numerous of the legal and professional qualifications and human qualities required of an occupant of the post of judge of the International Criminal Court.

The Republic of Niger is submitting Judge Mounkaila's candidacy on List A.

Personal data

Date of birth	20 November 1962
Place of birth	Niamey, Niger
Working language	French
Marital status	Married, 3 children

Current situation/function

April 2010	President of the first chamber of the Cour des Comptes (Court of Audit).
February 2010	Coordinator of the Magistracy division of the National School of Administration and Magistracy (ENAM), Niamey.

Professional experience

June 2003 - April 2010	Counsellor at the Supreme Court, attached to the criminal division of the Judicial Chamber and to the Chamber of Accounts and Budgetary Discipline.
September 2000 – June 2003	Counsellor at the Niamey Court of Appeal.
March 2000 – September 2000	Public Prosecutor at the Niamey Regional Court .
August 1999 – March 2000	Assistant Public Prosecutor at the Zinder Appeals Court.
1996 - 1999	Public Prosecutor at the Zinder Regional Court.
1994 – 1996	President of the Regional Court, Tillabéry division.
1989 - 1994	Investigating Judge at the Niamey Regional Court.
1992	Investigating Judge at the Cour de sûreté de l'État (Court of State Security).
1990, 2003, 2007	Investigating Judge at the Haute Cour de Justice (High Court of Justice).

Education and professional training

1988 - 1989	Ecole Nationale de la Magistrature (ENM), Paris, France – Diplôme de magistrat (standing “excellent”).
1982 - 1986	University of Niamey (Faculty of Economics and Law): Master’s degree in private law.
1998	Paris, France, Institut international d’administration publique (International Institute of Public Administration): Administration and protection of human rights.
1999	International Development Law Organization (IDLO), Rome, Italy: Legal approaches to preventing and dealing with corruption.
2000	United States of America: The rule of law and an independent judiciary.
2002, 2004, 2009	ERSUMA, Porto Novo (Benin): Training of trainers in OHADA law.
2006	ENAM, Niamey: Professional development and refresher module: Advanced training for trainers of the magistracy division and judicial division of registrars.
2008	ENA, Paris: Monitoring, evaluation and audit of public expenditure.
April 2009	International Institute of Human Rights (René Cassin), Strasbourg: Detention and international human rights law.

Other activities in the field of human rights

Training activities on behalf of:

- Niger Association for the Protection of Human Rights (ANDDH).
- Comité armée et démocratie (Army and Democracy Committee).
- Danish Institute for Human Rights (DIHR) (Coordinator of the human rights training manual for judges).
- Commission nationale des droits de l’homme et des libertés fondamentales (National Commission on Human Rights and Fundamental Liberties).
- 2007, 2008, 2009 Represented Niger at the annual International Conferences of Data Protection and Privacy Commissioners.
- Until April 2010: Focal point of the Association of High Courts of Cassation in Countries Sharing the Use of the French Language (AHJUCAF).

* * *

18. Serghides, George A. (Cyprus)

(Original: English)

Note verbale

The Embassy of the Republic of Cyprus 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 Cyprus has decided to nominate Dr. George Serghides as a judge of the International Criminal Court, at the elections to be held during the tenth Session of the Assembly of States Parties at United Nations Headquarters, New York, from 12 to 21 December, 2011 in New York.

The nomination of Dr. George A. Serghides is made in accordance with article 36, paragraph 4 (a) (i) and (ii), of the Rome Statute. He is a person of high moral character, impartiality and integrity who possesses the qualifications required in Cyprus for appointment to the highest judicial office.

Although Dr. Serghides holds the necessary requirements to be included in both List A and List B, he is being nominated for the inclusion in List A for the purposes of paragraph 5 of article 36, of the Rome Statute and is a candidate from the Asian Group of States.

Dr. Serghides fulfils the requirements of both paragraphs (i) and (ii) of article 36, paragraph 3(b) of the Rome Statute, as attested by his curriculum vitae. He has an excellent knowledge of Greek and English as well as being fluent in both languages as required under article 36, paragraph 3 (c) and possesses the expertise under article 36 paragraph 8(b), of the Rome Statute.

Dr. Serghides is a national of the Republic of Cyprus and does not possess the nationality of any other State.

The statement prepared in accordance with article 36, paragraph 4 (a), of the Rome Statute of the International Criminal Court and the curriculum vitae of Dr. George A. Serghides are attached.

* * *

Statement of qualifications

Statement submitted in accordance with article 36, paragraph 4 (a), of the Rome Statute of the International Criminal Court and paragraph 7 of the resolution of the Assembly of States Parties relating to the procedure for the nomination and election of judges of the International Criminal Court.

A. 1. Dr. George A. Serghides fulfils the requirements of article 36, paragraph 3 (a), of the Rome Statute.

He is a person of high moral character, impartiality and integrity who possesses the qualifications required in Cyprus for appointment to the highest judicial office.

In 2007, Cyprus elected him as one of its three candidates for the post of the judge of the European Court of Human Rights.

2. Dr. Serghides fulfils the requirement, of both paragraphs (i) and (ii) of article 36, paragraph 3(b), of the Rome Statute, as it emerges from his curriculum vitae.

Dr. Serghides is a multi Doctor of Juris, a holder of three Ph.D. (in Law) Degrees. He has served as a practicing Lawyer for five years appearing before all Cyprus Courts, including the Supreme Court, in all kinds of jurisdiction, civil, criminal and administrative. He has been a judge for more than 21 years. He has served in Cyprus, as a judge of a Family Court for eight and a half years and he has been a President of a Family Court for the last 13 years. He has been an International Hague Network Judge for more than 11 years and a Judicial Liaison for Cyprus in the European Judicial Network on Civil and Commercial Matters. He is also an Academic, currently teaching Law as well as being the Examiner at the University of Cyprus, and formerly at the Cyprus Bar Council and at Cyprus College, to which he was the Head of its Law Department. He is an author of law books and articles and the editor of the series "Studia Juris Cyprii". He has been

participating at the Working Committees of the Council of Europe on the enactment of European Regulations concerning Family Law and Succession Law.

Dr. Serghides has both extensive practical and academic experience in criminal law and procedure. He has a legal background and is aware of the continental and common law systems, including criminal law and procedure. He has studied Greek criminal law, criminal procedure and criminology at Athens University, receiving first class honours on these subjects, as well as obtaining his LL.B. and his two Greek doctorates with first class honours. He passed the Cyprus Bar Exams, scoring the highest mark in all subjects, including Cyprus Criminal Law and Procedure. He attended courses on Anglo-Cypriot Legal Studies, covering the Cyprus and the English criminal law and procedure, run by the Council of Legal Education, (to which Dr. Serghides was the Secretary) and the University of Leicester. Dr. Serghides taught English Criminal Law for four years at a Cyprus college, being also the Head of its Law Department. He also taught at the same College, the English Legal System and English Company Law. He taught Cyprus Family Law at the Cyprus Bar Council and at the Council of Legal Education and is currently teaching Cyprus Family Law and Law of Succession at the University of Cyprus.

As a practising lawyer for five years, Dr. Serghides dealt with all sorts of cases including criminal cases. He was also a prosecutor for the Municipality of Nicosia in private criminal cases. As a Family judge and a President of the Family Court, for more than 21 years, Dr. Serghides has been dealing with a great number of applications for contempt of Court orders, such as orders for exclusive use of matrimonial home, prohibition of sale or transfer or mortgage of property. These contempt cases are, by their nature, *quasi* criminal, since the penalty incurred may be a prison sentence or a fine, or both, and since the burden of proof required is the same as in criminal cases, thus, beyond reasonable doubt. In general, family law has this in common with criminal law- they are both anthropocentric, based on human passions and weaknesses.

Dr. Serghides was appointed by the Cyprus Law Commissioner to make *Recommendations for the Amendment of the Chapter of the Cyprus Criminal Code Dealing with General Defenses to a Criminal Responsibility*. His work on *Recommendations*, which also contained a comparative survey on the matter, was published by the Law Commissioner in an edition entitled: "The Revision of the Legislation of Cyprus 1987-1992", Nicosia, 1992.

Dr. Serghides is the editor of the series "Studia Juris Cyprii", consisting at the moment of nine volumes. He is the author of six books and a joint author of three books. He has made contributions in three other books and has many publications in legal periodicals in Cyprus and abroad, as well as in the Judges' Newsletter. Two of his books are on the cross-examinations of witnesses.

He is a collector of a vast library of old and new books and other works on the examination of witnesses in criminal and civil cases, advocacy, trial tactics, skills and courtroom psychology.

Dr. Serghides is currently working on his fourth Ph.D. thesis entitled "The Right of Life under Article 2 of European Court of Human Rights and the Respective Constitutional Provisions in Cyprus and Greece, with Particular Reference to the National Legislations". His research covers topics, such as the protection of embryos, suicide and euthanasia, abolition of death punishment, positive obligations of the States to protect life against the acts of third parties, conspiracy, obligation of the States to conduct an effective investigation, environmental protection of life, missing persons, forced disappearances, protection of prisoners ill persons, underage persons, etc.

Dr. Serghides has a general experience of law and a legal expertise on a wide range of legal topics and specific issues, including human rights, administrative law and constitutional law.

All his Ph.D. theses, as well as his judicial work involve, to some extent, human rights, including the rights of children, the right of equality and non discrimination, the right to marry and to establish a family, the right of property and the right to be heard and have a fair trial.

Dr. Serghides was also a member of the Committee for the Restoration of Human Rights throughout Cyprus. He is currently a member of the Committee of the United Nations Association of Cyprus.

3. Dr. Serghides fulfils the requirements of article 36, paragraph 3 (c), of the Rome Statute, as he has an excellent knowledge of Greek and English as well as being fluent in both languages.

B. Although Dr. Serghides holds the necessary requirements to be included in both List A and List B, he is being nominated for the inclusion in List A for the purposes of paragraph 5 of article 36 of the Rome Statute.

C. The information relating to subparagraphs (i) to (iii) of paragraph 8(a) of article 36 of the Rome Statute is as follows:

a) Dr. Serghides is qualified to practise in Cyprus, which has a mixed legal system. On the one hand, the common law adversarial system of justice applies, with few exceptions, to criminal and civil proceedings. On the other hand, the continental inquisitorial system of justice applies in proceedings of judicial review of administrative action.

b) Dr. Serghides is a national of the Republic of Cyprus, which is a member of the Asian Group of States.

c) Dr. Serghides is male.

D. Dr. Serghides has expertise under article 6 paragraph 8(b), of the Rome Statute.

For 5 years as a practising lawyer and more than 21 years as a judge, Dr. Serghides has been dealing with issues of violence against children and women as well as child sexual abuse to the extent that these matters relate or affect custody cases and the use of the matrimonial home.

Dr. Serghides is an International Hague Network Judge for Cyprus, dealing with cases of Abduction of Children as well as working as a Liaison Judge for the international protection of children under Hague Convention of 1980. Most of the Hague Child Abduction cases involve violence.

Dr. Serghides is also a member of the International Association of Family Judges.

Dr. Serghides was a member of the Committee for the preparation of a Bill on the subject of mediation, pursuant to the Council of Europe Recommendation No. R (98) 1. He was also a member of the Committee working on the law to ratify, in Cyprus, the European Convention on the Exercise of Children's Rights. He attended courses on mediation in Cyprus and the United States of America and he wrote a legal article on the topic as well as a chapter in one of his books.

E. Dr. Serghides is a national of the Republic of Cyprus and does not possess the nationality of any other State (article 36, paragraph 7, of the Rome Statute).

* * *

Addendum to the statement submitted in accordance with article 36, paragraph 4 (a), of the Rome Statute of the International Criminal Court.

Re: ICC Judicial Elections, 2011.

Re: Requirements of article 36, paragraph 3 (b) (i), of the Rome Statute. An addendum to the statement submitted in accordance with article 36, paragraph (4) (a).

Re: Dr. George A. Serghides, candidate of Cyprus.

Degree in Law (First class honours), Athens.

Cyprus Bar Examinations (First class honours).

Ph.D. in Law, Exon, United Kingdom.

Ph.D. in Law (First Class honours), Athens, Greece.

Ph.D. in Law (First Class honours), Salonica, Greece.

Adjunct Professor in the Law Department of the University of Cyprus.

Judge and President of the Family Court of Nicosia-Kyrenia, Cyprus.

International Hague Network Judge.

Liaison Judge for Cyprus in the European Network on Civil and Commercial Matters.

Editor and Author of *Studia Juriis Cyprii*.

Former Lecturer and Examiner in the Cyprus Bar Council and Former Head and Professor of the Law Department of Philips College, a college in Cyprus.

Additional and/or more detailed information on the competence of Dr. George A. Serghides in criminal law and procedure:

1. Dr. Serghides studied Greek Criminal Law, Criminal Procedure and Criminology at Athens University, receiving first class honours on these subjects, as well as obtaining his LL.B. with first class honours.
2. Dr. Serghides passed the Cyprus Bar Examinations, scoring the highest mark in all subjects, including Cyprus Criminal Law and Procedure.
3. Dr. Serghides attended courses on Anglo-Cypriot Legal Studies, covering the Cyprus and the English Criminal Law and Procedure, run by the Council of Legal Education (to which he was the Secretary) and the University of Leicester.
4. Dr. Serghides taught English Criminal Law for four years as a Professor at Philips College, a college in Cyprus, to which he was the Head of the Law Department.
5. As a practising Cyprus Barrister for five years, Dr. Serghides dealt with all sorts of cases, including criminal cases, obtaining competence in criminal procedure and criminal law. He was also a Prosecutor for the Municipality of Nicosia in private criminal cases. When practising law, he was a partner with his father, Andreas G. Serghides, a well known Barrister (of Gray's Inn) in Cyprus in their own Law Firm Serghides & Serghides. Apart from offering legal services to the clients of their Law Firm, Dr. Serghides also assisted other lawyers, including a famous lawyer, Eratosthenis Odysseos, in various types of cases, including criminal. Dr. Serghides did his practice as a trainee Advocate for one year at the Law Firm of Alecos Markides, who later on became the Attorney General of Cyprus, and in the Office of whom Dr. Serghides had acquired his first practical experience with court cases, including criminal.
6. Dr. Serghides has an extensive practical experience with quasi criminal cases as judge for 22 years. As a Family Judge and a President of the Family Court, Dr. Serghides has been dealing with a great number of applications for contempt of court orders, such as orders for custody, right of access, exclusive use of matrimonial home, prohibition of sale or transfer or mortgage of property. These contempt cases are, by their nature, quasi criminal, since the penalty incurred may be a prison sentence or a fine, or both, and the burden of proof required is the same as in criminal cases, thus, beyond reasonable doubt.
7. For five years as a practising lawyer and for twenty two years as a judge, Dr. Serghides has been dealing with issues of violence against children and women as well as child sexual abuse, to the extent that these matters relate to or affect custody cases and the use of the matrimonial home.
8. Dr. Serghides was appointed by the Cyprus Law Commissioner to make Recommendations for the Amendment of the Chapter of the Cyprus Criminal Code Dealing with General Defenses to a Criminal Responsibility. His work on Recommendations, which also contained a comparative survey on the matter, was published by the Law Commissioner in an edition entitled: "The Revision of the Legislation of Cyprus 1987-1992", Nicosia, 1992.
9. Dr. Serghides is currently doing research on the right to life. This right is guaranteed by the Rome Statute and the Court and is the most fundamental of all human rights, from which all other human rights stem. More specifically, Dr. Serghides is working on his fourth Ph.D. thesis entitled: "The Right of Life under Article 2 of European Court of Human Rights and the Respective Constitutional Provisions in Cyprus and Greece, with Particular Reference to the National Legislations". His research covers topics such as the protection of embryos, suicide and euthanasia, abolition of death punishment, the crime of genocide, crimes against humanity, war crimes, positive obligations of the States to protect life against the acts of third parties, conspiracy, obligation of the States to conduct an effective investigation, environmental protection of life, missing persons, forced disappearances, protection of prisoners, ill persons, under aged persons, etc.
10. Two of Dr. Serghides' books dealt with the cross-examination of witnesses in civil and especially criminal cases, a topic relevant to the work and procedure of the Court. He

has a particular interest in books and other materials on fair trial, the examination of witnesses in criminal and civil cases, advocacy, trial tactics, skills and courtroom psychology.

11. Dr. Serghides was a member of the Committee for the preparation of a Bill on the subject of Mediation, pursuant to the Council of Europe Recommendation No. R (98) 1. He was also a member of the Committee working on the Law to ratify, in Cyprus, the European Convention on the Exercise of Children's Rights. He attended courses on mediation in Cyprus and the United States of America and he wrote a legal article on the topic as well as a chapter in one of his books.

12. Dr. Serghides has general knowledge and experience in law and procedure as shown in his curriculum vitae.

From the above it is clear that Dr. Serghides is qualified for the post of a judge of the International Criminal Court. Dr. Serghides fulfills the requirements of article 36, paragraph 3(b)(i), of the Rome Statute, because he has established competence in criminal law and procedure and the necessary experience, due to:

- (a) his academic and practical qualifications and background in criminal law,
- (b) his practice as a former advocate, prosecutor and professor, teaching criminal law,
- (c) his research in criminal law,
- (d) his practice as a Judge and President of the Family Court also dealing with quasi criminal cases, and
- (e) his general knowledge and experience in law and procedure as shown in his curriculum vitae.

As indicated in paragraph 8 above, the Government of Cyprus, through its Law Commissioner, has entrusted Dr. Serghides, when he was a practising lawyer, by appointing him to make recommendations for the revision of the Cyprus Criminal Code on one of the most significant chapters of criminal law, the Chapter of the "General Defenses to Criminal Responsibility". Dr. Serghides is currently doing research on the right of life which is guaranteed by the Rome Statute and is relevant to the work of the Court. He has also written two books on cross-examination, a topic relevant to the work and procedure of the Court.

Dr. Serghides also fulfils the requirements of article 36, paragraph 3 (b) (ii), as well as those of paragraph 8 (b).

* * *

Personal data

Name	George Serghides
Gender	Male
Date and place of birth	28 June 1955, Nicosia, Cyprus
Nationality	Cypriot
Marital status	Married, one child.

Education and academic and other qualifications

Degrees	Degree in Law, PhD. In Law
24 February 1978	Degree in Law (First class honours), National and Kapodistriakon University of Athens.
21 November 1984	Ph.D. (Doctor of Philosophy in Law), University of Exeter, United Kingdom. Field of Law: Private International Law (Conflict of Laws). Title of Ph.D. thesis: "Internal and External Conflict of Laws in Regard to Family Relations in Cyprus", (in English). Supervised by Reader Antony J. E. Jaffey.
8 April 1998	Ph.D. (Doctor of Juris) (First Class Honours), National and Kapodistriakon University of Athens, Greece. Field of Law: Comparative Administrative Law. Title of Ph.D. thesis: "Set-off of Betterment of the Remainder Against the Value of the Land Compulsorily Taken under the Cyprus Law – With Comparisons to the Greek Law, the English Law, the American Law, the

22 May 2007	Canadian Law and the First Protocol of ECHR ”, (in Greek). Supervised by Prof. Prodromos Dagtoglou. Ph.D. (Doctor of Juris) (First class honours), Aristotelion University of Salonica, Greece. Field of Law: Comparative Family Law. Title of Ph.D. thesis: “The Formation of the Grounds for Divorce under Cyprus Law with a Comparative Study of Greek and English Law”, (in Greek). Supervised by Prof. Efi Kounougeri-Manoledaki.
At present	Ph.D. candidate, (Doctor of Juris candidate), Dimokrition University of Trace, Greece. Field of Law: Comparative Constitutional Law, Human Rights and Criminal Law. Title of the Ph.D. thesis: “The Right of Life under Article 2 of ECHR and the Respective Constitutional Provisions in Cyprus and Greece, With Particular Reference to the National Legislations”, (in Greek). Supervised by Prof. S. Minaides.

Other education

Attendance and participation

- Judicial seminars in Cyprus and abroad.
- Courses on Anglo-Cypriot Legal Studies run by the Council of Legal Education (1985-1987) and of the University of Leicester (1988-1989), obtaining also certificates of attendance.
- Many other legal programmes, series of lectures and courses in Cyprus and abroad.
- Courses on mediation in Cyprus and United States of America.

Relevant professional activities

Judicial and other related activities

June 1990- January 1999	Judge of the Family Court. June 1990 (the date of the establishment of the Family Court), to February 1995, the establishment of the second Family Court, judge in all districts of Cyprus. February 1995 - November 1996, judge in the districts of Nicosia, Kyrenia and Paphos. November 1996 - January 1999, judge in the districts of Nicosia, Larnaca and Famagusta.
January 1999 to present	President of the Family Court. January - September 1999, President of the districts of Nicosia, Larnaca and Famagusta. September 1999 - October 2002, President of the districts of Limassol and Paphos. October 2002 - June 2005, President of the districts of Nicosia, Larnaca and Famagusta. July 2005 to present, President of the districts of Nicosia and Kyrenia.
19 May 2000 to present	International Hague Network Judge. Liaison Judge for Cyprus, for the promotion of a Judicial Network for the international protection of children under the Hague Convention of 1980 (Abduction of Children). Appointed by a decision of the Supreme Court.
14 November 2006 to present	Judicial Liaison – Contact Point for Cyprus in the European Judicial Network on Civil and Commercial Matters. Appointed by a decision of the Supreme Court.
2007	Elected by Cyprus as one of its three candidates for the post of a Judge of the European Court of Human Rights.
January 2009 - to present	Member of the International Association of Family Judges.

Non-judicial legal activities

October 1985	Cyprus Bar Examinations (First class honours), scored the highest mark (960/1000).
1984–1985	Trainee Advocate.
1985	President of the Trainee Advocates.
1985-1990	Advocate. Practising lawyer. Partner with A. G. Serghides of Gray's Inn, Barrister, under the style of Serghides & Serghides. Appearances before all the courts in Cyprus, including the Supreme Court, in all kinds of jurisdictions, civil, criminal, administrative, etc.

Other activities**Academic**

October 1986	Head of the Law Department of Philips College
May 1990	(College of Higher Education in Cyprus). Teaching of English Legal System and English Criminal Law, as part of the programme for the enrolment of law students in the second year in United Kingdom universities. Teaching of English Company Law to students taking courses on Accounting and Finance.
May 1985	Secretary of the Cyprus Council of Legal Education
May 1990	(CLE), (CLE was an Organ of the Bar Association of Nicosia), which Council of Legal Education ran programs of legal education, including a programme of Anglo-Cypriot Legal Studies (postgraduate level–LL.M) in collaboration with the University of Leicester. Lecturer in Family Law.
November 1999	Lecturer in Family Law at the Cyprus Bar Council.
October 2004	Lectured to Trainee Advocates for the purpose of the Cyprus Bar examinations.
January 2000	Examiner of the Cyprus Bar Council on the subject of
October 2004	Family Law, which was introduced as a subject in the Cyprus Bar examinations in January 2000.
September 2009	Adjunct Academic, Special Scientist and Examiner at the University of Cyprus. Taught Cyprus Family Law and Law of Succession.
In passim	Lectures/speeches on family law at local and international seminars and conferences, at the University of Cyprus, the University of Nicosia, the Welfare Office, the Bar Associations in Cyprus, the Athens Bar Association and other venues.

Work relating to legislation

- Member of the Committee for the preparation of a Bill on the subject of mediation, pursuant to the Council of Europe's Recommendation, No. R. (98) 1.
- By a decision of the Supreme Court, was appointed a representative of the Judicial Authority in the House of Parliament for the enactment of various laws on family matters.
- Participation in the preparation of a draft of procedural regulations for the application in Cyprus of The Hague Convention on the Civil Aspects of International Child Abduction.
- Member of the Committee working on the Law to ratify in Cyprus the European Convention on the Exercise of Children's Rights.
- By a decision of the Supreme Court, since 3 February 2006, a representative of the Judicial Authority in matters of Civil Law in the Working Groups and Committees of the European Council in Brussels on the enactment of European Regulations concerning family matters and succession law.
- Member of the Committee of the United Nations Association of Cyprus (since May 2010).
- Former member of many committees, including the Committee for the Restoration of Human Rights throughout Cyprus.

Publications

Dr. Serghides is the editor of the series "Studia Juris Cyprii", currently consisting of nine volumes. He is the author of six books, a joint author of three books and he has contributed in three other books. He has also many publications.

Studia Juris Cyprii

- G. A. Serghides ed. «Studies in Cyprus Law» ("Studia Juris Cyprii") – a series of publications. Nine volumes have been issued to date. Further details of the above studies:
- Volume no. 1, Study No. 1 (in English): "Internal and External Conflict of Laws in Regard to Family Relations in Cyprus", Nicosia, 1988. Author and editor: G. A. Serghides; foreword by the late President of the Supreme Court, A. N. Loizou.
- Volume no. 2, Study No. 2 (in Greek): "Immovable Property in Cyprus", Nicosia, 1992. Author: N. C. Coutas. Editor: G. A. Serghides; foreword of the late Judge of the Supreme Court. I. Boyiadjis.
- Volume no. 3, Study No. 3 (in English): "Reflections on Partial Compulsory Acquisition", Nicosia, 1995. Joint Authors: C. Georgiades and G. A. Serghides. Editor: G. A. Serghides; foreword by Professor Prodromos Dagtoglou.
- Volume no. 4, Study No. 4 (in Greek): "Set-off of Betterment of the Remainder Against the Value of the Land Compulsorily Taken under the Cyprus Law – With Comparisons to the Greek Law, the English Law, the American Law, the Canadian Law and the First Protocol of ECHR ", Nicosia, 1999. Author: G. A. Serghides; editor: G. A. Serghides.
- Volume no. 5 and 6, Study No. 5 (in Greek): "The Formation of the Grounds for Divorce under Cyprus Law with a Comparative Study of Greek and English Law, Nicosia, 2007. Author: G. A. Serghides; editor: G. A. Serghides; foreword by Professor Efie Kounougeri-Manoledaki.
- Volume 7, Study No. 6 (in Greek): The Technique of Cross-Examination – The Golden Rules of Cross-Examination and Four Masters of Antiquity, two Greeks (Socrates and Aristotle) and two Latins (Cicero and Quintilian). Author: G. A. Serghides; editor: G. A. Serghides; foreword by Dr. D. H. Hadjihambis, a judge of the Cyprus Supreme Court and a former lecturer of Exeter University.
- Volume 8, General Title of the Volume: "Advocacy and Cross-Examination" Study No. 7 (translation into Greek of an old treatise on the "Study and Practice of the Law"), Study No. 8 "On the Art of Cross-Examination etc" (in English, author G. A. Serghides), editor G. A. Serghides.
- Volume 9, General Title of the Volume: "Pecuniary Relations of Spouses and Cohabitants (Literature and First Instance Judgments) & Miscellaneous Legal Topics" Studies No. 9 and 10, containing judicial judgments on property relations of spouses and many articles on various legal topics, on family law, administrative law and criminal law, in Greek and in English. Editor and main author G. A. Serghides; with the contribution of Professor Theophano Papazissi.
- Part of volume 8 is also published separately. The book was published in Nicosia, 2009 and is entitled "On the Art of Cross-Examination. Four Great Old Authorities, Two Englishmen and Two Americans, With Emphasis on Their Principles".

Contributions in books

- G. A. Serghides, "General Defences to a Criminal Responsibility, with Recommendations for the Amendment of the Cyprus Criminal Code", published in Cyprus Law Commissioner, ed., the Revision of the Legislation in Cyprus 1987-1992", Nicosia, 1992, (in Greek).
- G. A. Serghides, "Violations of Constitutional Civil Liberties by Sects and Parareligious Groups", in book, titled "Destructive Sects in the Light of Orthodoxy and their Legal Confrontation", Limassol, 1996, pp. 243-271, published by the Pancyprian Parents Union under the editorship of then Archimandrite Chr. Tsiakkas and now Bishop of Karpasia, (in Greek).
- G. A. Serghides, "Religious Freedom, Use and Misuse" in book titled "Religious Freedom and Human Rights" Limassol, 2000 pp. 79-100, under the editorship of then Archimandrite Chr. Tsiakkas and now Bishop of Karpasia, (in Greek).
- G. A. Serghides, "Property Relations of Spouses According to Cyprus Law" in a book to be published soon by the University of Cyprus, Law Department, (in Greek).

Other works and publications

- G. A. Serghides, “The Voice of the Child in Hague Proceedings: a Cypriot Perspective”, Judges’ Newsletter (vol.VI/Autumn 2003, pp. 39-44). This Newsletter is a publication of the Hague Conference on Private International law, (in English and French).
- G. A. Serghides, “Grounds for Divorce under the Law of Cyprus: The Road to Europe”, Paneuropean Law Review, January-June 1997, vol. 1, no. 1 (edition of Philips College), pp. 31-43, (in English).
- G. A. Serghides, “Family Mediation for Cyprus’ Cyprus Law Tribune (year N, issue 1, January- April, 2001, pp. 40-59), (in Greek).
- G. A. Serghides, “Cyprus Family Jurisdiction Ratione Personae and Ratione Materiae” Family Law Review, 2011, Year 2nd, issue 2nd, April-June, 2011, Nicosia, Cyprus, pp. 4-17, (in English).
- G. A. Serghides, “Religious Freedom under Article 9 of ECHR” in Legal Periodical “Tekmirioris”, 1098, issue 1, year 1, January-June, pp. 8-11,(in Greek).
- G. A. Serghides, “Politics in the Cyprus Family in the Eyes of Family Law with Emphasis on Divorce”, Cyprus Law Tribune, (issued by the Cyprus Bar Association) year 13, 3rd period, issue 3, 2004, pp. 73-98, (in Greek).
- G. A. Serghides, “Reflections on the Cyprus Marriage Law of 2003” Armenopoulos, year 58, May 2004, (a legal periodical issued by the Bar Association of Salonica), 661-678, also published in Cyprus Legal Tribune, year 14th, first period, issue 1- 2004, pp. 48-75, (in Greek).
- G. A. Serghides, “Itinerary Family Court”, Cyprus Law Review 10, January - March, 1992(1), issue 37, pp. 5573-5590, (in Greek).
- G. A. Serghides, “Substantial Civil Law Regarding Dissolution of Marriage” in Cyprus Testimony, issue 8, “the Institution of Family in Modern Life” ed. Of Association of Spiritual Renewal, Nicosia pp. 54-58. Also published in Filelefteros (Cypriot newspaper), 15/12/89, pp. 1 and 6, (in Greek).
- G. A. Serghides, “Mixed Marriages in Cyprus” Cyprus Law Tribune, Year 15, 2nd period, issue 2nd -2005, May-August, pp.103-122, (in Greek).
- G. A. Serghides, “The Cyprus Constitution and the Establishment of a University of Bicommunal Character”, Filelefteros, 1/12/88, pp. 10, 12, 3/12/88, p. 5 (correction), (in Greek).
- G. A. Serghides, and G. A. Coutas, “Article 5 of the Compulsory Acquisition Law”, Filelefteros 5/9/88, pp. 1 and 6, (in Greek).
- G. A. Serghides, “Reflections on Some Aspects of the Family Law of the Turkish Community in Cyprus”, in Cyprus and European Law Review, issue 10, Year 2010, pp. 156-163, (in English).
- G. A. Serghides, “The Legal Aspects of Mental Manipulation of Children in Cyprus by Psych-Groups”, (2010) Studia Juris Cyprii 9, pp. 556-561, (in Greek)
- G. A. Serghides “Welfare Officers’ Reports in Custody and Adoption of Children Cases”, pp. 543-555, (in Greek).

Judicial judgments

1990- present	In all matters of family law, e.g. divorce, nullity of marriage, parental control and custody of children, determination of right of access, maintenance of children and spouses, property relations of spouses, adoption of children, legitimation of children and recognition of foreign decrees.
Since May 2006	Member of the Scientific Committee of the Cyprus and European Law Review.

Languages

- Greek (mother tongue).
- English.

* * *

19. Urbina Ortega, Jorge Antonio (Costa Rica)

(Original: Spanish)

Note verbale

The Embassy of Costa Rica to the Kingdom of the Netherlands presents its compliments to the International Criminal Court, Secretariat of the Assembly of States Parties, and has the pleasure to inform it that the Government of Costa Rica has decided to submit the candidacy of Mr. Jorge Urbina Ortega for the position of judge of the Court at the elections to be held this coming December.

The candidacy of Mr. Urbina Ortega was proposed by the national group of the Permanent Court of Arbitration, having been adopted on the basis of article 140, paragraph 12, of the Political Constitution of the Republic of Costa Rica. It is submitted to the Court pursuant to article 36 of the Rome Statute of the International Criminal Court.

In light of the knowledge, experience and qualifications of Mr. Urbina Ortega, and on the basis of paragraph 5 of the last mentioned article, the Government of Costa Rica asks that this candidacy be included on List B, which is reserved for candidates with competence in relevant areas of international humanitarian law and human rights law and experience in a professional legal capacity which is of relevance to the judicial work of the Court.

Mr. Urbina has been trained and acquired his experience in the Romanist legal system. His mother tongue is Spanish and he is fluent in French and English. Appended hereto are his curriculum vitae and a detailed statement of his qualifications for the post.

* * *

Statement of qualifications

Detailed statement showing that the candidate of Costa Rica, Jorge Antonio Urbina Ortega, satisfies the requirements laid down in article 36 of the Rome Statute, and in the resolution of the Assembly of States Parties on the procedure for the nomination and election of judges of the International Criminal Court.

The raison d'être of the International Criminal Court is the victims, and the shared desire of the international community to put an end to impunity. The Rome Statute thus requires that judicial qualifications be complemented by competence and experience in international law, international humanitarian law and human rights law. In order to have such competence and experience available to it, the Court has provided for a List B of candidates, and the Government of Costa Rica is submitting a suitably qualified candidate for the post of judge of the International Criminal Court on List B.

The Government of Costa Rica is submitting the candidacy of Jorge Urbina Ortega for the post of judge at the elections to be held during the tenth session of the Assembly of States Parties in December 2011. The candidate, who is of Costa Rican nationality, is a person of high moral character and recognized integrity and impartiality, and possesses the qualifications required by the law of Costa Rica for appointment to the highest judicial offices. His candidacy was proposed by the national group of members of the Permanent Court of Arbitration, and is submitted on the basis of article 140, paragraph 12, of the Political Constitution of the Republic and in accordance with the procedure provided in article 4 of the Statute of the International Court of Justice.

Mr. Urbina Ortega is fully qualified to perform the duties of judge of the International Criminal Court, and satisfies the requirements laid down in article 36, paragraph 3 (b)(ii), of the Rome Statute. The candidate is particularly well qualified in the areas of international humanitarian law and human rights law, and in the course of his career has acquired substantial experience in legal activities of direct relevance to the judicial work of the Court.

As well as academic activities in the fields of social science and public international law, Mr. Urbina Ortega has occupied senior diplomatic posts, including representing Costa Rica at the Security Council, and took part, as representative of Costa Rica, in the provision of international support to the negotiating and peacemaking process to put an end to the armed conflicts in Central and South America. In the course of his professional career, the

candidate has gained extensive experience in the practice of international humanitarian law and of human rights law. His links with the Court and his work in connection with situations of armed conflict and contact with vulnerable populations, as well as his diplomatic duties, have enabled him to move beyond theoretical analysis, and to focus on the legal and factual evaluation of specific cases with a view to their possible referral to the Court.

Costa Rica's candidate, Mr. Urbina Ortega, whose curriculum vitae is appended hereto, is a member of the legal profession with mother-tongue Spanish and fluency in English and French and whose professional training and experience have been acquired within the Romanist legal system.

* * *

Personal information

Name	Jorge Antonio Urbina Ortega
Nationality	Costa Rican
Place of birth	Alajuela, Costa Rica
Date of birth	2 May 1946

Current duties

- Co-Agent of Costa Rica before the International Court of Justice in the case between Costa Rica and Nicaragua.
- Representative of Costa Rica in the Hague Working Group of the Assembly of States Parties to the International Criminal Court.
- Representative of Costa Rica on the Administrative Council of the Permanent Court of Arbitration.
- Representative of Costa Rica at the Hague Conference on Private International Law.
- Representative of Costa Rica to the Organization for the Prohibition of Chemical Weapons.
- Ambassador of Costa Rica to the Kingdom of the Netherlands.

Academic training and membership of professional bodies

1973	University of Costa Rica, honours degree (<i>Licenciatura</i>) in law.
1973- present	Member of the Costa Rican Bar Association.
1974	University of Bordeaux, France. Candidate for University Doctorate, Law of International Cooperation; Institute of Political Studies, University of Bordeaux, France, Candidate for Third Cycle of Political Studies.

Professional career

- Professor and Lecturer, Faculty of Law, University of Costa Rica.
- Professor, School of Political Science, University of Costa Rica.
- Professor, School of International Relations, National University, Heredia, Costa Rica.
- Alternate Permanent Representative of Costa Rica to the United Nations, New York.
- Deputy Minister for Foreign Affairs, Government of Costa Rica. Responsible for coordination of the Costa Rican team taking part in the Contador peacemaking process in Central America.
- Executive President, Institute for Municipal Promotion and Advice, Government of Costa Rica.
- Information Minister, Government of Costa Rica.
- Consultant to the United Nations Development Programme (UNDP), providing support to the peace negotiations in Colombia during the administration of President Andrés Pastrana.
- Ambassador, Permanent Representative to the United Nations in New York;
- Representative of Costa Rica on the Security Council; Representative of Costa Rica in the New York Working Group of the Assembly of States Parties of the International Criminal Court.
- Leader of the Security Council Mission to Haiti.

- Chair of the Committee established pursuant to Security Resolution 1540, responsible for preventing the proliferation of nuclear, chemical and biological weapons in the hands of non-States actors.
- Facilitator of the open-ended Working Group responsible for drafting a strategy on assistance and support to victims of sexual exploitation and abuse by United Nations staff and related personnel.
- Consultant to the United Nations Development Programme.
- Consultant to the United States Agency for International Development (USAID).
- Consultant to the Spanish Agency for International Development Cooperation (AECID).
- Consultant to the Swedish International Development Cooperation Agency and to non-governmental organizations.

Relevant addresses and speeches

- United Nations General Assembly: The Scope and Application of Universal Jurisdiction.
- Third Committee of the United Nations General Assembly: Thematic Debate, Human Rights.
- Sixth Committee of the United Nations General Assembly: The Rule of Law at National and International Level.
- Security Council: The International Criminal Court.
- Security Council: The International Tribunals.
- Security Council: The Protection of Civilians.
- Security Council: Women, Peace and Security.
- Security Council: Children and Armed Conflict.
- Security Council: Peacekeeping Operations.
- Security Council: The Commission for the Consolidation of Peace.

Languages

Spanish (mother tongue)
French
English.
