

**Fourteenth session**

The Hague, 18-26 November 2015

**Designation of the members of the
Advisory Committee on Nominations****Note by the Secretariat**

By resolution ICC-ASP/9/Res.5,¹ the Assembly welcomed the report² adopted by the Bureau pursuant to paragraph 25 of resolution ICC-ASP/9/Res.3 and adopted the recommendations contained therein. It also requested the Bureau to start the process of preparing the election, by the Assembly of States Parties, of the members of the Advisory Committee on nominations of judges of the International Criminal Court in accordance with the terms of reference of the Advisory Committee.

Article 36, paragraph 4 (c), of the Rome Statute provides as follows:

“(c) The Assembly of States Parties may decide to establish, if appropriate, an Advisory Committee on nominations. In that event, the Committee’s composition and mandate shall be established by the Assembly of States Parties.”

The terms of reference of the Advisory Committee on Nominations provide that:

“The Committee should be composed of nine members, nationals of States Parties, designated by the Assembly of States Parties by consensus on recommendation made by the Bureau of the Assembly also made by consensus, reflecting the principal legal systems of the world and an equitable geographical representation, as well as a fair representation of both genders, based on the number of States Parties to the Rome Statute.”³

At the first meeting of its eleventh session, on 14 November 2012, the Assembly, on the recommendation of the Bureau, appointed by consensus nine members of the Advisory Committee on nominations, who were elected for three year terms.⁴ Accordingly, the Assembly would have to renew the membership of the Advisory Committee on nominations at its fourteenth session.

At its thirteenth session, the Assembly, by decision ICC-ASP/13/Dec.2,⁵ approved by consensus the decision to waive the impediment, contained in paragraph 6 of the terms of reference of the Advisory Committee on Nominations (annex to ICC-ASP/10/36), of the

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Tenth session, New York, 12-21 December 2011* (ICC-ASP/10/20), vol. I, part III, ICC-ASP/10/Res.5, para. 19.

² Report of the Bureau on the establishment of an Advisory Committee on the appointment of judges of the International Criminal Court (ICC-ASP/10/36). At its resumed thirteenth session, the Assembly adopted decision ICC-ASP/13/Dec.2, whereby it waived the impediment contained in paragraph 6 of the terms of reference of the Advisory Committee on Nominations (annex to ICC-ASP/10/36), of four of the first members of the Committee to be re-elected in order to facilitate the continuity of the work of the Committee.

³ *Ibid.*, annex, para. 1.

⁴ *Official Records ... Eleventh session ... 2012* (ICC-ASP/11/20), vol. I, part I, paras. 54 and 55.

⁵ Waiver of the impediment of four members of the Advisory Committee on Nominations of Judges to be re-elected.

re-election of four of the first members of the Committee, in order to facilitate the continuity of its work. All members of the Committee are consequently eligible for re-election at the fourteenth session.

At its second meeting, on 9 March 2015, the Bureau fixed the nomination period to run for 12 weeks, from 29 June to 20 September 2015 (Central European Time). Nominating States were requested to include a statement as to how candidates fulfil the criteria established in the terms of reference of the Advisory Committee. On 21 September 2015, the Bureau extended the nomination period for a period of two weeks, until 4 October 2015 (Central European Time).

At its eighth meeting, held on 29 June 2015, the Bureau decided to establish a working group of the Bureau, comprising one member from each regional group, which would meet in New York and which be tasked with identifying nine candidates for nomination by the Bureau and election by the Assembly, and with ensuring that the requirements set out in the Committee's terms of reference are respected.

As at 4 October 2015, ten candidates had been nominated for the nine available seats on the Advisory Committee.

The following States were nominated by their respective regional groups to serve as members of the Bureau working group on the Advisory Committee on Nominations: Chile, Hungary, Republic of Korea, Senegal and the United Kingdom of Great Britain and Northern Ireland

The recommendations of the Working Group are reflected in the report of the Bureau Working Group on the Advisory Committee on Nominations (ICC-ASP/14/42).

The nominations received by the Secretariat are contained in the annex to the present note.

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1. Barankitse, Thomas (Burundi)

(Original: English)

Note verbale

The Embassy of the Republic of Burundi to the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of States Parties-ICC and has the honour to transmit him the nomination and the curriculum vitae of Ambassador Thomas Barankitse to the post of member of the Advisory Committee on Nominations of judges of the ICC.

Statement of qualifications

1. Referring to note verbale Ref: ICC-ASP/14/SP/06 addressed to the States Parties by the Secretariat of the Assembly of States Parties, the Government of the Republic of Burundi has decided to nominate Ambassador Thomas Barankitse for the election of the members of the Advisory Committee on Nominations of Judges of the International Criminal Court.
2. Ambassador Thomas Barankitse is a lawyer with significant experience, as his curriculum vitae accompanying this statement shows.
3. He is an eminent legal practitioner who has served as a judge and in turn as Deputy Public Prosecutor, Public Prosecutor, Senior Trial Lawyer at the Appeals Court, Chief Police Commissioner and as Burundi's Head of Interpol. This demonstrates that he is familiar with both the intellectual and moral qualities required of a judge candidate to perform his role to the best of his ability.
4. It should also be pointed out that the nominated candidate held the post of Director-General of the Ministry of Justice in Burundi. He played a key role in supervising the recruitment of judges at a national level in this capacity.
5. It should also be mentioned that as far as the Rome Statute and the International Criminal Court are concerned, Ambassador Thomas Barankitse was very active in his role as focal point of the Permanent Representation of Burundi to the ICC from May 2008 to May 2013. He also had the opportunity to take part in several sessions of the Assembly of States Parties in The Hague.
6. In terms of international law, it should be noted that in addition to his role as Legal Attaché which enabled him to consolidate his experience, the candidate supplemented his university training with a course on private international law at The Hague Academy of International Law.
7. Finally, it should be mentioned that Ambassador Thomas Barankitse has acquired a great capacity for analysis and is highly skilled in assessing and judging situations as a result of the senior posts he has held.
8. The Government of the Republic of Burundi wishes to provide reassurance that the candidate demonstrates the highest moral standards.
9. The Government of the Republic of Burundi is firmly convinced that with all these assets the nominated candidate matches the profile sought and that he would make a valuable contribution if he were to be selected.

Personal details

Surname:	Barankitse
First name:	Thomas
Place and date of birth:	Nkoronko-Buhiga, Burundi, 1955
Profession:	Lawyer
Marital status:	Married
Nationality:	Burundian

Professional Experience

July 2014 to date:	Ambassador, Assistant to the Minister for External Relations and International Cooperation
December 2007 to July 2014:	Diplomat, Legal Attaché of the Embassy of Burundi to BENELUX, the United Kingdom of Great Britain and Northern Ireland and the European Union, Focal Point between the Permanent Representation of Burundi and the ICC, ICJ and OPCW.
January 2007 to December 2007:	Head of the National Legislation Department
December 1998 to January 2007:	Member of the Bar Association of Burundi, Legal-Counsel working with Avocats sans frontières Belgique (Lawyers without Borders Belgium) and the Office of the High Commissioner for Human Rights in Burundi
August 1997 to September 1998:	Premier Substitut Général (Senior Trial Lawyer), Bujumbura Appeals Court
August 1993 to August 1997:	Chief Commissioner of the Criminal Police and Head of the Interpol National Central Bureau in Burundi
May 1990 to August 1993:	Director-General of the Ministry of Justice, President of the Technical Compensation Commission, President of the National Commission for Disputes related to Tendering Procedures
November 1987 to May 1990:	Director of Legal Affairs and Disputes at the Ministry of Justice and President of the Bar of Government Lawyers
May 1983 to November 1987:	Director of the National Police Academy, Part-time lecturer at the Higher Institute for Military Officers
March 1982 to May 1983:	Public Prosecutor, Gitega
November 1979 to March 1982:	Deputy Public Prosecutor, Bujumbura

Studies and relevant training courses

July 2009:	Course on private international law at The Hague Academy of International Law
January- February 2009:	Group English Course, Brussels
June 2008:	Colloquium on international law, Brussels
February 2008:	Training and information seminar for Diplomats, Bujumbura
October – November 2007:	Training on legislative drafting, public international law, advocacy techniques and strategic planning, Bujumbura
March 2006:	Training Trainers seminar on the programme-based approach based on human rights, Bujumbura
October 2003:	Training on International Justice, Bujumbura
Mai 2001:	Training on international humanitarian law, Bujumbura
September 2000:	Training on criminal proceedings, Bujumbura
September 2000:	Training on professional conduct for lawyers, Bujumbura

Languages

- French
- English
- Swahili
- Kirundi

Publications

- Acquisition of property in Burundian substantive law
- Study on the harmonisation of land-related practices in Burundi
- Declaration by the Government of Burundi before the International Court of Justice on the accordance with international law of the unilateral declaration of independence by Kosovo.

2. Cotte, Bruno (France)

(Original: French)

Note verbale

The Embassy of France to the Netherlands 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 Judge Bruno Cotte as a candidate in the election of members of the Advisory Committee on Nominations to be held during the fourteenth session of the Assembly of States Parties in The Hague in November 2015.

France has consistently supported the International Criminal Court since its creation, and has been committed to the quality and effectiveness of its work, which are essential components of the fight against impunity.

France's decision to nominate a distinguished jurist and former judge of the International Criminal Court as a candidate for a position on the Advisory Committee on Nominations of Judges is in line with its commitment to the Court. In addition to his in-depth knowledge of the ICC and of its work, Juge Cotte is known for his high level of integrity and for his impartiality.

Statement of qualifications

Born 10 June 1945 in Lyons (69002), France

Married, three children and seven grand-children

Education

1966	Ecole Nationale de la Magistrature (French National School for the Judiciary) (1967 -1969: 1 st year in Bordeaux, 2 nd year in Lyon, 3 rd year in Paris)
1968	Postgraduate diploma in private law, University of Lyons
1962-1966	Bachelor and Master of Public Law, University of Lyons
1955-1962	Secondary education in Lyons

Institut de France

On 10 December 2010, elected member of the Law, Legislation and Jurisprudence Division of the Académie des Sciences Morales et Politiques (Academy of Moral and Political Sciences)

Judicial career and professional experience

1 June 2008 – 1 June 2014:	Judge at the International Criminal Court in The Hague (The Netherlands). Presiding Judge, Trial Chamber II (<i>The Prosecutor v. Germain Katanga and Mathieu Ngudjolo</i>). Elected as a judge by the Assembly of States Parties on 30 November 2007
March, April, May 2007:	Acting First President of the French Cour de Cassation (Supreme Court of Appeal)
June 2000 – May 2008:	President of the Criminal Chamber of the French Supreme Court of Appeal
October 1995 – June 2000:	Counsel for the Prosecution at the French Supreme Court of Appeal (Criminal Chamber)
September 1990 – October 1995:	Public Prosecutor at the Tribunal de Grande Instance de Paris (Paris District Court)
May – September 1990:	Attorney General at the Versailles Court of Appeal
February 1984 – May 1990:	Director for Criminal Affairs and Pardons, Ministry of Justice

May 1983 – February 1984:	Deputy Director of Criminal Justice, Directorate of Criminal Affairs and Pardons, Ministry of Justice
October 1981 – May 1983:	Special Assistant to the Attorney General, Paris Court of Appeal, acting as Secretary-General of the Public Prosecutor’s Department
October 1980 – October 1981:	Special Assistant to the First President of the Supreme Court of Appeal
September 1975 – October 1980:	Head of the Prosecution Bureau (economic, financial and social affairs), Directorate of Criminal Affairs and Pardons
September 1973 - September 1975:	Deputy Public Prosecutor of the Economic and Financial Division of the Tribunal de Grande Instance de Lyon (Lyons District Court)
January 1970 – September 1973:	Magistrate, Ministry of Justice, Head of the Office of the Director of Criminal Affairs and Pardons

Decorations

- Commander of the Legion of Honour, 14 June 2005
- Commander of the French National Order of Merit, 14 June 2001

Memberships

- The Society for Comparative Legal Studies
- Le Cercle des Constitutionnalistes (The Constitution Experts Society)
- PARIS AIDE aux VICTIMES (a support association for victims of criminal offences)
- Former member of the Board of Directors of the École Nationale Supérieure de Police (Senior Officers Training School)

Commissions and Committees

- Currently Chair of the Commission on Penalties established by the Minister of Justice (Garde des Sceaux) on 31 March 2014 (report to be published late 2015)
- Formerly member of numerous Committees including:
 - o The Review Committee on the Criminal Code (chaired by Robert Badinter, Minister of Justice [Garde des Sceaux])
 - o The Review Committee on the Criminal Code of Procedure (chaired by Professor Georges Leaute)
 - o The Commission on Criminal Justice and Human Rights (chaired by Professor Mireille Delmas-Marty)
 - o The Law-Enforcement Commission on Non-Intentional Crimes (chaired by Jean Massot, President of the Division of Finances of the Council of State [Conseil d’État])

Conferences and juries

Participated in many conferences at the French National School for the Judiciary and at various French universities, in particular on international criminal justice and the International Criminal Court

Publications (including)

- To be published late 2015: “Un juge français à la Cour pénale internationale” in *Liber Amicorum* in honour of Robert Badinter
- July 2015: “Etre directeur des affaires criminelles et des grâces en France lors des attentats terroristes des années 1980. Colloque du bicentenaire de la direction des affaires criminelles et des grâces du ministère français de la justice”. Conference proceedings to be published

- 2011: “L’article 64 du Statut de Rome sur les fonctions et les pouvoirs de la Chambre de première instance”. Co-authored by Marianne Saracco. Collaborative work: “Commentaire du Statut de Rome de la Cour Pénale Internationale” managed by the Centre Thucydite, directed by Professors Serge Sur and Emmanuel Decaux
- 2010: “La manifestation de la vérité en droit pénal international”, co-authored by Julien Seroussi. *Archives de philosophie du droit*
- 2007: “La place du droit européen dans la répression des infractions, Douanières”. Co-authored by Christophe Soulard, Compendium in honour of Jacques Boré, “La création du droit jurisprudentiel”
- 2006: “Ultimes et brèves réflexions sur le rôle de la Chambre criminelle de la Cour de cassation”, collaborative work “De la Justice dans l’affaire Dreyfus” (Fayard, 2006)
- 2006: “Les délits non intentionnels. La loi Fauchon: 5 ans après”, Communication to the Senate on 1 March 2006
- 2006: “Que reste-t-il du code de procédure pénale”, conference series “La procédure pénale en quête de cohérence”
- 2001: “Le choix de la peine”, collaborative work “De Saleilles à aujourd’hui” (Erès, 2001)
- 2000: “Quelques réflexions sur la dignité du Juge”, Symposium “La protection de la dignité et les réponses du droit” (Protecting Human Dignity and the Answers Provided by the Law), Holy Spirit University of Kaslik, Lebanon, 14 April 2000
- 1997: “La délinquance d’affaires”, Meeting and discussion with Professor Marie-Paule Lucas de Leyssac and Mr Pierre Lascoumes, Director of research at the CNRS (National Centre for Scientific Research), University of Nanterre, 6 December 1997
- 1997: “Le rôle de la Prokuratura dans la défense des droits des citoyens contre les décisions illégales de l’administration”, collaborative work on “La Prokuratura dans un Etat gouverne par la règle de droit” (Council of Europe, April 1998)
- 1996: “Sanction et Thérapeutique. Communication au XXI ème congrès de l’Association française de criminologie sur ‘Sante et Système pénitentiaire’ ”, Proceedings were not published
- 1988: “Sanctions pénales. Alternatives pour la peine privative de liberté”. Collaborative work: “Criminal law in action” (Kluwer Law and taxation Publishers, Deventer/ Netherlands)

3. Fukuda, Hiroshi (Japan)

(Original: English)

Note verbale

The Embassy of Japan in 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 note ICC-ASP/14/SP/06 of 13 March 2015, has the honour to inform the latter that the Government of Japan has decided to nominate Mr. Hiroshi Fukuda, former Justice of the Supreme Court of Japan and current member of the Advisory Committee on Nominations, as a candidate for the election of the members of the Advisory Committee on Nominations to be held during the fourteenth session of the Assembly of States Parties in The Hague from 18 to 26 November 2015.

Attached to this note are the curriculum vitae of Mr. Hiroshi Fukuda and a statement of his qualifications.

Statement of qualifications

Mr. Hiroshi Fukuda completely fulfills the criteria established in the terms of reference of the Advisory Committee: "Members of the Committee should be drawn from eminent interested and willing persons of a high moral character, who have established competence and experience in criminal or international law."

His career as a diplomat and a judge shows his abundant knowledge and experience as an expert in both criminal and international law. Since joining the Ministry of Foreign Affairs in 1960, he has developed expertise of international law through his 35-year career as a diplomat, in which he served as Deputy Minister for Foreign Affairs (1993-1995), Ambassador of Japan to Malaysia (1990-1993) and Director General of Treaties Bureau (1989-1990).

After leaving the Ministry, he was appointed as Justice of the Supreme Court of Japan in 1995. As a highly respected judge, he vigorously contributed to the realization of justice through rendering judgments during his term of ten years. Since his retirement as a judge, Mr. Fukuda has dedicated himself to the realization of rule of law as an attorney of a leading private law firm in Japan, Nishimura and Asahi. He is also a member of the Panel of Arbitrators of the International Centre for Settlement of Investment Disputes (ICSID).

His broad first-hand experience and in-depth knowledge of international and criminal law, and extensive experience of working with people from different cultural backgrounds in international settings are highly suitable to the work of the Advisory Committee on Nominations, as demonstrated in the activities of the Committee up to the present.

He has been broadly recognized as a person of high moral character. He is Senior Director of the Japan Bar Association since 2009. In 2007, he received the Grand Cordon of the Order of the Rising Sun.

Personal Details

Name: Hiroshi Fukuda
Birth date: 2 August 1935
Sex: Male
Nationality: Japanese

Current position

Of Counsel for Nishimura and Asahi Law Firm (since 2006)

Former positions

- Justice of the Supreme Court of Japan
- Deputy Minister for Foreign Affairs, Ministry of Foreign Affairs
- Ambassador of Japan to Malaysia
- Director-General, Treaties Bureau, Ministry of Foreign Affairs

Education

- 1996 Carleton College (Honorary Degree of Doctor of Laws)
1962 Yale Law School (LLM.)
1960 University of Tokyo (Private law course) (LLB.)
1959 University of Tokyo (Public law course) (LLB.)

Professional experience

- 2012- Member of the Advisory Committee on Nominations, the International Criminal Court
2012- Trustee, Nippon Music Foundation
2012- Investment Disputes (ICSID)
2010- Trustee, Kajima Institute of International Peace
2009- Senior Director, The Japan Bar Association
2008- Chair, International Exchange Committee, The Japan Bar Association
2006- Corporate Auditor, Tokio Marine Holdings, Inc.
1995-2005 and 1993-1995: Justice of the Supreme Court of Japan, Deputy Minister for Foreign Affairs, Ministry of Foreign Affairs
1990-1993 Ambassador of Japan to Malaysia
1989-1990 Director-General, Treaties Bureau, Ministry of Foreign Affairs
1986-1987 Executive Assistant to Prime Minister Nakasone
1985-1986 Deputy Director-General, Asian Affairs Bureau, Ministry of Foreign Affairs
1983-1985 Director, Personnel Division, Minister's Secretariat, Ministry of Foreign Affairs
1980-1983 Counselor, Japanese Embassy in the United States of America
1978-1980 Director, First North America Division (economic affairs with the U.S. and Canada), American Affairs Bureau, Ministry of Foreign Affairs
1976-1978 Director, Second North America Division (economic affairs with the U.S. and Canada), American Affairs Bureau, Ministry of Foreign Affairs
1975-1976 Director, Second International Organizations Division (OECD affairs), Economic Affairs Bureau, Ministry of Foreign Affairs

Publications

- August 2013 Modern International Relation: Basic Documentation
November 2009 Artides "Why Are There So Many Hereditary Politicians in Japan?"
Asia-Pacific Review Volume 16(2) p.1-14

Decoration

- April 2007 The Grand Cordon of the Order of the Rising Sun

Language

- English (fluent)
- Japanese (mother tongue)

4. Fulford, Adrian (United Kingdom)

(Original: English)

Note verbale

Her Majesty's Britannic Embassy 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 decision of the Bureau of the Assembly of States Parties (ICC-ASP/14/SP/06), taken at its second meeting on 9 March 2015, has the honour to inform the Secretariat that the United Kingdom has decided to nominate Lord Justice Adrian Fulford for election to the Advisory Committee on Nominations.

Lord Justice Fulford served as a judge of the International Criminal Court from 2003 to 2012 and presided over the court's first trial, including the first reparations judgment. Lord Justice Fulford's curriculum vitae is enclosed.

Lord Justice Fulford fulfils the requirements of article 36, paragraphs a), b) and c) of the Rome Statute. He became a member of the bar of England and Wales in 1978 and was appointed Queen's Counsel in 1994. Justice Fulford was made a Recorder of the Crown Court in 1995 (re-appointed in 2001). He became a High Court judge on 21 November 2002. Lord Justice Fulford is due to begin a two year term as Senior Presiding Judge for England and Wales. He is currently the Deputy Presiding Judge. As part of this role, Lord Justice Fulford will be principally responsible for assessing the judicial ability of judges in the country; and for appointing judges to major leadership posts. He is a person of high moral character, impartiality and integrity and possesses the qualifications required for appointment to the highest judicial office in the England and Wales.

Statement of qualifications

This statement is submitted pursuant to UK Note verbale 070/2015. The Government of the United Kingdom of Great Britain and Northern Ireland has the honour to nominate Lord Justice Adrian Fulford for election as a member of the Advisory Committee on nominations of Judges of the International Criminal Court.

Lord Justice Fulford fully meets the requirements established in the terms of reference of the Advisory Committee adopted by the Assembly of States Parties with Resolution ICC-ASP/10/Res. 5. He is of high moral character and has established competence and experience in criminal and international law.

Lord Justice Fulford has established competence in criminal law and procedure and is experienced as both judge and advocate. He has competence in relevant areas of international law, in particular human rights law, and has extensive experience in professional legal ethics. Lord Judge Fulford has legal expertise on a wide range of specific relevant issues, including violence against women and children; serious acts of violence, such as murder and terrorism; and has extensive practical experience of questions relating to evidence in criminal cases and the handling of sensitive information, including the protection of victims and sources. He has edited important legal publications and has been widely published.

Lord Justice Fulford practised criminal law throughout his career at the Bar. Lord Justice Fulford was a judge of the High Court of England and Wales from 22 November 2002 until May 2013. He has been a judge of the Court of Appeal of England and Wales since 10 May 2013.

Lord Justice Fulford served as a judge of the International Criminal Court from 2003 to 2012. He presided over the court's first trial, including the first reparations judgment. He was the Presiding Judge of Trial Chamber I from 2007 to 2012, and President of the Trial Division from 2008 to 2012.

Lord Justice Fulford will soon begin a two year term as Senior Presiding Judge of England and Wales. He is currently the Deputy. Both the Senior and Deputy Posts are concerned with addressing the judicial ability of all judges in the United Kingdom. Lord Justice Fulford will be principally responsible for appointing judges to major leadership

posts: the Resident Judge at each Crown Court, the Presiding Judges of each of the circuits and the allocation of every judge in the country to the courts at which they sit. He will also be responsible for deciding which judges are to conduct murder and attempted murder trials. These positions demonstrate the acknowledged ability and experience of Lord Justice Fulford to assess the qualities of candidates for very senior judicial positions. In reinforcing this point, Lord Justice Fulford has been part of the selection procedure on behalf of the Judicial Appointments Commission for criminal judges in England and Wales, including, over a number of years, setting examination questions for interviews and written assessments in this regard.

Personal details

Name: Lord Justice Adrian Fulford QC
Date of Birth: 8 January 1953
Nationality: British

Professional work

2015 Deputy Senior Presiding Judge of England and Wales, soon to be Senior Presiding Judge for two years
2013 Presiding Judge for the South Eastern Circuit, England and Wales
2013 Judge of the Court of Appeal
2008 – 2012 President of the ICC Trial Division
2003 – 2012 Judge of the International Criminal Court
2002 – 2013 High Court Judge
1996 Recorder (judge in the Crown Court)
1994 Appointed Queen’s Counsel
1978 Called to the Bar (Middle Temple)

Other professional experience

1999 – 2001 Lecturer to the Bar and Judiciary (under the auspices of the Bar Council and the Judicial Studies Board) on The Human Rights Act 1998
1988 – 2002 Chairman Area Committee Legal Services Commission (for both the Board and the Commission)
1997 – 2000 Member of the Bar Professional Complaints and Conduct Committee
1997 – 1999 Elected by Criminal Bar Association as Committee Member (The Committee of the Criminal Bar Association is the forum where detailed consideration is given to all contemporary issues of principle concerning the criminal law. For example in 1998 the Committee published detailed responses to the Home Office Report on the Treatment of vulnerable or intimidated witnesses. This response gave particular and detailed attention to the position of child witnesses and the victims of rape and kindred offences.)
1999 Committee Member of the Bar Council Race Relations Committee
1997 Chair of the Disciplinary Procedures for Bar Council
1994 – Lecturer in Advocacy, Middle Temple

5. Kirsch, Philippe (Canada)

(Original: English)

Note verbale

The Embassy of Canada to the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of States Parties and has the honour to refer to the decision of the Bureau of the Assembly of States Parties, taken at its second meeting on 9 March 2015, regarding the election of members of the Advisory Committee on Nominations, which will take place at the fourteenth session of the Assembly.

The Government of Canada has the honour to nominate Justice Philippe Kirsch, Q.C. for re-election to the Advisory Committee on Nominations. Justice Kirsch was elected to the Advisory Committee at the eleventh session of the Assembly, has served one three-year term, and is eligible for re-election. Justice Kirsch served as a judge of the International Criminal Court from 2003 to 2009 and was the Court's first President. Prior to serving as a judge of the International Criminal Court, Justice Kirsch served as Chairman of the Committee of the Whole of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court (the Rome Conference), and also as Chairman of the Preparatory Commission for the International Criminal Court. Justice Kirsch's curriculum vitae is enclosed.

Justice Kirsch fulfils the requirements of article 36, paragraphs a), b), and c) of the Rome Statute. He is a member of the bar of the Province of Quebec and was appointed Queen's Counsel in 1988. He is a person of high moral character, impartiality and integrity and possesses the qualifications required for appointment to the highest judicial office in Canada. Justice Kirsch is one of the foremost authorities on international criminal law and public international law, and has extensive experience with the International Criminal Court. Justice Kirsch is fluent in both French and English.

Statement of qualifications

Personal information

Name: Philippe Kirsch, OC QC
Date of birth: 1 April 1947

Professional background

2009-2015:

- Chair, *ad hoc* Appeal Board in the Appeal by Mr. Dominic Kennedy against an administrative decision by the Secretary-General of the Permanent Court of Arbitration, Mr. Hugo Siblesz of 14 July, 2015
- Chair, Advisory Committee on Nominations of Judges of the International Criminal Court, Assembly of States Parties, 2012-2015
- Chair, Working Group on the Rule of Law: The Right to an Effective Remedy for Victims of Human Rights Violations, Vienna+20: Advancing the Protection of Human Rights, International Expert Conference, 2013
- Member, Drafting Committee, Siracusa Guidelines for International, Regional and national fact-finding Bodies Conference of experts on Best Practices for International and National Commissions of inquiry, International Institute of Higher Studies in Criminal Sciences, Siracusa, 2013
- Member, Fact-Finding mission to Myanmar-Burma, International Bar Association's Human Rights Institute (IBAHRI), 2012-2013
- Member, Group of Professionals, Monitoring, Reporting, and Fact-finding: Program on Humanitarian Policy and Conflict Research, Harvard University, 2012-2014
- Judge *ad hoc* in the case *Questions relating to the Obligation to Prosecute or extradite (Belgium v. Senegal)* at the International Court of Justice, 2009-2012
- Chair, International Commission of Inquiry to investigate all alleged violations of international human rights law in Libya, UN Human Rights Council, 2011-201

- Commissioner, Bahrain Independent Commission of Inquiry, 2011

2003-2009: International Criminal Court

- President of the International Criminal Court, and a judge on its Appeals Chamber

1972-2003: Canadian Government

- Ambassador of Canada to the Kingdom of Sweden, 1999-2003
- Ambassador and Agent for Canada in the *Legality of Use of Force Case* before the International Court of Justice, 1999-2003
- Legal Adviser, Department of Foreign Affairs and International Trade, Ottawa, 1994-1999; Assistant Deputy Minister for Legal and Consular Affairs, Department of Foreign Affairs and International Trade, Ottawa, 1994-1996
- Ambassador and Agent for Canada in the *Fisheries Jurisdiction Case* before the International Court of Justice, 1995-1998
- Director General, Bureau of Legal Affairs, Department of Foreign Affairs and International Trade, Ottawa, 1992-1994
- Ambassador and Deputy Permanent Representative of Canada to the United Nations, New York, 1988-1992
- Director, Legal Operations Division, Department of External Affairs, Ottawa, 1983-1988;
- Ambassador and Agent for Canada in the Dispute concerning Filletting within the Gulf of St. Lawrence ("Bretagne" arbitration), 1985-1986

Assignments 1972-1981

- Legal Operations Division and United States Division, Department of External Affairs, Ottawa, 1972-1973, 1975-1977
- Permanent Mission of Canada to the United Nations, New York, 1977-1981
- Canadian Embassy to Peru, Lima, with accreditation to Bolivia, 1973-1975

Related experience (1972-2003)

International Criminal Law

- Chairman of the Preparatory Commission for the International Criminal Court, 1999-2002
- Chairman of the Committee of the Whole of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, 1998
- Chairman of the United Nations Ad Hoc Committee and the General Assembly's Sixth (Legal) Committee Working Group for the suppression of acts of terrorism, which adopted the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism, 1997-1999; Alternate representative of Canada to the Ad Hoc Committee on International Terrorism, 1979
- Chairman of the United Nations Ad Hoc Committee and the General Assembly's Sixth (Legal) Committee Working Group, which adopted the Convention on the Safety of United Nations and Associated Personnel, 1993-1994
- President of the International Conference on Air Law on the drafting of a Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation; Head of the Canadian delegation to the 26th session of the Legal Committee of the International Civil Aviation Organization and Chairman of the Committee's Working Group, 1987-1988
- Chairman of the Committee of the Whole of the International Conference on the Suppression of Unlawful Acts against the Safety of Maritime Navigation; Chairman of the Preparatory Committee of the International Maritime Organization, 1987-1988
- Vice-Chairman of the Ad Hoc Committee on the drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries, 1981
- Head of the Canadian delegation to the Ad Hoc Committee on the Drafting of an International Convention against the Taking of Hostages, 1979

International Humanitarian Law

- Member of the Group of International Advisers to the International Committee of the Red Cross, 2000-2003
- Vice-President and Chairman of the Drafting Committee, of the 27th International Conference of the Red Cross and the Red Crescent, 1999
- Chairman of the Canadian National Committee on Humanitarian Law, 1998-1999

- Head of the Canadian delegation at the First Periodical Meeting of the States Parties to the Geneva Conventions, 1998
- Chairman of the Drafting Committee at the 26th International Conference of the Red Cross and the Red Crescent, 1995
- Chairman of the Drafting Committee of the International Conference on the Protection of War Victims, 1993; Chairman of the preparatory and subsequent intergovernmental working groups of government experts on the protection of war victims, 1993, 1995

Public International Law and International Organizations

- Member of the Permanent Court of Arbitration, 1995-1999
- Representative of Canada to the Ad Hoc Committee of Legal Advisers on Public International Law of the Council of Europe, 1993-1994; Representative of Canada to the Committee of Experts on Public International Law, Council of Europe, 1983-1985
- Head of the Canadian delegation before the Panel convened pursuant to chapter 18 of the Canada-United States Free Trade Agreement in the Matter of Puerto Rico Regulations on the Import, Distribution and Sale of U.H.T. Milk from Quebec, 1993
- Chairman of the United Nations General Assembly's Sixth (Legal) Committee and member of the General Committee of the United Nations General Assembly, 1982-1983; Vice-Chairman, 1980; Chairman-Rapporteur of the Sixth Committee's Working Group on Peaceful Settlement of Disputes, 1980; Representative of Canada to the Sixth Committee, 1988-1991, 1987, 1986, 1984, 1982, alternate representative, 1977-1980
- Representative of Canada to the United Nations General Assembly, its Special Political Committee and Fourth Committee (Decolonization), 1988-1991
- Vice-Chairman of the United Nations Special Committee on Peacekeeping Operations, 1980-1981, 1989-1992; Chairman of its Working Group, 1989-1992
- Deputy representative of Canada on the Security Council, 1989-1990; Vice-Chairman of the Committee on Sanctions Against Iraq, 1990; Chairman of the Sub-Committee on States confronted with Economic Problems as a Result of Sanctions, 1990
- Head of the Canadian delegation to the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea; Vice-Chairman of Special Commission 2 (Enterprise), 1984-1988; Adviser to the Canadian delegation to the Third United Nations Conference on the Law of the Sea, Caracas, 1974
- Chairman of the Working Group of Experts on the Protection of the Marine Environment against Marine Pollution from Land-based Sources, United Nations Environment Programme, 1983-1985
- Alternate chief delegate of Canada to the 25th session (extraordinary) of the Assembly of the International Civil Aviation Organization, 1984
- Alternate representative of Canada to the United Nations Conference on Succession of States in Respect of State Property, Archives and Debts, 1983
- Chairman of the Committee on Application for Review of United Nations Administrative Tribunal Judgments, 1983, 1981
- Representative of Canada to the Intergovernmental Working Group on a Code of Conduct, United Nations Commission on Transnational Corporations, 1982
- Canadian observer to the Working Group on the New International Economic Order, United Nations Commission on International Trade Law, 1981
- Delegate to the Committee on the Peaceful Uses of Outer Space and to its Legal and Scientific and Technical subcommittees, 1979-1981
- Vice-Chairman of the United Nations Committee on Relations with the Host Country, 1977-1981

Education and Professional Training

- Academy of International Law, The Hague, 1979
- LL.M., University of Montreal, 1972
- Called and Admitted to Quebec Bar, 1970
- LL.L, University of Montreal, 1969
- Bachelor's degree, Stanislas College, Montreal, 1966

Professional associations

- Rotary International, District 1700, Club de Narbonne

- Group of Professionals for the Harvard Project on Monitoring, Reporting, and Fact-finding Missions, 2012-
- Board of Editors, Brill New International Criminal Law Series, 2012-
- ABA - ICC Project Board of Advisors, 2012-
- Executive Board of Disability Council International, 2012-
- Honorary Council of the Canadian Centre for International Justice, 2009-
- Institute of International Law, 2005-
- Board of Advisors, Parliamentarians for Global Action, 2002-
- Board of Advisors, Journal of International Criminal Justice 2002-
- Executive Committee, Canadian Council of International Law; 1994-1999
- American Society of International Law, 1994-1999
- Bar of the Province of Quebec (ret.), 1970-

Honors

- Commander of the Order of the Cross of Oak (Luxembourg), February 2010
- Officer of the Order of Canada, December 2009
- Grand Cross of the Order of the Crown (Belgium), September 2009

Honorary Doctorate of Laws from

- The Academic Council of Odessa National Academy of Law, February 2007
- The National University of Ireland, June 2004
- The University of Ottawa, June 2004
- The University of Montreal, October 2003
- The University of Quebec in Montreal May 2003
- Medal of the Faculty of Law of the University of Montreal, 2003
- Raphael Lemkin International Award, December 2013
- Creation of Philippe Kirsch Institute, 2013
- Namurois of the year (Namurois de l'extérieur), 2009
- International Humanitarian Award for Advancing Global Justice, Frederick K. Cox, International Law Center, Case Western Reserve University, November 2005
- World Peace Award from the World Federalist Movement – Canada, May 2004
- Distinguished Achievement Award for the Advancement of the Rule of Law and Civil Society, Faculty of Law, University of British Columbia, September 2003
- Medal of the Law Faculty of the University of Montreal, May 2003
- Canada Sweden Human Rights Awards, 2003
- Parliamentarians For Global Action Defender of Democracy Award, 2002
- William J. Butler Human Rights Medal Award, 2001
- Minister of Foreign Affairs' Award for Foreign Policy Excellence, 1999
- Robert S. Litvack Human Rights Memorial Award, 1999
- Queen's Counsel (Q.C), 1988

Publications and communications

- "Libya" (with Mohamed Helal) in "The United Nations Security Council in the Age of Human Rights", edited by Jared Genser and Bruno Stagno Ugarte, Cambridge University Press, 2014
- *Prólogo*, in « *Intervención humanitaria: ¿derecho, deber o prohibición?*, by Éric Tardif, *Universidad nacional autónoma de México, México*, 2012
- "La Cour pénale internationale : de Rome à Kampala », in *Commentaire du Statut de Rome de la Cour pénale internationale*, Éditions A. Pedone 2012
- "La Cour pénale internationale: de Rome à Kampala », *Annuaire français des relations internationales* (2011), Vol. 12
- « The Work of the International Commission of Inquiry for Libya" in "New Challenges for the UN Human Rights Machinery" (What Future for the UN Treaty Body System and Human Rights Council Procedures?), Intersentia, December 2011
- "The International Criminal Court: from Rome to Kampala", 43 *J. Marshall L. Rev.* Volume 43, spring 2010, Number 3
- « Vers une mise en dialogue des modèles de justice? » in *Trois défis pour la Justice du XXIe siècle* Cahiers de la Justice 5, Dalloz, 2010/1

- "The International Criminal Court: Building on the Principal Legal Systems of the World", in *Multiculturalism and Contemporary International Law: Essays in Honor of Edward McWhinney*, edited by Sienho Yee and Jacques-Yves Morin, Brill Academic Publishers, 2009
- "ICC marks five years since entry into force of Rome Statute" in *The Emerging Practice of the International Criminal Court*, edited by Carsten Stahn et Göran Sluiter, Martinus Nuihof Publishers, Leiden - Boston 2009
- Introduction to *Commentary on the Rome Statute of the International Criminal Court: Observers' Notes, Article by Article*, edited by Otto Triffterer, Second Edition, Hart Publishing, Oxford, 2008
- An introduction to *The ICC and Domestic Legal Order, Volume II: Constitutional Issues, Cooperation and Implementation*, edited par Bruce Broomhall and al., 2005
- Introduction to *Archbold: International Criminal Courts: Practice, Procedure and Evidence*, edited by Karim Khan & Rodney Dixon, 2005
- "The International Criminal Court and the Enforcement of International Justice", Nineteenth Annual Blaine Sloan Lecture on International Law, *Pace International Law Review*, vol. XVII, No. 1, Spring 2005
- "The International Criminal Court: a New and Necessary Institution Meriting Continued International Support", *Fordham International Law Journal*, vol. 28, No. 2, January 2005
- "The International Criminal Court and International Criminal Justice", in *Developing a Culture of Conflict Prevention*, Anna Lindh Programme on Conflict Prevention, 2004
- "International Tribunals and Courts" published in *The Security Council in the Post-Cold War Era*", edited by David Malone, Lynne Rienner Publisher, 2004
- Introduction to *Elements of War Crimes under the Rome Statute of the International Criminal Court – Sources and Commentary*, edited by Knut Dörmann, Cambridge University Press, 2003
- "The Highway to the International Criminal Court: all Roads lead to Rome", Journées Maximilien-Caron, 1-2 May 2003, Canadian Institute for the Administration of Justice and Faculty of Law of the University of Montreal, 2003
- "International Humanitarian Law and the ICC Statute: Problems and Process", in *International Criminal Court, A new dimension in international justice. Questions and Prospects for a new humanitarian order, Proceedings of the Santorini Colloquium*, edited by Professor S. Perrakis, 2002
- "La Cour pénale internationale face à la souveraineté des Etats » in *Crimes internationaux et juridictions internationales*, A. Cassese and M. Delmas-Marty (director), P.U.F., 2002
- "Reaching Agreement at the Rome Conference", "Referral by State Parties" and "Initiation of Proceedings by the Prosecutor" (with Darryl Robinson); "The Post-Rome Conference Preparatory Commission" (with Valerie Oosterveld), and "The Contribution of the Rome Statute to International Criminal Law" (with the Board of Editors), in *The Rome Statute of the International Criminal Court - A Commentary*, edited by Antonio Cassese, Paola Gaeta and John R.W.D. Jones, Oxford University Press, 2002
- "The Preparatory Commission for the International Criminal Court", *Fordham International Law Journal*, vol. 25, No.3, March 2002
- "Terrorisme, Crimes contre l'humanité et la Cour pénale internationale", in *Livre Noir*, edited by S.O.S. Attentats, February 2002
- Introduction to *Reflections on the International Criminal Court - Essays in Honour of Adriaan Bos*, edited by Herman A.M. Von Hebel, Johan G. Lammers and Jolien Schukking, Kluwer Academic Publishers, 2001
- "The International Criminal Court: Current Issues and Perspectives", and *Law and Contemporary Problems*, School of Law, Duke University, vol. 64, No.1, Winter 2001
- "The Work of the Preparatory Commission", in *The International Criminal Court: Elements of Crimes and Rules of Procedure and Evidence*, edited by Roy S. Lee, Transnational Publishers, 2001
- "Negotiating an Institution for the Twenty-First Century: Multilateral Diplomacy and the International Criminal Court" (with Valerie Oosterveld), *McGill Law Journal*, vol. 46, No.4, August 2001

- "The International Criminal Court", *McGill Law Journal*, vol. 46, No.1, November 2000
- "The Preparatory Commission Today", in *Establishment of the International Criminal Court*, UM Publications of the Ministry of Foreign Affairs (Finland), February 2000
- "The International Criminal Court: Consensus and Debate on the International Adjudication of Genocide, Crimes Against Humanity, War Crimes, and Aggression", *Cornell International Law Journal*, vol. 32, Number 3, 1999
- Introduction to *Commentary on the Rome Statute of the International Criminal Court: Observers' Notes, Article by Article*, edited by Otto Triffterer, Nomos Verlagsgesellschaft, Baden-Baden, 1999
- "The Rome Conference on an International Criminal Court: The Negotiating Process" (with John T. Holmes), *The American Journal of International Law*, vol. 93, No.1, 1999
- "The Development of the Rome Statute", in *The International Criminal Court: The Making of the Rome Statute: Issues, Negotiations, Results*, edited by Roy S. Lee, Kluwer Law International, 1999
- "The Birth of the International Criminal Court: The 1998 Rome Conference" (with John T. Holmes), *The Canadian Yearbook of International Law*, Volume XXXVI, 1998
- "The Convention on the Safety of United Nations and Associated Personnel", Conference "Les casques bleus: policiers ou combattants? / Blue Helmets: policemen or combatants?", Faculty of Law (Civil Law), University of Ottawa, 1995; Collection Bleue, Wilson & Lafleur ltée, Montreal, 1997
- "Legal Aspects of Peacekeeping", *Canadian Defence Quarterly*, vol. 23, No.1, Special No.2, September 1993
- "International Law and Arms Control in Outer Space: New Approaches for a New Era", in *Outer Space in the 1990's: The Role of Arms Control - Security, Technical and Legal Implications. Proceedings of the Symposium at McGill University*, Montreal, November 1992, McGill Institute of Air and Space Law Association Newsletter, Winter 1992-1993
- "Weaponry and Institutions", chapter 9 in Glen Plant, *Environmental Protection and the Law of War: a "fifth Geneva Convention" on the Protection of the Environment in Time of Armed Conflict*, Belhaven Press, London and New York, 1992
- "The Expanding Peacemaking Role of the United Nations", *Proceedings of the 86th Annual Meeting of the American Society of International Law*, Washington, D.C., 1992; *Moscow Journal of International Law*, No.3, 1992
- "L'impact des événements actuels sur le droit de la paix et de la sécurité internationales", *Revue québécoise de droit international*, vol. 7, No.2, 1991-1992
- "The Changing Role of the Security Council", *Occasional Papers Series*, No. II, The Ralph Bunche Institute on the United Nations, The City University of New York, New York, 1990
- "The 1988 ICAO and IMO Conferences: an International Consensus against Terrorism", *Dalhousie Law Journal*, vol. 12, No.1, April 1989
- "The Law of the Sea Preparatory Commission after Six Years" (with Douglas Fraser), *Canadian Yearbook of International Law*, vol. XXVI, 1988
- "Law-Making through International Institutions" (with Professor D .M. McRae) in *International Law: Critical Choices for Canada 1985 - 2000*, Queen's Law Journal, 1986
- Numerous speeches, lectures and interviews (television, radio and written media) on international criminal justice, international humanitarian law and public international law

Languages

- French
- English
- Spanish

6. Ntanda Nsereko, Daniel David (Uganda)

(Original: English)

Note verbale

The Embassy of the Republic of Uganda and Permanent Mission to the Benelux Countries and the European Union presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court has the honour, in reference to the letter's note Ref. ICC-ASP/14/SP/06 dated 13th March 2015, to inform you that the Government of Uganda hereby nominates Judge Daniel David Ntanda Nsereko as the candidate for election as member of the Advisory Committee on Nominations at the election scheduled to take place during fourteenth session of the Assembly of States Parties, to be held in The Hague, the Netherlands from 18th to 26th November 2015.

Judge Nsereko, who is currently a member of the Committee, is an eminent person recognized for his experience as a judge and his outstanding scholarship in international law, criminal law, international criminal law, international humanitarian law and human rights as well as his skills as a judge and trial lawyer. His curriculum vitae, the accompanying statement and other supporting documents.

Statement of qualifications

Judge Daniel David Ntanda Nsereko fulfils the requirements for re-election as a member of the Advisory Committee on Elections in that:

He enjoys a reputation of high moral character, impartiality and integrity as Judge and Advocate of the High Court of Uganda.

He possesses established competence in criminal law and procedure. He is currently serving as judge of the Appeals Chamber at the Special Tribunal for Lebanon (STL). Prior to that, he served as judge of the Appeals Chamber at the International Criminal Court (ICC) and as President of the Appeals Division. He is an Advocate of the High Court of Uganda and has in that capacity practised law before Uganda's superior and subordinate courts. Prior to his election as judge of the International Criminal Court, Judge Nsereko was included on the List of Counsel who are eligible to be appointed to represent accused persons and victims before the International Criminal Court.

He possesses established and internationally acknowledged competence in international law, criminal law, international criminal law, international humanitarian law and the law of human rights. He acquired considerable practical experience in these fields of law as a judge at both the ICC and at the STL as well as during his legal practice. He has taught these subjects at both Makerere University in Uganda and at the University of Botswana where he served as Professor and Head of the Department of Law. He has conducted research and has published numerous scientific/scholarly pieces in internationally reputable works. He has also been involved in professional activities that require a thorough grasp of the law in these fields, such as rendering expert legal opinions and serving on the Advisory Committee of the War Crimes Research Office of the American University College of Law and on missions to investigate alleged violations of human rights and of humanitarian law.

He currently serves on the Advisory Committee on Nominations of Judges of the ICC.

He possesses an excellent command of both written and spoken English.

The election of Judge Nsereko, who comes from the African region and from a common law country, will serve the need for the representation of the principal legal systems of the world; it will also give Africa a fairer representation on the Committee.

Given his strong personal character and integrity, internationally recognized competence in criminal law and procedure, as well as international law, international criminal law, international humanitarian law and the law of human rights (as attested by his

curriculum vitae), Judge Nsereko, when re-elected, is bound to continue to make a substantial contribution to the work of the Advisory Committee.

Personal data

Name: Judge Daniel David Ntanda Nsereko
 Nationality: Ugandan
 Gender: Male
 Marital Status: Married

Education

1973-75 *Doctor of Juridical Science (J.S.D.)*, New York University School of Law, New York, New York, U.S.A.
 1971 *Master of Laws (LL.M)*, New York University School of Law, New York, New York, U.S.A.
 1972 *Certificate in International Law*, Hague Academy
 1970 *Master of Comparative Jurisprudence (M.C.J.)*, Howard University School of Law, Washington, D. C., U.S.A.
 1968 *Bachelor of Laws (LL.B)*, University of East Africa, Dar Es Salaam, Tanzania

Professional status

1972-present Advocate, High Court of Uganda
 2007-2008 List of Counsel and eligible for appointment to represent accused or victims before the International Criminal Court

Work experience

2012–present Member, *Advisory Committee on Nominations of Judges of the International Criminal Court*
 2012–present Judge, Appeals Chamber, Special Tribunal for Lebanon, The Hague, The Netherlands; Acted as Judge Rapporteur in the following appeals: (1) *Prosecutor v. Ayyash et al.*, Decision on Appeal by Counsel for Mr Merhi Against Trial Chamber's "Decision on Trial Management and Reasons on Joinder, 21 May 2014; (2) *Prosecutor v. Ayyash et al.*, Decision on Defence Appeals Against Trial Chamber's "Decision on Alleged Defects in the Form of the Amended Indictment", 5 August 2013; (3) *Prosecutor v. Ayyash et al.*, Decision on Defence Appeals against Trial Chamber's Decision on Reconsideration of the Trial *In Absentia* Decision, 1 November 2012
 2009–2010 President, Appeals Division, International Criminal Court, The Hague, The Netherlands
 2008–2012 Judge of the International Criminal Court, The Hague, Netherlands (Trial Division, January–July 2008; August 2008–March 2012, Appeals Division); Acted as Presiding Judge in the following appeals: *Situation in Darfur, Sudan, Prosecutor v. Abdallah Banda Abakaer Nourain & Saleh Mohammed Jerboa Jamaus*, Appeal against Trial Chamber IV's "Decision on the Prosecution's Application for Leave to Appeal the 'Reasons for the Order on translation of witness statements (ICC-02/05-03/09-199) and additional instructions on translation'"; *Situation in the Republic of Kenya*, Appeal of the Government of Kenya against the "Decision on the Request for Assistance Submitted on Behalf of the Government of the Republic of Kenya Pursuant to Article 93(10) of the Statute and Rule 194 of the Rule of Procedure and Evidence", 4 July 2011; *Prosecutor v. Ruto et al.* and *Prosecutor v. Mathaura et al.*, Appeal of the Government of Kenya against the Decision on the Application by the Government of Kenya Challenging the Admissibility of the Case Pursuant to Article 19(2)(b) of the Statute, 20 June 2011; *Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*: Appeal against the "Decision on the Motion for the Defence for Germain Katanga for a Declaration on Unlawful Detention and Stay of Proceedings"

- 12 July 2010; *Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*: Appeal of Mr. Katanga against the “Oral Decision of the Trial Chamber II of 12 June 2009 on the Admissibility of the Case”, 2-5 September 2009; *Prosecutor v. Joseph Kony*: Appeal of the Defence against the “Decision on the admissibility of the Case Under article 19 (1) of the Statue”, 16 September 2009
- 1996-2007 Professor of Law, University of Botswana, Gaborone
- 1992-96 Associate Professor of Law, University of Botswana
- 1984-92 Senior Lecturer in Law, University of Botswana
- 1993-94 Walter S. Owen Visiting Professor of Law, University of British Columbia, Faculty of Law, Vancouver, Canada
- 1983 Social Affairs Officer, United Nations Centre for Development and Humanitarian Affairs, New York, New York
- 1983-84 Expert Consultant, Crime Prevention and Criminal; Justice Branch of the United Nations Centre for Social Development and Humanitarian Affairs, New York, N. Y.
- 1978-82 Full - time Private Law Practice, Kampala, Uganda
- 1975-78 Senior Lecturer in Law, Makerere University, Kampala, Uganda
- 1971-75 Lecturer in Law, Makerere University
- 1968 Pupil Advocate with Kiwanuka & Co., Advocates, Kampala, Uganda

Professional activities

Law practice

- 1972-2007 Private law practitioner (initially on a part-time basis 1972-76 and full time 1976-82); represented clients in criminal and civil cases in Magistrates’ Courts, High Court, and the Court of Appeal. Some of the cases resulted in precedent - setting decisions; 2003–07 was attached as a consultant to the law firm of *Ssendege, Senyondo & Co.*, Advocates and Solicitors, in Kampala, Uganda

Trial observer

- 1996 Served as an Amnesty International Trial Observer to Ethiopia; duties included observing a criminal trial of over 50 defendants of the former Government of Ethiopia charged with genocide and crimes against humanity; writing a comprehensive confidential report on the trial in the context of international human rights standards
- 1990 Served as an Amnesty International Trial Observer to Swaziland; duties included observing a criminal trial of about 10 defendants charged with offences of a political character; writing a comprehensive confidential report in the context of international human rights standards

Special missions

- 1998 Served as Head of an Amnesty International Delegation to Lesotho to investigate allegations of human rights and humanitarian law violations and inspecting prison conditions following the South African and Botswana military intervention into that country
- 1991 Served on a two-person Amnesty International Mission to Swaziland to investigate allegations of human rights abuses and to inspect prison conditions. Authored the mission’s report

Expert/consultant

- 2007 At the request of Minority Rights Group International, wrote an expert legal opinion in a case that was pending before the African Commission on Human and Peoples’ Rights
- 2007 Participated as expert at the Resumed 5th Session of the Assembly of States Parties to the Rome Statute of the International Criminal Court, at New York, 29 January–2 February 2007, dealing with crime of aggression as part of the International NGO Coalition for the ICC

- 2006 Participated as expert at the Inter-Sessional Meeting of the Special Working Group on the Crime of Aggression of the Assembly of States Parties to the Rome Statute of the International Criminal Court, at Princeton, New Jersey, June 2005, as part of the NGO Coalition for the ICC
- 2005 Served as Legal Advisor to the Uganda Government Delegation to the second Inter-Sessional Meeting of the Special Working Group on the Crime of Aggression of the Assembly of States Parties to the Rome Statute of the International Criminal Court, at Princeton University, New Jersey, 11–13 June 2005
- 2004 At the request of the Chief Prosecutor of the International Criminal Court, wrote an expert legal opinion on the interpretation and scope of certain provisions of the Rome Statute of the International Criminal Court
- 2004 Served as Legal Advisor to the Uganda Government Delegation to the Inter-Sessional Meeting of the Special Working Group on the Crime of Aggression of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Princeton University, New Jersey, 21-23 June 2004
- 2004 Participated in the Roundtable of African Experts on the Transitional Codes for Post-Conflict Criminal Justice Project, organised by the United States Institute of Peace and the Irish Centre for Human Rights of the National University of Ireland, Galway, Abuja, Nigeria, 7–8 June 2004
- 2002 Served as Member of the Uganda Government Delegation to the first session of the Assembly of States Parties to the Statute of the International Criminal Court, New York, 3-11 September 2002
- 2002 Participated as an expert at the 9th session of the Preparatory Commission for the International Criminal Court, New York, 8–19 April 2002 as part of the NGO Coalition for the International Criminal Court and served as co-leader of the Coalition's team on the Crime of Aggression
- 2001 Participated as an expert at the 8th session of the Preparatory Commission for the International Criminal Court, New York, 24 September – 5 October 2001 as part of the NGO Coalition for the International Criminal Court and served as co-leader of the Coalition's team on the Crime of Aggression
- 2000 Participated as an expert at the 5th, 6th and 7th session (June/July and December 2000) meetings of the Preparatory Commission for the International Criminal Court as member of the NGO Coalition for the International Criminal Court
- 1999 Acted as an expert consultant to the International Criminal Tribunal for Rwanda (ICTR): wrote a legal opinion for the Tribunal on some complex legal issues in a case before the Tribunal
- 1998 Participated as an expert in the Diplomatic Conference of Plenipotentiaries for the Establishment of an International Criminal Court on the invitation of the NGO Coalition for the Establishment of an international Criminal Court, Rome, Italy, 15 June to 17 July 1998
- 1997 Participated as an expert in the August and December meetings of the UN Preparatory Committee for the Establishment of an International Criminal Court at New York as a member of the NGO Coalition for the Establishment of an International Criminal Court
- 1995 Participated in and was elected rapporteur for an Expert Group Meeting on "Victims of crime and Abuse of Power in the International Setting", convened by the United Nations Crime Prevention and Criminal Justice Branch at Vienna Austria. The Committee drew up a comprehensive plan of action for the prevention of victimisation, protection and assistance for victims of crime and abuse of power, in pursuance of the United Nations Declaration on Victims of Crime
- 1995 Served on the Committee of Experts to review and propose amendments to the Draft Statute of the International Criminal Court. For the Association Internationale De Droit Penale and the Max Planck Institute for Foreign and International Penal Law set up the Committee
- 1985 Served as Expert Consultant for the UN on a Project on the Preparation for Plans for Reform of the Criminal Justice System for Namibia, Rome, Italy

- 1985 Served as Expert Consultant for United Nations Congresses for the Prevention of Crime and Treatment of Offenders, at Milan, Italy (1985), and Caracas, Venezuela (1980); and at regional and inter-regional preparatory meetings at The Hague, The Netherlands (1980), Addis Ababa, Ethiopia (1978) and Lusaka, Zambia (1975)
- 1984 Served as Expert Consultant for the Crime Prevention and Criminal Justice Branch of the United Nations Centre for Social Development and Humanitarian Affairs and participated in the drafting of the United Nations Declaration for the Rights of Victims of Crime

Resource person/guest lecturer

- 2011 Delivered a talk on “Calling African Female Lawyers” as a part of a campaign spearheaded by the Office of the ICC Registrar, at the Imperial Resort Beach Hotel, Entebbe, Uganda, 6 May 2011; Delivered a lecture on “The ICC: An Overview of the basic features and recent developments” at the Kwazulu Natal University Faculty of Law, Durban, South Africa, 10 May 2011
- 2010 Presented a paper on “New Perspectives after the Kampala Review Conference and African Issues” at the 12th Salzburg Law School on International Criminal Law, Humanitarian Law and Human Rights, at Salzburg, Austria 12-20 August 2010; Chaired a panel discussion on “The Post-colonial African State and Impunity” at a conference on Africa and the future of the International Criminal Justice at the Witswaterand School of Law, Johannesburg, South Africa, 14-16 July 2010; Participated on a panel discussion on “Crimes against Humanity and State Responsibility to Prevent” at a conference on Forging Convention on Crimes against Humanity, convened by the Washington University Law School, Whitney R. Harris World Law Institute at the Brookings Institute, Washington DC, 11-12 March 2011
- 2009 Presented a paper on “Children in armed conflict and the International Criminal Court” at the 10th International Conference of the Chief Justices of the World, Lucknow, India, 11-14 December 2009; Delivered a paper on “Africa and the ICC” at a workshop for Members of Parliament, organised by Parliamentarians for Global Action, Kampala, Uganda, 30 June 2009; Delivered a lecture on “Basic Features of the International Criminal Court” at a course for Judges and Prosecutors from Jordan, organised by the Hague Forum for Judicial Expertise, The Hague 22 April 2009; Presented a paper on “The ICC Six Years On” at the Future of International Criminal Justice Conference, convened by West Point Centre for the Rule of Law, Department of Law, United States Military Academy, West Point, New York, 15-17 April 2009
- 2008 Presented a paper on “The Rights of Children and the International Criminal Court” at the 9th International Conference of Chief Justices of the World, Lucknow, India 15 December 2008; Presented a paper on “Trial Proceedings at the International Criminal Court” at the International Conference on the ICC organized by the Supreme Court of the Philippines Judicial Academy in partnership with the Italian Embassy in Manila, the Philippines, 25-26 September 2008;
- 2006 Served as resource person at a seminar organized by the Mozambican Bar Association under the sponsorship of the Friedrich Ebert Foundation on “The International Criminal Court: a Court for the Future” at Maputo, Mozambique 9 March 2006 and presented a paper on “The International Criminal Court: Botswana’s Experience.”
- 2005 Served as guest lecturer and delivered lectures on “The Relationships between the International Criminal Court and the UN Security Council” at the 7th session of the Salzburg Law School, Salzburg, Austria, 8–10 August 2005
- 2004 Served as guest lecturer and delivered a lecture on the Crime Genocide at the International Criminal Court Training Course for African Government

- Officials organised by the University of Nottingham and the University of Cape Town, Cape Town, South Africa, 28 June to 3 July 2004
- 2003 Served as guest lecturer and delivered a lecture on “Prosecutorial Discretion before National and International Tribunals” in a series of Guest Lectures at the Office of the Prosecutor of the International Criminal Court, The Hague, Netherlands, 19 December 2003. See website: http://www.icc-cpi/otp/lecturers_dn.html
- 2002 Served as guest lecturer to LLM students of the Law Department, *Università degli Studi di Teramo*, Italy, 25 February–1 March 2000. Delivered lectures on the status of the individual under International Law, the Use of force under the UN Charter and on the Crimes of Genocide and Aggression
- 2001 Served as guest lecturer to LLM students of the Faculty of Law, University of Cape Town, South Africa, August 2001. Delivered lectures on the crimes of aggression and genocide
- 2000 Served as resource person at a Workshop for Women of Africa on Gender Justice & the International Criminal Court organised by the Women’s Caucus for Gender Justice in collaboration with the Law, Race and Gender Research Unit of the University of Cape Town, Cape Town South Africa, 24–26 August 2000
- 2000 Served as guest lecturer at the Salzburg School of International Criminal Law, Salzburg, Austria, and August 2002. Delivered lectures on the Crimes of Aggression and Genocide as well as on the International Criminal Tribunal for Rwanda
- 1999 Served as Scientific Director for the Gaborone School for International Criminal Jurisdictions, Gaborone, Botswana (October 1999)
- 1999 Served as guest lecturer at the Salzburg School of International Law, Salzburg, Austria. Delivered lectures on the Crime of Genocide
- 1999 Served as resource person at a SARPCCO Training Course for Police Trainers organized by the UN High Commissioner for Human Rights, at Gaborone, Botswana

Memberships

- 2006-2008 Member, Advisory Committee, *War Crimes Research Office*, American University, Washington, DC
- 2006 Member, International Advisory Board of the *International Doctorate School of Excellence*, University of Cologne, Germany
- 2005-present Member, Editorial Board of the *University of Botswana Law Journal*
- 2004-present Member, *East African Law Society*
- 1972-present Member, *Uganda Law Society*
- 1988-present Member of the Board of the *International Society for the Reform of Criminal Law*
- 1990-present Member of the Editorial Board of the *Criminal Law Forum: an International Journal*
- 1986-1990 Member of the Editorial Board of the *Journal Violence, Aggression and Terrorism*
- 1985-present Member of the Editorial Council of the *Journal Church and State*
- 1975-1980 Member of the Executive Committee of the *Uganda Red Cross Society*
- 1975-1980 Member of the Law Council (Executive Committee) of the *Uganda Law Society*

Academic activities

Courses taught

- 1984-2007 *University of Botswana*, Botswana: Public International Law, International Criminal Law, International Human Rights Law, Criminal Law, Criminal Procedure, Evidence, Constitutional Law, Administrative Law, and Legal Ethics
- 1993-1994 *University of British Columbia*, Vancouver, Canada: International Law of Human Rights

1971-1978 *Makerere University*, Uganda: Public International Law, Criminal Procedure, Civil Procedure, Evidence, Family Law, and Law of Business Associations

Academic leadership

1985-1993 Served as Head Department of Law, University of Botswana; external examiner (as external examiner I act as “watch dog” for the appointing universities over academic standards; I approve examinations; I check examination scripts; and examine theses and dissertations)

2003-2006 University of Swaziland, Kwaluseni, Swaziland

1998-2002 University of Dar Es Salaam, Tanzania

1993 University of Swaziland, Kwaluseni, Swaziland

1992-1993 National University of Lesotho, Roma, Lesotho

1991-1993 University of Zambia, Lusaka, Zambia

1987-1990 University of Nairobi, Nairobi, Kenya

External assessor

2010-2011 Served on the Doctorate Committee, University of Amsterdam, tasked with assessing the quality of a thesis submitted for the award of the Degree of Doctor of Laws

2000 Served as external assessor for the University of Dar Es Salaam: read and wrote detailed assessment of publications of candidates for promotion to the rank of associate professor and full professor

1994 Served as external assessor for the University of Lagos, Akoka, Yaba, Nigeria; read and wrote detailed assessment of the publications for the candidate for promotion to the rank of associate professor

Journal refereeing

2004 Refereed article submitted to South African Law Journal and advised on its publishable quality

2000 Refereed article submitted to the Melbourne Journal of International Law and advised on its publishable quality

Publications

Books

- *Criminal Law in Botswana* (3rd ed.) Frank Verbruggen ed. (Wolters Kluwer, The Netherlands, 2015) ISBN 978-90-411-3621-3 [forthcoming]
- *Criminal Law in Uganda* (in the International Encyclopaedia of Laws Criminal Law, (3rd ed.), Frank Verbruggen ed., Wolters Kluwer, The Netherlands, 2013, ISBN 978-90-654-4937-5) [410 pages]
- With K. Solo, *Legal Ethics in Botswana: Cases and Materials* (University of Botswana, Department of Law, Private Bag 0022 Gaborone. 2004). ISBN No. 99912-949-5-3) [448 pages]
- *Constitutional Law in Botswana* (in the International Encyclopaedia of Laws (Kluwer International Publishers, Deventer, The Netherlands. 2002. ISBN 90 6544 9442 and ISBN 90K 330 022X). Republished by Pula Press, Gaborone, Botswana, 2012. ISBN 978-99912-619-7-3 [307 pages]
- *Twejjukanye Oluganda [Luganda Language Grammar]* (University of Botswana 2001) ISBN 99912-950-0-3 [150 pages]
- *Criminal Procedure in Botswana: Cases and Materials (3rd ed.)* (Pula Press, Gaborone. 2002. ISBN 99912-61-61-3) [506 pages]
- *Eddembe Lyaffe* [a treatise written in the Luganda language, literally meaning "Our Rights"; it discusses various aspects of human rights and has four appendices which are translations of key UN human rights instruments], (Nabinene Emporium Ltd., P.O. Box 3675 Kampala, Uganda. 1995). Published with the assistance of the Danish Agency for International Development (DANIDA) [201 pages]
- *English - Luganda Law Dictionary* (University of Botswana. 1993 ISBN 99912-0-082-7). (Indexed in *The African Book Publishing Record*, West Sussex, England, 1994) [149 pages]

- *Antigone: a Greek Play by Sophocles* (a translation into the Luganda Language. Marianum Press, Kampala, Uganda. 1989) [63 pages]

Mimeographs

- *The International Protection of Refugees* (Doctoral dissertation submitted to New York University School of Law, 1975) [379 pages]
- *Police Powers and the Rights of the Individual in Uganda* (Makerere University Kampala, Uganda 1973) [134 pages]

Chapters in Books

- "The Rule of Law, the International Justice System and Africa", in Lipton, Suzannah, Simpson, Gerry, Schabas, William (eds), *For the Sake of Present and Future Generations: Essays in Honour of Roger Clark* (Brill/Nijhoff, 2015 ISBN13: 978004270718) [forthcoming]
- "The Special Tribunal for Lebanon and the Global Response to Terrorism", Essay in Honour of Judge Flavia Lattanzi) - [2015 forthcoming]
- "Preliminary Rulings Regarding Admissibility" and (with Christopher Hall and Manuel J. Ventura), "Challenges to the Jurisdiction of the Court or the Admissibility of a Case", in Otto Triffterer and Kai Ambos (eds.), *Commentary on the Rome Statute of the International Criminal Court* (3rd ed.) (Nomos Verlagsgesellschaft Baden-Baden, Germany, 2015. ISBN 3-7890-6173 5) [forthcoming]
- "The International Criminal Court and Africa," in Manisuli Ssenyonjo. (ed.) *African regional Human Rights System: Thirty Years after the Adoption of the African Charter on Human and Peoples' Rights* (Koninklijke Brill NV, Leiden, 2011)
- "Cooperation with the Court in Matters of Arrest and Surrender of Indicted Fugitives: Lessons from the ad hoc Tribunals and National Jurisdictions," in Jose Doria, Hans-Peter Gasser and M. Cherif Bassiouni, *The Legal Regime of the International Criminal Court: Essays in (eds) Honour of Professor Igor Blishshenko*, (Martinus Nijhoff Publishers, 2009) ISBN 978 90-041630-89 [at pp.975-999]
- "Sentencing at the International Criminal Tribunal for the former Yugoslavia" in Andre Klip and Goran Sluiter (eds), *Annotated Leading Cases of International Criminal Tribunals: The International Criminal Tribunal for Yugoslavia*, Vol. XV (Intersentia, Antwerp, 2008) ISBN 978-90-5095-794-6 [at pp.723-730]
- "Participation in Crime in Botswana" in Ulrich Sieber (ed.) *Participation in Crime: Criminal Liability of Leaders of Criminal Groups and Networks – A Comparative Analysis* (Max Planck Institute for Foreign and International Criminal Law. Freiburg. 2007
- "Expeditious Trial" in Andre Klip and Goran Sluiter (eds), *Annotated Leading Cases of International Criminal Tribunals: The Special Court for Sierra Leone*, Vol 9 (Intersentia, Antwerp, 2006. ISBN 90-5095.[at pp. 690-697]
- "Right to Counsel" in Andre Klip and Goran Sluiter (eds), *Annotated Leading Cases of International Criminal Tribunals: The International Criminal Tribunal for Yugoslavia*, Vol. 8 (Intersentia, Antwerp, 2005. ISBN 90-5095-397-2) [at pp. 375-386]
- "Forcible Transfer of Children" in Shelton, Dinah (ed.) *Encyclopaedia of Genocide and Crimes Against Humanity*, 3 vols. (Detroit, Mich: Macmillan Reference USA, 2005. ISBN 0028658477) [at pp. 370-376]
- "The Indictment", in Andre Klip and Goran Sluiter (eds), *Annotated Leading Cases of International Criminal Tribunals: The International Criminal Tribunal for Rwanda*, Vol.6 (Intersentia, Antwerp, 2003. ISBN 90-5095-319-0) [at pp. 49–58]
- "Preliminary Matters: the Indictment", in Adre Klip and Goran Sluiter (eds), *Annotated Leading Cases of International Criminal Tribunals: The International Criminal Tribunal for Yugoslavia*, Vol. IV (Intersentia, Antwerp, 2002. ISBN 90-5095-213-5) [at pp. 58-68]
- "Social Change and Organised Crime in Southern Africa", in Apollo Rwomire (ed.), *Social Problems in Africa* (Praeger Publishers, Westport, CT., U.S.A., 2001. ISBN 0-275-96343-8) [at pp.209-228]

- “The African Great Lakes Region and the International Criminal Tribunal for Rwanda”, in ELSA (eds.), *International Law as we enter the 21st Century* (Berlin Verlag Arno Spitz GmbH, 2001. ISBN 3-8305-0249-4) [at pp. 73–85]
- “The Implementation of the ICC Statute within the Southern African Community (SADC)”, in Claus Kress & Flavia Lattanzi (eds.), *The Rome Statute and Domestic Legal Orders Volume I: General Aspects and Constitutional Issues* (Nomos Verlagsgesellschaft, Baden-Baden, Germany, 2000. ISBN 88-8784-00-2) [at pp. 169-182]
- “Genocide: A Crime Against Mankind”, in Gabrielle Kirk McDonald and Olivia Swak-Goldman (eds.), *The Law and Enforcement of International Offences – The Experience of International and National Courts* (Kluwer Law International, The Hague, The Netherlands, 1999. ISBN 90-411-1133-6) [at pp. 113-140]
- “Controlling Executive Power in Southern Africa: the Role of the Courts and Administrative Tribunals”, in Hugh Corder and Tiyanjana Maluwa (eds.), *Administrative Justice in Southern Africa* (University of Cape Town, Cape Town, 1997. ISBN 0-7992-1892-8) [at pp. 95-116]
- “Reparations in the Criminal Law: the Case of Uganda”, in Albin Eser and Susanne Walther *Wiedergutmachung im Strafrecht: Internationale Perspektiven* (edition iuserim, Max-Planck Institute for Foreign and International Criminal Law, Freiburg, Germany, 1997. ISBN 3-86113-971-5) [at pp. 319-354]
- “Issues of Implementation and Co-ordination”, with Roger Clark, in Yael Danieli, Nigel Rodley and Lars Weisaeth (eds) *International Responses to Traumatic Stress* (Baywood Publishing Company, Amityville, N.Y., 1995. ISBN 0-89503-132-9) [at pp. 425-437]
- “Victims of Crime and their Rights”, in T.M. Mushanga (ed.) *Criminology in Africa*, (United Nations International Crime and Justice Research Institute, Rome, 1992. ISBN 92-9078-021-6) [at pp. 21-42]
- “The Rights of Children in Botswana”, in *The Rights of the Child* (Initiative Ltd., Nairobi 1989. ISBN 9966-42-001-0) [at pp. 25-31]
- “Human Rights: A Legal Perspective”, in D.Rubadiri (ed.), *Human Rights and You* D.Rubadiri (ed.), (Macmillan Botswana Ltd. 1989. ISBN 0-333 52364-4) [at pp. 11-16]
- “Arbitrary Deprivation of Life: Controls on Permissible Deprivations”, in B.G. Ramcharan (ed) *The Right to Life in International Law*, (Martinus Nijhoff Publishers, The Netherlands, 1985. ISBN 90-247-3074-0) [at pp. 245-283]

Book review

- Review of D. Dyzenhaus, *Hard Cases in Wicked Legal Systems: South African Law in the Perspective of Legal Philosophy* (Oxford: Clarendon Press 1991) 28 *Canadian Journal of African Studies* 150-3 (1994)

Articles in internationally peer-refereed journals

- “The ICC and Complementarity in Practice” 26 *Leiden Journal of International Law* (2013)
- “The Kampala Review Conference: The Capstone of the Rome System” 22 *Criminal Law Forum: An International Journal* 511-518 (2011)
- “The Role of Victims in Criminal Proceedings – Lessons National Jurisdictions can take from the ICC” 21 *Criminal Law Forum: An International Journal* 399-414 (2010); DOI 10.1007/s10609-010-9126-6
- “The Role of International Criminal Tribunals in the Promotion of Peace: the Case of the International Criminal Court” 19 *Criminal Law Forum: An International Journal* 373-393 (2008)
- “The Abuse of Process Doctrine in the Administration of Criminal Justice before National Courts and International Tribunals”, 7 *University of Botswana Law Journal* 29-71 (2008).
- “Relationship between the International Criminal Court and the United Nations Security Council”, 13 *Zetschrift Für Internationale Starfrechtsdogmatik* 500 (2007) (<http://www..zis-online.com>)
- “Bringing Aggressors to Justice: From Nuremberg to Rome” 4 *University of Botswana Law Journal* 4-32 (2005)

- "The SADC Protocol against Corruption: Example of the Region's Response to an International Scourge", with Zein Kebonang, 1 *University of Botswana Law Journal* 85-119 (2005)
- "Prosecutorial Discretion before National Courts and International Tribunals", 2 *Journal of International Criminal Justice* 124-144 (2005)
- "Triggering the Jurisdiction of the International Criminal Court", 4 *African Human Rights Law Journal* 256-274 (2004)
- "Defining the Crime of Aggression: An Important Agenda Item for the Assembly of States Parties to the Rome Statute of the International Criminal Court", *Acta Juridica Journal* 256-286 (2003) [University of Cape Town, South Africa]
- "Aggression under the Rome Statute of the International Criminal Court" 71 *The Nordic Journal of International Law*, 497-521 (2002)
- "The Ethical Obligations of Counsel in Criminal Proceedings: Representing an Unwilling Client", 12 *Criminal Law Forum: an International Journal* 487-507 (2001)
- "Genocidal Conflict and the International Criminal Tribunal for Rwanda", 48 *Netherlands International Law Review* 31-65 (2001)
- "Minimum Sentences and their Effect on Judicial Discretion", 31 *Crime, Law and Social Change: An International Journal* 363-384 (1999)
- "Crime Prevention in Southern Africa: A Legal Perspective", 32 *The Comparative and International Law Journal of Southern Africa* 247-265 (1999)
- "The International Criminal Court: Jurisdictional and Related Issues", 10 *Criminal Law Forum: An International Journal* 87-120 (1999)
- "Police Informers and Agents Provocateurs: Accomplices or Handmaidens of the Law? Perspectives from the Courts of Eastern and Southern Africa" 9 *Criminal Law Forum: An International Journal* 151-169 (1998/99)
- "Indigenous Justice Systems: An Eastern African Perspective", 24 *Indian Socio-Legal Journal* 23-30 (1998)
- "When Crime Crosses Borders: A Southern African Perspective", 41 *Journal of African Law* 192-200 (1997) (University of London)
- "Witchcraft as a Criminal Defence, From Uganda to Canada and Back", 24 *Manitoba Law Journal* 38-59 (1996) (University of Manitoba)
- "Rules of Procedure and Evidence of the International Tribunal for the Former Yugoslavia" 5 *Criminal Law Forum: An International Journal* 507-555 (1994). Reprinted as a chapter in Roger Clark and Madeleine Sann (eds.), *The Prosecution of International Crimes* (Transaction Publishers, Rutgers - The State University of New Jersey, New Brunswick, N.J., 1996. ISBN 1-56000-269-7) [at p. 293-341]
- "Victims of Abuse of Power, with Special Reference to Africa" 28 *University of British Columbia Law Review* 171-192 (1994). Reprinted in 60 *The Review of the International Commission of Jurists* 199-219 (1998)
- "The Poisoned Tree: Responses to Involuntary Confessions in Criminal Proceedings in Botswana, Zambia, and Uganda" 5 *African Journal of International & Comparative Law* 609-633 (1993). (London). Reprinted as a chapter in M. Cherif Bassiouni and Ziyad Motala (eds), *The Protection of Human Rights in African Criminal Proceedings* (Martinus Nijhoff Publishers, Dordrecht, The Netherlands. 1995) [at 83-102]
- "The Police, Human Rights, and the Constitution: An African Perspective", 15 *Human Rights Quarterly* 465-484 (1993) (John Hopkins University Press). This article was abstracted in the 1994 *International Political Science Abstracts* (27 Rue Saint-Gallium, 75341 Paris Cedex 07, France)
- "Religious Liberty and the Law in Botswana Today," 34 *Journal of Church and State* 843-862 (1992) (Baylor University)
- "La religion et la Loi au Botswana aujourd'hui" 43 *Conscience et Liberte* 89-93 (1992) (Bern, Switzerland)
- "Extenuating Circumstances in Capital Offences in Botswana", 2 *Criminal Law Forum: An International Journal* 235-268 (1991)
- "Compensating the Victims of Crime in Botswana", 33 *Journal of African Law* 157-171 (1989) (University of London)
- "The Right to Legal Representation in Botswana", (1988) *Israel Yearbook on Human Rights* 211-227 (Tel-Aviv University)

- "Religion, the Law and the State in Africa" 28 *Journal of Church and State* 268-287 (1986) (Baylor University)
- "The Right to Return Home in International Law", 21 *Indian Journal of International Law* 335-351 (1981)
- "The Nature and Function of Marriage Gifts in Customary African Marriages", 23 *American Journal of Comparative Law* 682-704 (1975) (University of California)
- "The Consul as a Defendant: His Amenability to the Jurisdiction of the Receiving State", 15 *Indian Journal of International Law* 333-350 (1975)
- "The International Court, Impartiality and Judges Ad Hoc", 13 *Indian Journal of International Law* 207-230 (1973). [This article was included in J.C. Merrills' *A Current Bibliography of International Law*, (Butterworths, London, 1978) 188
- "The Tanzania Nationalisation Laws", 3 *Eastern African Law Review* 1-23 (1970) (The University of Dar Es Salaam)

Conference and other papers

- "The Role Lawyers before International Courts: the case of the Special Tribunal for Lebanon", Paper presented at a conference organized by Council of Bars and Law Societies of Europe, The Hague, Netherlands 23 April 2015
- "Justice and the International Criminal Tribunals", Lecture delivered at Friedensau Adventist University, Berlin, Germany, 16 March 2015
- "The Evolution of the Status of the Individual under International Law", Paper presented at the Hague Summit on International Law & Human Rights, The Hague, Netherlands, 4th, 5th February 2015
- "Obwenkanya Obw'obutonde mu Litulica Omuganda" ["Natural Justice in the Luganda Literature"], Lecture delivered at the Institute of Languages, Makerere University, Kampala, Uganda, 6 October 2014
- "The Law's Response to the Plight of Victims of Trauma in the Context of International Criminal Justice", Paper presented at the Conference on Trauma and Resilience, Berlin, Germany, July 2014
- "The Relationship between the African Union and the International Criminal Court, Seminar of the International Criminal Law Society, Rabat, Kingdom of Morocco, June 2014
- "The international Legal System and its relevance to the Rule of Law in Africa", the Benedicto Kiwanuka Memorial Lecture, organized by the Foundation for African Development, 14 November 2013, Makerere University, Kampala, Uganda
- "The Evolution of International Criminal Law and the International Criminal Court in Context", Address to the Parliament of Uganda, Kampala, Uganda, September 2013
- "Religious Tolerance, Sustainable Development and the Law in Africa", Paper delivered at the All-Africa Religious Liberty Congress, Yaounde, Cameroon, 6- 10 August 2013
- "Appraising the Work of the ICC in its first Decade: Challenges and Ways Forward", paper presented at the Conference on "International Criminal Law: the Rome Statute - Ten Years After and Ahead" held at the University of Copenhagen, Faculty of Law, Denmark, 14 November 2012
- "Promoting Religious Freedom in Secularity: A Legal Perspective", Conference of the International Religious Liberty Association, Punta Cana, Dominican Republic, April 2012
- "The ICC Targets Impunity, not Africa", article published in the newsletter of the Uganda Coalition on the International Criminal Court, Kampala, Uganda, July 2011
- "Reparations for Victims of Crime in Uganda" in Eduardo Vetere & David Pedro, *Victims of Crime and Abuse of Power: Festschrift in honour of Irene Melup* (11th UN Congress on Crime Prevention and Criminal Justice, Bangkok, April 2005)
- "Bringing Aggressors to Justice: From Nuremberg to Rome" presented as an inaugural lecture at the University of Botswana, Gaborone, 13 April 2005
- "The Right to Legal Representation before the International Tribunal for the former Yugoslavia", presented at the 18th International Conference of the International Society for the Reform of Criminal Law, Montreal, Canada, 8 – 12 August 2004
- "The Independence of the Judiciary" presented at the SADC Chief Justices' Conference, Kasane, Botswana, July, 2004.

- "Prosecutorial Discretion before National and International Tribunals" delivered as part of a series of Guest Lectures at the Office of the Prosecutor of the International Criminal Court, The Hague, Netherlands, and 19 December 2003. See website: http://www.icc-cpi/otp/lecturers_dn.html
- "Implementation of the Rome Statute: Making the National Criminal Justice Systems Able in Law" presented at the Annual International Criminal Law Network, The Hague, Netherlands 17-19 December 2003
- "Triggering the Jurisdiction of the International Criminal Court" presented at a Symposium on "Civil Society and Justice in Zimbabwe", Johannesburg, South Africa, 11-13 August 2003
- "The Definition of the Crime of Aggression: Challenge facing the Assembly of States Parties" presented at the International Conference on "The International Criminal Court: Some Questions and Answers from the Arab Region" at Cairo, Egypt 9-11 May 2002
- "Rwandan Adventists on Trial for Genocide" (2000) *Adventist Lawyer* 36
- "Treatment of Prisoners and the International Law of Human Rights", paper presented at the Seminar for Heads of Penitentiary Institutions of African Countries, Harare, Zimbabwe, 23 February - 5 March, 1988
- "The Death Penalty in Botswana", a paper presented at the "Reform of the Criminal Law" Conference, Inns of Court, London, July 26-29, 1987. (Cited by Roger Hood in *The Death Penalty* (Oxford University Press, Oxford 1989)
- "The Prisoner and Human Rights", in Frimpong, K.(ed.), *The Law, The Convict And The Prisons* (Mimeograph), University of Botswana, Gaborone, 1987 [at p. 210-224]
- "Capital Punishment in Botswana" with M.J.A. Glickman in *United Nations, Crime and Criminal Justice Newsletter*, 12 and 13 (November 1986), 51
- "A Magna Carta for Victims of Crime", in *Departmental Seminar Papers Vol. I* (1985/86)
- "Christianity and Human Rights", a paper presented at a Workshop organised by the Department of Theology and Religious Studies (University of Botswana 1985)
- "Group Victims of Crime and other Illegal Acts Linked to the Abuse of Public Power with Special Reference to Africa", (paper prepared for the Crime Prevention and Criminal Justice Branch of the United Nations Centre for Social Development and Humanitarian Affairs, New York, 1983). Cited in the Working Paper Prepared by the UN Secretariat for the 7th UN Congress on the Prevention of Crime and Treatment of Offenders, Milan, Italy. UN Doc. A/CONF.121/6, 1 August 1985
- "The Church in an Emerging Legal System: The Case of Uganda", a paper presented at the International Christian Lawyers' Conference, Geneva, Switzerland, 1981
- "Torture: A Crime Against Human Dignity", an article published in *The Exposure* (magazine, Kampala, Uganda. 1980)

Awards

- 2006 Visiting Scholar, *Max-Planck Institute for Foreign and International Criminal Law*, Freiburg, Germany
- 1996 Awarded a medal by the *International Society for the Reform of Criminal Law*, at Vancouver, Canada in recognition of my contribution to International Human Rights and to Criminal Law Reform
- 1995 Visiting Scholar, *Max-Planck Institute for Foreign and International Criminal Law*, Freiburg, Germany
- 1982 Fellow, Institute of International Law & International Relations Research, *Hague Academy of International Law*, The Hague, Netherlands

7. Petri , Ernest (Slovenia)

(Original: English)

Note verbale

The Ministry of Foreign Affairs of the Republic of Slovenia presents its compliments to the Secretariat of the Assembly of States Parties of the International Criminal Court and has the honour to communicate that the Government of the Republic of Slovenia decided to nominate Prof. Dr. Ernest Petri as candidate for a member of the Advisory Committee on Nominations of Judges of the International Criminal Court.

Since the establishment of the International Criminal Court, the Republic of Slovenia has been a staunch supporter of both its work and activities. Slovenia's decision to nominate a candidate is another sign of its commitment to the effective functioning of the Court, which depends on the quality of nominated judges. An independent evaluation of candidates for the post of the ICC judge should represent the conclusive step when taking a nomination decision.

Slovenia has therefore decided to nominate an eminent international lawyer, judge, diplomat, academic and incumbent member of the Advisory Committee on Nominations of Judges of the International Criminal Court, for re-election as a member of the Committee. A detailed description of qualifications of Prof. Dr. Petri , including his curriculum vitae, is attached to this note.

Statement of qualifications

The Government of the Republic of Slovenia decided to nominate Prof Dr Ernest Petri for re-election as candidate for a member of the Advisory Committee on Nominations of judges of the International Criminal Court.

Prof Dr Ernest Petri currently holds the post of the judge at the Constitutional Court of the Republic of Slovenia which he also presided in the past. During his career, he has collected invaluable experience and achievements in the legal, diplomatic and academic spheres.

His diplomatic career includes the post of Ambassador of the former SFRY to India at a time when the former Yugoslavia was chairing the Non-Aligned Movement. He was also the first Ambassador of the Republic of Slovenia to the United States. Later, he held the post of State Secretary at the Ministry of Foreign Affairs, Permanent Representative to the UN in New York, Ambassador to Austria, and Permanent Representative to the International Organizations in Vienna (OSCE, UNIDO, ODC, CTBT, and IAEA).

His academic career includes professorships at the University of Ljubljana, Slovenia, and in Ethiopia. He has published over 100 articles on international law, international relations and related topics. He recently published his sixth book entitled "Foreign Policy: The Basis of Theory and Practice" which, like his previous books, shows the wealth of his experience and professional achievements in diplomacy, international law and the academic sphere.

Dr Petri is a member of the International Law Commission for the second term. During the first term, he was elected Chairman and Rapporteur. His competence in international law has been recognized by his peers repeatedly in both domestic and international fora.

Dr Petri is a person of highest integrity and professionalism, and his personal commitment to effective work of the International Criminal Court would guide him in his deliberations and evaluations regarding candidates for the post of ICC judge, should he be elected.

Education

- Ph.D. in International Law, Faculty of Law, University of Ljubljana (1965).
- Postgraduate studies at the University of Vienna (1963-1964).
- LL.M. with honours, Faculty of Law, University of Ljubljana (1960).

Additional education

- Max Planck Institute of International and Public Law, Heidelberg (1979).
- Academy of International Law, The Hague (1973).
- Wilton Park (1972).
- Institute of International Law, University in Thessaloniki (1972).
- University of Lund (1958).

Work experience

- Judge at the Constitutional Court of the Republic of Slovenia (2013-now)
- President of the Constitutional Court of the Republic of Slovenia (2010-2013)
- Judge of the Constitutional Court of the Republic of Slovenia (2008-present)
- Professor of International Law and International Relations, Faculty of Social Sciences, University of Ljubljana (2008-present).
- Professor of International Law, European Law Faculty in Nova Gorica (2008-present).
- Ambassador of the Republic of Slovenia to the Republic of Austria and Permanent Representative to the International Organizations in Vienna (2002-2008) and the OSCE (2002-2004).
- Permanent Representative of the Republic of Slovenia to the United Nations in New York and Ambassador (non-resident) of the Republic of Slovenia to the Federative Republic of Brazil (2000-2002).
- State Secretary, Ministry of Foreign Affairs of the Republic of Slovenia (1997-2000).
- Ambassador of the Republic of Slovenia to the United States of America and (non-resident) to the United States of Mexico (1991-1997).
- Ambassador of the Socialist Federal Republic of Yugoslavia to the Republic of India and (non-resident) the Kingdom of Nepal (1989-1991).• Professor of International Relations and International Law, Faculty of Sociology, Political Sciences and Journalism, University of Ljubljana (1986-1989).
- Professor of International Relations and International Law, University of Addis Ababa (1983-1986).
- Professor of International Relations and International Law, Head of Department of Political Science and International Relations, Faculty of Sociology, Political Sciences and Journalism, University of Ljubljana (1972-1983).
- Senior university teacher of international relations and international law, Faculty of Political Studies, University of Ljubljana (1965-1967).

Publications

- Author of 6 books on topics of international law and international relations.
- Author of over 100 articles on topics of international law, international relations and related topics.

Management skills

- Member of the Advisory Committee on Nominations of judges of the International Criminal Court (2012-present).
- Member of ILC (2006 - present) and its Chairman (2009-2010) in Geneva.
- Member of the Board of Governors of IAEA (2005-2007) and its Chairman (2006-2007) in Vienna.
- Dean of the Faculty of Sociology, Political Sciences and Journalism, University of Ljubljana (1987-1989).
- Director of the Research Centre of the Faculty of Sociology, Political Sciences and Journalism, University of Ljubljana (1987-1989).
- Member (Minister) of the Executive Council (Government) of the Socialist Republic of Slovenia, responsible for science and technology (1967-1972).
- Member of the Slovenian National Assembly (1967-1972).

Additional experience in foreign policy and international law

- Expert member of the delegations to the General Conferences of UNESCO and the OEKO.
- Representative of the Socialist Federal Republic of Yugoslavia to the OECD Committee for Scientific and Technological Policy (CTTP).
- Member of the Yugoslav-Italian Committee for Scientific and Technical Cooperation.
- Member of the Yugoslav-Greek Committee for Scientific and Technical Cooperation.

Research work (1962~present)

- Recipient of independent research and scientific projects and grants on issues of international law and international relations, on human rights, and peaceful settlement of disputes among states, self-determination, protection of minorities, expulsion, etc.
- Holder of the Highest Reward for Scientific Work (1977)

Languages

- Speaks English, German, Serbian, Croatian, Russian and Italian.
- Understands French and Spanish.

Personal information

- Married, three children.
- Decorated by the Socialist Federal Republic of Yugoslavia, the United States of America (State of Colorado) and the Republic of Austria. Holder of the highest decoration for civilian work of the Republic of Slovenia.

8. Pinto, Monica (Argentina)

(Original: Spanish)

Note verbale

The Embassy of the Argentine Republic presents its compliment to the International Criminal Court and in accordance with the decision of the Bureau of the Assembly of States Parties, taken at its second meeting, on 9 March 2015 regarding the election of members of the Advisory Committee on Nominations, which will take place at the fourteenth session of the Assembly, the Argentine Republic has the honor to propose Ms. Monica Pinto for her re- election as a member of the said Committee.

Ms. Pinto is a current member of the Committee and her re-election will ensure an equitable geographical and gender balance as well as a fair representation of the principal legal systems of the world. Please find attached Ms. Pinto CV that illustrates her experience and skills.

Statement of qualifications

Monica Pinto obtained a first law degree (Abogada) in 1975 and a Ph.D in Law (Doctora en Derecho) in 1983 at the University of Buenos Aires.

She is professor of Public International Law and of International Human Rights Law at the University of Buenos Aires (UBA) Law School where she serves as Dean (2010-2014; 2014-2018). She is also the coordinator of the Human Rights Programme of the University since 2007.

She has taught at The Hague Academy of International Law (2007). As a visiting professor, she taught at Columbia Law School (2001, 2003), Université Panthéon-Assas Paris II (1997, 2005, and 2009), Université de Rouen (2007) and Université Panthéon-Sorbonne Paris I (2008). She has been the Director of Studies for the French-speaking seminar on Public International Law at The Hague Academy of International Law (2000). She served as a visiting professor at the *Institut International des droits de l'Homme* (2004-2008, 2012, 2015), UNITAR- The Hague Academy of International Law (2001-2002, 2004, 2007-2008, 2012). She was a professor during the Summer Programme at Southwestern Law School, Buenos Aires (2006-2011). She has been a professor at the *Instituto Interamericano de Derechos Humanos* in San José, Costa Rica since 2007. She has been a visiting Professor at Alcalá de Henares University (2002) and at San Carlos de Guatemala University (2009). She has been a visiting research scholar at Michigan University, Ann Arbor, USA (1988).

She has been the Director of the Master and post-graduate courses on International Human Rights Law of UBA Law School. She has been the vice-dean (2002-2006) and Assistant Dean at UBA Law School (1994-2006). She has been chair of the faculty meetings (1998-2006) and of UBA Law School publishing house –EUDEBA- (2007-2010).

She is a member of the Steering Committee of the Project on International Courts and Tribunals, New York University and University of London; a member of the American Society of International Law; a member of the *Société Française de droit international* and of the European Society of International Law; and a consultant at the Argentine Council for International Relations/CARI.

She has been a judge and vice-president of the World Bank Administrative Tribunal (since 2009); she has been a judge at the Administrative Tribunal of the Inter-American Development Bank (since 2014). She has appeared before several human rights bodies and tribunals, and before arbitral tribunals and the International Court of Justice both as an attorney and as an expert.

In the area of human rights, she serves as a member of the Inter-American Institute on Human Rights in San Jose, Costa Rica, of the Association for the Prevention of Torture in Geneva, of the International Institute of Human Rights in Strasbourg and of the International Commission of Jurists in Geneva.

She is the Special Rapporteur on the Independence of Judges and Lawyers of the United Nations Human Rights Council (2015-2018). She was a member of the Advisory

Committee on Nominations of the International Criminal Court (2012-2015). Mrs Pinto was appointed by the UN Secretary General as a member of the Board of Trustees of the Voluntary Fund for Technical Co-operation in the Field of Human Rights (2006-2008; 2009-11); previously, she held a mandate as an independent expert for the examination of the situation of human rights in Guatemala (1993-1996) and in Chad (2004-2005) and reported to the United Nations Commission on Human Rights.

She has been a director and officer of Human Rights in the Ministry of Foreign Affairs of Argentina, positions for which she was selected by public competition (1994-2000 and 2002-2007); she has been a Director of Cooperation and International affairs in the Ministry of Justice and Human Rights (2000-2001);

She was awarded the *Chevalier de l'Ordre national du mérite* by the French Republic in 2008; she was awarded the Goler T. Butcher medal by the American Society of International Law for her contribution to International Human Rights Law in 2009; she was awarded the Human Rights Prize by B'nai Brith in Argentina in 2009; she was nominated "*Personalidad destacada de los derechos humanos*" by the city of Buenos Aires in 2011; she received the "Margarita de Ponce Award" from the Union of Argentine Women in 2012; she was awarded the "*Premio Security a la trayectoria juridica*" in 2013, and was nominated "*Ciudadana Illuste*" (Distinguished Citizen) by the city of Buenos Aires in 2015.

Monica Pinto is the author of five books – *Las fuentes del derecho internacional en la era de la globalización* (ed., Bs.As. 2009), *L'Amérique latine et le traitement des violations systématiques des droits de l'homme* (Paris, 2007), *El Derecho Internacional, Vigencia y desafíos en un escenario globalizado* (Bs.As., 2004), *Temas de Derechos Humanos* (Bs.As., 1997) and *La denuncia ante la Comisión Interamericana de Derechos Humanos* (Bs.As., 1993) – and of many articles published in Latin America and Europe.

Dr. Pinto is married, mother of two daughters.

Publications

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9. Simma, Bruno (Germany)

(Original: English)

Note verbale

The Embassy of the Federal Republic of Germany 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/14/SP/06 of 13 March 2015, has the honour to inform the Secretariat of the decision of the Federal Republic of Germany to nominate Prof. Dr. Bruno Simma for re-election as a member of the Advisory Committee on Nominations.

Please find enclosed with this note a curriculum vitae of Prof. Dr. Bruno Simma and a statement of his qualifications which documents his high moral character and his extensive experience in the field of international law.

Statement of qualifications

The Federal Republic of Germany has decided to nominate Prof. Bruno Simma as a candidate for re-election to the Advisory Committee on Nominations of judges of the International Criminal Court.

Prof. Simma, whose curriculum vitae accompanies this statement, fully meets the requirements established in the terms of reference of the Advisory Committee adopted by the Assembly of States Parties with Resolution ICC-ASP/10/Res. 5, which read as follows:

“Members of the Committee should be drawn from eminent interested and willing persons of a high moral character, who have established competence and experience in criminal or international law.”

Throughout his professional and personal life Prof. Simma has demonstrated the highest moral standards. His career, spanning more than forty years, has encompassed posts at international institutions and at the International Court of Justice in The Hague as well as teaching activities at universities all over the world, thus combining a rigorously pursued academic approach with the dedicated practice of international law.

Prof. Simma has worked in the most distinguished international institutions of international law. Before serving as a judge in the International Court of Justice from 2003 to 2012, he was a member of the United Nations International Law Commission (1996-2003), preceded by membership of the United Nations Committee on Economic, Social and Cultural Rights (1987-1996). He has arbitrated in international arbitration cases on various occasions.

His credentials as an academic expert on international law are equally outstanding. Prof. Simma is one of Germany’s most eminent scholars of international law and enjoys an excellent reputation worldwide. He is familiar with all principal legal systems. Prof. Simma is the current William W. Cook Global Law Professor at the University of Michigan Law School, Ann Arbor, in the United States.

From 1973 to 2003 he was Professor of International Law and European Community Law as well as Director of the Institute of International Law at the University of Munich. During this period he was also Visiting Professor at the University of Siena, Italy, (1984-1985) and Visiting Professor (1986 and 1995), Professor of Law (1987-1992), Member of the Affiliate Overseas Faculty (from 1997) of the University of Michigan Law School, Ann Arbor. He was also a Lecturer (1995) and Director of Studies (1976 and 1982) at The Hague Academy of International Law.

Prof. Simma has published extensively on all subjects of international law.

The Federal Republic of Germany is confident that Prof. Simma’s professional experience as well as his personal qualities would greatly benefit the work of the Advisory Committee on Nominations.

Personal data

Born in Quierschied (Saar), Germany, on 29 March 1941.

International positions

- Judge/Arbitrator at the Iran – United States Claims Tribunal (2012-)
- Judge at the International Court of Justice (2003-2012).
- Judge *ad hoc* in the Case concerning *Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica)*(2012-2013).
- Judge *ad hoc* in the Case concerning *Maritime Delimitation in the Caribbean Sea and the Pacific Ocean (Costa Rica v. Nicaragua)* (2014-).
- Member of the United Nations International Law Commission (1996-2003).
- Member of the United Nations Committee on Economic, Social and Cultural Rights (1987-1996).
- Arbitrator in the *Iron Rhine* Arbitration between Belgium and the Netherlands (2003- 2005), in the *Kishenganga* Arbitration between Pakistan and India (2010-), in the *Arbitration between Croatia and Slovenia* (2011-), as well as in a number of foreign investment (BIT) and international commercial arbitrations. Member of the Court of Arbitration for Sport (CAS).
- Member of the Advisory Committee on Nominations of Judges of the International Criminal Court (2012-)

Academic positions

- Professor of Law, University of Michigan Law School, Ann Arbor, United States (since 2012; on leave during tenure at the Iran-US Claims Tribunal).
- Professor of International Law and European Community Law, Director of the Institute of International Law, University of Munich (1973-2003).
- Visiting Professor at the University of Siena, Italy (1984-1985). Visiting Professor (1986 and 1995), Professor of Law (1987-1992) and William W. Cook Global Law Professor (1995-2012) at the University of Michigan Law School, Ann Arbor, United States. Lecturer (1995 and 2009) and Director of Studies (1976 and 1982) at The Hague Academy of International Law.
- First President of the European Society of International Law (2004-2007). Associate Member of the *Institut de Droit international*. Member of the International Council of Environmental Law. Member of the Advisory Board of the Heidelberg Max Planck Institute of Foreign Public and International Law. Member of the Council (since 1987) and Vice-President (1989-1993) of the German Society of International Law. Member of various other professional associations.
- Co-founder and co-editor of the *European Journal of International Law*. Member of the advisory boards of various international legal journals and yearbooks.
- Member of the Advisory Boards on International Law and on United Nations Issues of the German Federal Foreign Ministry (until 2002).
- Lecturer for International Law at the Training Centre for Junior Diplomats, German Federal Foreign Ministry (1981-1989).
- Assistant at the Faculty of Law, University of Innsbruck (1967-1972). Universitätsdozent (*venia legendi*) for International Law and International Relations (1971).
- Doctorate of Law, University of Innsbruck, Austria (1966). Practice at the Bar in Innsbruck
- (1967).
- Certificate of Merit (1996) and Manley O. Hudson Medal (2013) awarded by the American Society of International Law. Distinguished Global Law School Fellow of New York University Law School (2005).

10. Ventura Robles, Manuel (Costa Rica)

(Original: Spanish)

Note verbale

I present my compliments to Your Excellency and have the honour to refer to the nomination of candidates for the election of members of the Advisory Committee on nominations of judges of the International Criminal Court.

My government has the honour to nominate Manuel Ventura Robles within the period established for this purpose. Mr. Ventura has extensive experience of over twenty five years in the area of Human Rights and International Law. He has served as Secretary of the Inter-American Court of Human Rights and is currently a judge of the Court; his mandate expires in December 2015. He is also a recognised scholar and academic, and Costa Rica considers that his extensive experience will contribute to the important work of the above Committee.

If he is elected, Mr. Ventura will serve strictly in the said Committee in his personal capacity.

This candidate meets the requirements set out in the Report of the Bureau on the establishment of an Advisory Committee on nominations of judges of the International Criminal Court (ICC-ASP/10/36) of high moral character, experience, competence, equitable geographical balance and fair representation of the principal legal systems of the world.

The curriculum vitae of Mr. Ventura Robles is attached.

Statement of qualifications

Manuel E. Ventura Robles was born in San José, Costa Rica, on June 16, 1948. He completed his primary and secondary school studies at La Salle School and graduated with a High School Diploma in science and humanities. In 1974, he obtained his Bachelor's Degree in Law and the license to practice as a public notary from the Faculty of Law of the University of Costa Rica. Later that year, he became a member of the Costa Rican Lawyer's College. He is married to Gloria Rodríguez Chávez, and they have three sons.

He was elected Judge of the Inter-American Court of Human Rights in January 2004 and reelected by acclamation of the State Parties of the American Convention on Human Rights during its Thirty-ninth Regular Session, from 2 to 3 June 2009, in San Pedro Sula, Honduras. Judge Ventura Robles was Vice-president of the Inter-American Court of Human Rights from January 2012 to December 2013.

Judge Ventura Robles has held various positions in the private sector and in public administration, precisely in the Costa Rican Foreign Service in the Embassy of Costa Rica in Washington, D.C. and in the Permanent Mission of Costa Rica to the Organization of American States (OAS). He held the position of Secretary of Inter-American Court of Human Rights from January of 1990 until December of 2003. Previously, he held the position of Deputy Secretary, from December of 1979 until March of 1989. He has taught courses of Theory of the State in the Faculty of Law of the University of Costa Rica and has been an invited professor at the Autonomous Central American University (UACA) and at the National Association for Economic Promotion (ANFE). He has been a guest speaker at various human rights institutions, non-governmental organizations and other international organizations. He has also been a guest speaker at University of Costa Rica (UCR); University of Navarre, Pamplona, Spain; Pontifical Catholic University of Chile; Faculty of Law, University of Chile; Catholic University of Ecuador, Quito, Ecuador; the Institute for Juridical Research of the Autonomous University of Mexico (UNAM); University of Sevilla; Columbia University, New York; Pontifical *Javeriana* University, Santafé de Bogotá, Colombia; the DePaul University College of Law in Chicago, Illinois; Center for Justice and International Law (CEJIL); United Nations High Commissioner for Human Rights; University of Ottawa; Supreme Court of Justice of the Province of Buenos Aires, Argentina; Costa Rican Institute of Constitutional Law; Superior Tribunal of Justice of Brazil; National Autonomous University of Mexico (UNAM); University of El Salvador; University José Matías Delgado, El Salvador; University Alcalá de Henares, Spain; International Committee of

the Red Cross (ICRC); Portuguese-Spanish-American-Philippine International Law Institute; Constitutional Chamber of the Supreme Court of Justice of Costa Rica; Supreme Court of Justice of the Dominican Republic; Supreme Court of El Salvador; World Movement for Democracy; Konrad Adenauer Foundation; GTZ (Berlin); Ministry of the Interior of Colombia, National Penitentiary Institute of Colombia; University of Antioquia of Colombia; University of San Buenaventura of Colombia; Public Prosecutor of the Province of Buenos Aires, Pontifical Catholic University of Argentina, Inter-American Institute of Human Rights (IIHR); the International Commission of Jurists; the Inter-American Juridical Committee; and French Ministry of Foreign and European Affairs; the European Court of Human Rights, the International Institute of Human Rights and the University of West Indies; Public Defense of Costa Rica; College of Lawyers of Costa Rica; Brazilian Institute of Human Rights, Ibero-American Center of Human Rights (Madrid), La Salle University, Federal University of Minas Gerais, Law School and Latin American Bar Association of the Human Rights Institute.

Judge Ventura Robles has also taken part in various national and international seminars on topics related to human rights and the Inter-American System for the Protection of Human Rights.

As a part of his responsibilities, he has attended the Fourteenth, Nineteenth, Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second and Thirty-third Ordinary Sessions of the General Assembly of the OAS.

As Acting Vice-president of the Inter-American Court of Human Rights, he attended the XLII Ordinary Session of the General Assembly of OAS held in Cochabamba, Bolivia, from June 3rd to June 5th, 2012 and the XLIII Ordinary Session of the General Assembly of OAS held in Antigua, Guatemala, from June 4th to June 6th, 2013.

Memberships

He is a member of the International Law Association and the American Society of International Law (ASIL); member of the Portuguese, Spanish, American and Philippine International Law Institute; member of the Editorial Board of the Journal of the Brazilian Institute of Human Rights; Honorary member of the Costa Rican Association of International Law (ACODI); and member *ex officio* of the General Assembly of the Inter-American Institute of Human Rights.

Recognitions

- Knight of the Sovereign Military Order of Malta.
- Recognized by the Costa Rican Association of International Law with the Award "Manuel María de Peralta" for his contribution to the international law, international politics and diplomacy.
- Honorary President of the Colombian Institute of Human Rights.
- Honored, in Fortaleza, Brazil, by the Brazilian Institute of Human Rights with the Prize of Human Rights 2014, for his extensive and successful career as Secretary and judge of the Inter-American Court of Human Rights.
- The ex-president of the Inter-American Court of Human Rights and current judge of the International Court of Justice, Antônio Augusto Cançado Trindade and the President of the Brazilian Institute of Human Rights, César Oliveira de Barros Leal, gave Judge Ventura Robles the Medal Antônio Augusto Cançado Trindade.
- Honored in San Jose, Costa Rica, by the College of Lawyers, with Rodolfo Piza Escalante 2015 Award, for his contribution to the enlargement, decorum and enhancement of human rights in Costa Rica.

Publications

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- *Algunos Aspectos de la Representación Política Legislativa en Costa Rica [Some aspects of political representation in the Costa Rican Legislature]*. 1974. Thesis for the licentiate in law of the Faculty of Law of the University of Costa Rica
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