

UNITED KINGDOM JUDICIAL NOMINATION PROCESS

The United Kingdom set out the detail of its process to nominate judges to the International Criminal Court in the document 'Statement of Qualifications' submitted to the Court on 12 March 2020 which can be found: https://asp.icc-cpi.int/iccdocs/asp_docs/Elections/EJ2020/ICC-ASP-EJ2020-GBR-ST-ENG.pdf

ICC Judicial Election 2020 – UK Nomination

Judge Joanna Korner CMG QC is nominated for election under the terms of article 36, paragraph 4(a)(i), of the Rome Statute of the International Criminal Court, i.e. by the procedure for the nomination of candidates for appointment to the highest judicial offices in the State in question.

Procedure for appointment

The United Kingdom used an open and transparent process for selection by inviting applications through a public advertisement issued by the Judicial Appointments Commission. The applications were reviewed by a panel of senior members and representatives of the judiciary of England and Wales, the Northern Ireland Department of Justice, the Scottish Government, the Ministry of Justice and the Foreign and Commonwealth Office. The best applicants were then invited to an interview by the same panel. The panel made recommendations to the Foreign Secretary, who made the final decision on the United Kingdom's candidate.

Possession of the qualifications required for appointment to the highest judicial offices at the national level

In its selection process for nomination as a judge of the ICC, the United Kingdom required candidates to satisfy the criteria for becoming a High Court judge in England and Wales (the legal jurisdiction of the United Kingdom in which Judge Korner practises) or the criteria for equivalent positions in Scotland and Northern Ireland. The criteria for becoming a High Court judge are that a person must have been a lawyer or barrister for seven years and have practised as such during that time. Only candidates of exceptional ability are recommended for appointment as a High Court judge. In addition, candidates must be able to demonstrate that they are able to work or develop expertise in all aspects of the work of the relevant division (i.e. the Queen's Bench Division, the Chancery Division, and the Family Division). This ability must extend beyond legal skills, and candidates should be able to demonstrate actual or potential management and leadership qualities. Judge Korner satisfies these criteria.