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Seventh election of judges of the International Criminal Court

Addendum

Annex I

Alphabetical list of candidates (with statements of qualifications)

Contents

	<i>Name</i>	<i>Nationality</i>	<i>Page</i>
1.	ALEXIS-WINDSOR, Althea Violet.....	(Trinidad and Tobago)	3
2.	BARRETO GONZÁLEZ, Andrés Bernardo	(Colombia)	8
3.	BELLO, Ishaq Usman	(Nigeria)	13
4.	BEN MAHFOUDH, Haykel	(Tunisia)	19
5.	CHAGDAA, Khosbayar	(Mongolia)	27
6.	ĆOSIĆ DEDOVIĆ, Jasmina.....	(Bosnia and Herzegovina)	33
7.	FLORES LIERA, María del Socorro.....	(Mexico)	41
8.	KAM, Gberdao Gustave	(Burkina Faso)	46
9.	KORNER, Joanna.....	(United Kingdom of Great Britain and Northern Ireland)	54
10.	LORDKIPANIDZE, Gocha	(Georgia)	59
11.	MASSART, Laurence	(Belgium)	71
12.	MILANDOU, Prosper	(Republic of the Congo).....	80
13.	PERALTA DISTÉFANO, Ariela	(Uruguay)	85
14.	SALVADOR CRESPO, Íñigo Francisco Alberto.....	(Ecuador).....	99
15.	SAMBA, Miatta Maria	(Sierra Leone)	107
16.	SIFUENTES, Mônica Jacqueline	(Brazil)	113

17.	SOCK, Raymond Claudius(Gambia)	126
18.	TSILONIS, Viktor Panagiotis(Greece).....	132
19.	UGALDE GODÍNEZ, Sergio Gerardo.....(Costa Rica).....	140

1. ALEXIS-WINDSOR, Althea Violet (Trinidad and Tobago)

[Original: English]

Note verbale

The Permanent Mission of the Republic of Trinidad and Tobago to the United Nations presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court (ICC) and has the honour to refer to the latter's note verbale no: ICC-ASP/19/SP/01 of December 20, 2019 regarding the election of judges to the International Criminal Court for the period 2021-2030.

The Permanent Mission has the further honour to advise that the Government of Trinidad and Tobago has nominated Justice Althea Alexis-Windsor, Judge of the Supreme Court of Trinidad and Tobago, to fill one of the vacancies on the International Criminal Court, during elections scheduled to take place at the nineteenth session of the Assembly of States Parties to the Rome Statute of the ICC, at United Nations Headquarters, New York, from 7 to 17 December 2020.

The Permanent Mission wishes to inform that the nomination is submitted in accordance with the provisions of article 36, paragraph 3 (b), of the Rome Statute which provides that every candidate for election to the Court shall:

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

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

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

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

The Permanent Mission requests the Secretariat of the Assembly of States Parties to bring this matter to the attention of States Parties to the Rome Statute to the International Criminal Court.

Statement of qualifications

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

Justice Althea Alexis-Windsor is the candidate of the Republic of Trinidad and Tobago for election as a judge of the International Criminal Court.

Justice Alexis-Windsor is nominated for election in accordance with article 36, paragraph 4 (a) (i), of the Rome Statute of the International Criminal Court: “By the procedure for the nomination of candidates for appointment to the highest judicial offices in the State in question.”

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

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

The candidate therefore fulfils the requirements relevant to election as a judge under List A pursuant to article 36, paragraph 5, of the Rome Statute. The candidate’s experience and qualifications are based on her considerable experience, training and demonstrated competence in criminal law and criminal procedure at both the national and international levels for over twenty-three (23) years.

Justice Alexis-Windsor is currently a judge of the Supreme Court of the Republic of Trinidad and Tobago, where she adjudicates on complex pre-trial and trial matters including murder, sexual offences and narcotic drugs. Justice Alexis-Windsor has addressed cases concerning women and children, including those who were victims of alleged sexual violence, therefore satisfying article 36 paragraph 8 (b), of the Rome Statute.

The candidate has served as a Prosecutor and an Appeals Counsel at the International Criminal Tribunal for Rwanda (ICTR) for a period of ten (10) years. Judge Alexis-Windsor was also part of several high-level prosecutions at both trial and appellate level at the ICTR and has therefore gained experience in the prosecution of crimes against humanity, war crimes, genocide and rape.

For the purposes of article 36, paragraph 8 (a) (i), (ii) and (iii), of the Rome Statute, Justice Alexis-Windsor will represent the common law system from the Group of Latin American and Caribbean States. She is a female candidate.

In expressing her interest in standing for election as a judge of the International Criminal Court, Ms. Alexis-Windsor has formally undertaken to make herself available to serve on a full-time basis when the workload of the Court so requires.

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

Curriculum vitae

Personal data

Family name: Alexis-Windsor
First name: Althea
Middle name: Violet
Gender: Female
Date of birth: 22 June 1973
Nationality: Trinidadian
Regional criteria: GRULAC
Marital status: Married
List A / List B List A

Languages: Mother tongue: English
 Spanish: (written) Intermediate; (oral) Intermediate

Educational qualifications

- 09/2000 - 07/2001: University of Utrecht, The Netherlands;
 Master of Law and Letters-LLM.
 Graduated at the top of the class, magna cum laude.
- 09/1994 - 06/1996: Sir Hugh Wooding Law School.
 Legal Education Certificate-LEC
- 09/1991 - 06/1994: University of the West Indies.
 Bachelor of Law and Letters-LLB.
- 09/1989 – 06/1991: St. Joseph's Convent, San Fernando.
 Advanced Level GCE- English, Spanish, History.
 Represented the school in national debating competitions.
- 09/1984 - 06/1989: Vessigny Government School.
 Caribbean Examinations Council - CXC.
 Represented the school in numerous public speaking and debating competitions.
 Valedictorian of graduating class of 1989.

Professional experience

- 09/2013 – present: Judiciary of Trinidad and Tobago.
 High Court Judge.
 This posting involves adjudicating on complex matters of criminal law and procedure in pretrial submissions and on-going trials of murder, sexual offences and narcotics.
- 11/2009 – 08/2013: International Criminal Tribunal for Rwanda.
 Appeals Counsel.
 This position involved representing the Appeals Section of the ICTR on matters of international criminal law and procedure.
- 02/2004 – 10/2009: International Criminal Tribunal for Rwanda.
 Trial Counsel.
 Assistant Trial Counsel from February 2004 to 2006.
 This position involved the prosecution of persons responsible for genocide, crimes against humanity and war crimes coming out of the events from April to July 1994 in Rwanda.
- 10/2002 - 01/2004: Office of the Director of Public Prosecutions.
 State Counsel III/Senior State Counsel.
 This position entailed representing the Office of the Director of Public Prosecutions in appeals and in High Court trials in complex murders and sexual offences.
- 09/2001 - 09/2002: Ministry of the Attorney General.
 Deputy Director, Human Rights Unit.

This position entailed contributing to the International Reports of Trinidad and Tobago in adherence to the requirements of the mechanisms established under the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the Convention Against all Forms of Discrimination Against Women.

03/1998 – 02/2000: Office of the Director of Public Prosecutions.

State Counsel.

This position entailed representing the Office of the DPP at Magistrate’s courts and at the High Court in pretrial and trial criminal matters.

12/1997 – 02/1998 Law Chambers of El Farouk Hosein.

Junior Counsel.

This position entailed accompanying the Head of Chambers, Mr. Hosein in advising and defending persons accused of criminal offences in sexual offences.

01/1997 – 11/1997 Law Chambres of Hansraj Bhola.

Associate Attorney at Law.

This position entailed advising clients on legal issues in pretrial matters involving family law and court procedure.

Other professional activities

03/2018: Head of Delegation of Trinidad and Tobago at the International Law Enforcement Academy, Roswell, New Mexico, USA.

Symposium on Executive Police and Development and Forum on Human Trafficking and Child Exploitation.

04/2016: Member of Committee established by the Chief Justice of Trinidad and Tobago to create Judges' Rules in relation to matters involving children at the Children's Court.

06/2013: Member of Panel of Experts in criminal law of the International Justice Rapid Response.

11/2012: Head of Panel of Internal Investigation of the Allegation of wrongdoing of staff member.

Most relevant publications

- The convergence of the common law and inquisitorial systems in International Criminal Law published in ‘From Human Rights to International Criminal; Studies in Honour of an African Jurist, the late Laity Kama’. Edited by Emmanuel Decaux, Adama Dieng and Malick Sow. Published ©2007 by Martinus Nijhoff.

Most relevant seminars

- November 2019, Gender Sensitive Adjudication: Specialized Training for Judicial Officers on the use of the Gender Equality Protocol- Judicial Education Institute (JEI) of the Judiciary of Trinidad and Tobago.
- September 2018, Countering Human Trafficking Workshop – JEI of the Judiciary of Trinidad and Tobago.
- September 2016, Gender based violence and the judicial process – JEI of the Judiciary of Trinidad and Tobago.
- November 2015, Workshop for criminal judges on the challenges of the admissibility of evidence - JEI of the Judiciary of Trinidad and Tobago.

- December 2014, Workshop for criminal judges on procedural difficulties in criminal law, Judiciary of Trinidad and Tobago.
- January 2012, Oral Advocacy before Appeals Courts and Tribunals- International Criminal Tribunal for Rwanda (ICTR).
- March 2011, Legal Writing conducted by Appeals and Legal Advisory Division (ICTR).
- May 2011, Workshop Joint Prosecution and Defence Legal Writing Programme conducted by Professor James Raymond, Legal Writing Consultant (ICTR).
- August 2003, Representative of Trinidad and Tobago at a month-long symposium on human Rights Law in Rio de Janeiro by the Organization of American States.

Membership of professional associations and societies

- Caribbean Association of Women Judges.

Awards and honours

May 2017: Awarded the Distinguished Citizen Award in Recognition of my contribution in the field of Law by the Mayor of Point Fortin, Trinidad and Tobago.

Personal interests

- Children Rights, Motivational Speaking, Theatre and the Arts.

2. **BARRETO GONZÁLEZ, Andrés Bernardo (Colombia)**

[Original: Spanish]

Note verbale

The Permanent Mission of Colombia to the United Nations presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and hereby submits the nomination of Colombia's National Group in the Permanent Court of Arbitration for a position of judge at the International Criminal Court in accordance with the provisions of article 36, paragraph 4(a)(ii), namely "by the procedure provided for the nomination of candidates for the International Court of Justice in the Statute of that Court".

The present nomination submitted by Colombia under List "B" is presented in accordance with the provisions of article 36 of the Statute, and is accompanied by the template CV and Statement of qualifications referred to in that article.

The Government of Colombia considers that commitment to the work of the International Criminal Court is of vital importance, and that Mr Barreto will make an important contribution to the objectives set out in the Rome Statute.

Mr Barreto is nominated by Colombia as a candidate for list B who possesses the required knowledge and competencies in relevant areas of international law, in particular international humanitarian law and the law of human rights, and extensive experience in a professional legal capacity which is of relevance to the judicial work of the Court.

The experience and competencies of the candidate are based on his education and experience in the public and private sectors in various areas of law and international relations.

Mr Barreto is currently the Superintendent of Industry and Commerce of Colombia, and is responsible for administrative and jurisdictional matters related to key investigations for Colombia's economy, such as, inter alia, the fight against business cartels and the protection of consumers.

Mr Barreto González is a lawyer and a Del Rosario University graduate who specialises in enterprise and business law, international law and public law. He supported President Iván Duque Márquez in the referral that was submitted to the International Criminal Court against Nicolás Maduro.

Among other positions, he has served as Legal Director and Legal Concepts Coordinator, Privileges and Immunities Coordinator, and as a lawyer in the Legal Office at the Ministry of Foreign Affairs. He has also been director of International Relations of Bogotá and a Representative at the Public Defender's Office in the Capital District. He has worked as a lawyer in various companies and as member of law firms in the private sector.

For the purposes of article 36, paragraph 8, Mr Barreto would represent the civil law system of the Latin American and Caribbean Group, and is a male candidate.

Statement of qualifications

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

Colombia has decided to nominate Mr Andrés Barreto González, who was proposed by Colombia's national Group before the Permanent Court of Arbitration, in accordance with the provisions of article 36, paragraph 4(a)(ii), namely "By the procedure provided for the nomination of candidates for the International Court of Justice in the Statute of that Court".

Mr Barreto is nominated by Colombia as a candidate for list B who possesses the required knowledge and competencies in relevant areas of international law, in particular international humanitarian law and the law of human rights, and extensive experience in a professional legal capacity which is of relevance to the judicial work of the Court.

The experience and competencies of the candidate are based on his education and experience in the public and private sectors in various areas of law and international relations.

Mr Barreto is currently the Superintendent of Industry and Commerce of Colombia and is responsible for administrative and jurisdictional matters relating to key investigations for Colombia's economy, such as, inter alia, the fight against business cartels and the protection of consumers.

Mr Barreto González is a lawyer and a Del Rosario University graduate who specialises in enterprise and business law, international law and public law. He supported President Iván Duque Márquez in the referral that was submitted to the International Criminal Court against Nicolás Maduro.

In the public sector, he has served as Legal Director and Legal Concepts Coordinator, Privileges and Immunities Coordinator and as a lawyer in the Legal Office at the Ministry of Foreign Affairs. He has also been director of International Relations of Bogotá and a Representative at the Public Defender's Office in the Capital District.

In the private sector, he has been a lawyer at Moncada Abogados law firm, a Legal Advisor at RTI Televisión, a lawyer at the Bogotá Chamber of Commerce, and the manager and head of legal affairs of a number of companies. He has practiced as a lawyer for over ten years, and has taught at various universities.

For the purposes of article 36, paragraph 8, Mr Barreto would represent the civil law system of the Latin American and Caribbean Group, and is a male candidate.

Curriculum vitae

Personal data

Family name: Barreto González
 First name: Adrés Bernardo
 Gender: Male
 Date of birth: 4 April 1980
 Nationality: Colombian
 Regional criteria: GRULAC
 Marital status: Single
 List A / List B: List B
 Languages: Mother tongue: Spanish
 English: (written) Advanced; (oral) Advanced
 French: (written) ; (oral) Basic

Educational qualifications

- 08/2014 - 09/2015: Pontifical Xavierian University (Bogotá D.C.).
Specialist in Administrative Law.
- 08/2010 - 03/2012: Externado University of Colombia.
Masters in International Affairs.
- 10/2006 - 03/2008: University of Barcelona (Spain).
Masters in International Studies, specialization in International Organization.
- 08/2005 – 12/2006: Externado University of Colombia.
Specialist in International Policies and Affairs.
- 08/1999 - 05/2005: Del rosario University (Bogotá D.C.). Lawyer.

Professional experience

- 09/2018 – 05/2020: Superintendency for Industry and Commerce, Republic of Colombia.
Superintendent for Industry and Commerce.
National Competition, consumer, personal data and industrial property authority.
- 03/2017 – 09/2018: Moncada & Barrero Abogados S.A. S. – Moncada Abogados Counsel.
Director of the Department of International Law.
- 01/2018 – 06/2018: Iván Duque Presidential Campaign 2018-2022.
Legal Director.
- 02/2018 - 11/2018: Office of the Mayor of Bogotá Office of the Secretary of Government of Bogotá D.C.
Lawyer.
- 06/2016 - 02/2017: Public Defender’s Office of bogotá D.C.
Representative
- 08/2014 – 07/2016: Senate of the Republic of Colombia.
Senatorial Advisor – Coordinator of the Unit Legislative Work.
- 09/2012 – 07/2014 Independent Consulting Attorney.
Attorney.
- 09/2013 - -7/2014 Master Andina Ltda.
Associate – Executive director
- 02/2012 – 08/2012 Presidency of the Republic of Colombia.
Lawyer (contractor).
- 09/2011 – 01/2012 Office of the Mayor of Bogotá.
District Director of International Relations.
- 05/2009 – 08/2011 Ministry of Foreign Affairs of the Republic of Colombia.
Legal Concepts and Extraditions Coordinator
Legal Director (interim),
Privileges and immunities Coordinator
Director of Protocol (interim)

- 04/2008 – 01/2009 Radio Televisión Interamericana S.A. – RTI Televisión.
Legal Advisor.
- 11/2007 – 12/2007 Chamber of Commerce of Bogotá.
Lawyer, Legal Department.
- 08/2005 – 11/2006 Ministry of Foreign Affairs of Colombia.
Lawyer in the Legal Office: international treaties, legal concepts and extraditions.
- 08/2004 – 08/2005 Global Mantenimiento y Servicios S.A..
Head of Legal Affairs.
- 07/2003 – 07/2004 Presidency of the Republic of Colombia.
Legal practitioner.

Other professional activities

- 02/2008 – 12/2018 Full Professor of International Law
Del Rosario University, Bogotá D.C.
- 08/2015 – 05/2017 Full Professor of Law and International Relations,
Sergio Arboleda University, Bogotá D.C.
- 08/2008 – 12/2009 International Law Research Fellow, La Gran Colombia University,
Bogotá D.C.
- 02/2010 – 12/2010 Public Law Research Fellow, Manuela Beltrán University, Bogotá D.C.
- 01/2010 – 06/2010 International Law Professor, Los Libertadores University Foundation,
Bogotá D.C.
- 01/2008 – 08/2009 International Law Professor, Jorge Tadeo Lozano University, Bogotá

Most relevant publications

- Book (foreword and chapter): “Competencia Económica: reflexiones sobre los diez años de la Ley 1340 de 2009”, various authors, 2019, Externado University of Colombia (Bogotá), ISBN 9789587902822
- Book (peer reviewer): “Derecho del Litigio Internacional: Herramientas jurídicas y estrategias para las controversias internacionales en el siglo XXI”, Academic publisher Rafael A. Prieto Sanjuán, year of publication 2015, Pontifical Xavierian University, Bogotá, co-published with the Ibáñez Publishing Group, ISBN 978-958-749-425-9.
- Article (author): “Viejas y nuevas guerras: realidades jurídicas de los conflictos armados contemporáneos”, Revista Verba Iuris, Year 16, No. 25, Universidad Libre de Colombia, June 2011, ISSN 0121 – 3474.
- Article (author): “Nuevas perspectivas del derecho internacional, realidades de las relaciones diplomáticas en un mundo globalizado”, Revista Entérese, No. 29, Manuela Beltrán University, December 2010, ISSN 0122.7017.
- Book (co-author): “Aspectos Jurídicos del Delito de Trata de Personas en Colombia: Aportes desde el Derecho Internacional, Derecho Penal y las Organizaciones No Gubernamentales”, Institutional agreement 045 – 2009 between the Ministry of the Interior and Justice, the United Nations Office on

Drugs and Crime, (UNODC) and Del Rosario University, 15 December 2009, ISBN 978 – 958 – 8646 – 00 – 8.

- Research assistant in the project entitled: “Incidencia del derecho de las nuevas tecnologías en la política económica estatal, la hacienda pública y la reestructuración del Estado colombiano”, directed by Dr Carlos Ariel Sánchez
- Torres, within the line of institutional research on public expenditure oversight of the Faculty of Jurisprudence of Del Rosario University, 2004

Most relevant seminars

- XXXVIII Jornadas Internacionales de Derecho Penal [International Conference on Criminal Law], Externado University of Colombia, Bogotá D.C., August 2016
 - Programa Especializado en Secretarios de Tribunal de Arbitramento [Specialized Programme on Registrars of Arbitration Tribunals], Bogotá Chamber of Commerce, Bogotá D.C., September 2015
 - Seminar on Strengthening Legislative Oversight Mechanisms, House Democracy Partnership, U.S. Congress, Washington D.C., March 2015
 - ICC Certificate in International Arbitration, International Chamber of Commerce, Dallas, United States, 2013
 - Diploma “Jean Monnet” in European Community Law, European Commission Delegation - Externado University of Colombia, Bogotá D.C., 2006
 - Business Administration Diploma, Jorge Tadeo Lozano University, Bogotá D.C., 2005.
- Conciliador en Derecho [Legal Conciliator], Del Rosario University, Bogotá D.C., 200

Membership of professional associations and societies

- International Consumer Protection and Enforcement Network (ICPEN)
Pro-tempore President (2019 - 2020)
- Colombian Association of Lawyers
Member and Secretary General
- The Colombian Academy of International Law (ACCOLDI)
Founding member
- International Bar Association (IBA)
Active member

Personal interests

- Teaching and research, reading.

3. BELLO, Ishaq Usman (Nigeria)

[Original: English]

Note verbale

The Embassy of the Federal Republic of Nigeria to the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and with reference to its note ICC-ASP/19/SP/01 dated 20 December 2019, has the honour to inform that the Government of the Federal Republic of Nigeria has decided to nominate Justice Ishaq Usman Bello as a candidate for the election of judges of the International Criminal Court for the term 2021-2030, at the election to be held during the nineteenth session of the Assembly of States Parties to the Rome Statute in New York, from 7-17 December 2020.

The Embassy has further the honour to attach to this note a curriculum vitae along with a statement of qualifications of Justice Ishaq Usman Bello.

Statement of qualifications

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

This is a statement submitted in support of the nomination of Justice Ishaq Usman Bello of the Federal Republic of Nigeria as a candidate for the election of judges of the International Criminal Court. Justice Ishaq Bello's nomination is prompted from the desire to bring his wealth of experience to bear by bringing necessary reform and dynamism into the working of the Court. With over 35 years of experience as a legal practitioner and currently Chief Judge of High Court, Justice Ishaq Usman Bello is well equipped to serve as judge of the International Criminal Court.

Justice Ishaq Usman Bello is a seasoned legal practitioner called to the Nigerian Bar in 1983. He has successfully been a Magistrate (of all grades), Legal adviser, Deputy Chief Registrar (Supreme Court of Nigeria), Judge (High Court, FCT) Acting Chief Judge, among others. He has served on several Bar/Bench Committee before his appointment as a member of the National Judicial Council of Nigeria. He has also held high-level positions, including Charring Election Petition Tribunals, Charring Presidential Committee on Prison Reforms and Decongestion (PCRD), among others. He is very familiar with the workings of the Court; having led numerous Nigerian delegations to various international fora. Justice Ishaq Bello has several publications to his credit, including papers presented towards advancing the judiciary. He is a member of several notable professional bodies.

Justice Ishaq Usman Bello is currently the Chief Judge of the Federal Capital Territory (FCT) High Court of Justice in Abuja, Nigeria. As Chief Judge, one of his core responsibilities includes supervisory authority over the court's judicial and administrative functions. Justice Ishaq Bello is also responsible for the assignment of cases and in the process ensures that judicial work is equally distributed. His deep knowledge and practical experience of the Court, allied to his proven leadership skills, make him uniquely qualified as a judge of the International Criminal Court.

In affirming the confidence reposed in Justice Bello's competence and vast experience which will be of immense benefit to the International Criminal Court, the Government of the Federal Republic of Nigeria is seeking for the support of the Governments of the States Parties to the Rome Statute of the International Criminal Court for the candidature of Justice Ishaq Usman Bello.

Curriculum vitae

Personal data

Family name: Bello
First name: Ishaq Usman
Gender: Male
Date of birth: 15 January 1956
Nationality: Nigerian
Regional criteria: Africa
Marital status: Married
List A / List B: List A
Languages: Mother tongue: English

Profile

A trained Legal Practitioner called to the Nigerian Bar in 1983. I have successfully been a Magistrate (of all grades), Legal Adviser, Deputy Chief Registrar (Supreme Court of Nigeria), Judge (High Court, FCT), Acting Chief Judge and presently, I am the Chief Judge of the FCT, Abuja where I ensure that the activities and duties of the court is carried out in a seamless and efficient manner that ensures the smooth administration of justice.

Educational qualifications

LLD of the Caribbean University (Honoris Causa)

Currently underoing a PhD in Law program with a special focus on constitutionalism and political parties, Nigeria as a case study

2008: Ahmadu Bello University Zaria.
LLM (Masters) International Criminal Law (Dissertation on: Individual Criminal Responsibility under the Rome Statute).

2007: Institute of Advanced Legal Studies Lagos.
Certificate in International Criminal Law.

1994: Institute of Advanced Legal Studies Lagos.
Certificate in Civil Procedure.

1994: Institute of Advanced Legal Studies Lagos.
Certificate in the Administration of International Criminal Law.

1982-83: Nigeria Law School, Lagos.
B.L Certificate.

1979/80-82: Ahmadu Bello University, Zaria.
LLB (Hons) Civil Law.

1976/77-79: Katsina College of Arts, Science and Technology, Zaria.
IJMB Certificate.

1972-1976: Government Secondary School, Katsina.
West African School Certificate (WASC).

Professional summary

28/05/2015 –
present

Chief Judge, FCT, Abuja

Core Responsibilities:

As Chief Judge, I exercise supervisory authority over the court's judicial and administrative functions. I am also responsible for the assignment of cases and in the process ensure that judicial work is equally distributed

It is the duty of the Chief Judge when necessary to liaise with other arms of government particularly on policies or practices that impact on judicial administration and the general discharge of judicial responsibilities and functions.

Supervising the court's fiscal affairs

Ensuring that laws, regulations, and court policies are followed.

Monitoring and evaluation of court caseloads

Developing and implementing court plans both short term and long term

Developing rules to regulate practice and procedure before the court for effective justice dispensation.

Professional skills

Excellent oral/written communication skills
Logical reasoning
Legal research
Analytical skills
Integrity
Decision-making skills
Arbitration
Mediation
Negotiation

Professional experience

28/05/2015-

present:

Chief Judge, Federal Capital Territory (FCT), Abuja.

31/03/2015-

28/05/2015:

Acting Chief Judge, FCT, Abuja.

1997–2015:

Judge FCT, Abuja.

1995–1996:

Deputy Chief Registrar, Supreme Court of Nigeria

1993–1995:

Secretary/Legal Adviser. Board of River Basin Authority, Niger State
(On secondment)

(Mid 1995

De-seconded):

Chief Magistrate, Zaria.

1992:

Chief Magistrate. Kaduna township.

1990:

Acting Chief Magistrate. Birnin Gwari-Kaduna State.

1987:

Head of Legal Recovery Department. Universal Bank of Nigeria PLC,
Kaduna.

- Nov-Dec 1984: State Counsel. Ministry of Justice Kaduna.
 August-
 October 1984: Private Legal Practitioner. Umaru Yabo&Co, Sokoto
 07/1983-
 1984: Ministry of Justice. Benin, Bendel State (Now Edo State)

Special responsibilities/Achievements

- Pioneer Judge Kwali Upon appointment in 1997
- Pioneer and Head of Gwagwalada Judicial Division, Jan-Dec- 2004
- Judge in Charge of Training and Personnel Development
- Chairman Committee for the Review of Civil Procedure Rules FCT – High Court (Now in Use)
- Chairman Case Flow Management Committee
- Chairman publicity Committee on Alternate Dispute Resolution (ADR)
- Head, Criminal Trial Division, FCT High Court Abuja
- Member Advisory Committee on Nigeria’s Rule of Law Project
- Designated Anti-Corruption Judge
- Member Election Petition Tribunal, Katsina
- Member Election Petition Tribunal FCT, Abuja
- Chairman Governorship Election Petition Tribunal Calabar –Cross River State
- Chairman Governorship Election Petition Tribunal Anambra State 2014
- Chairman Election Petition Tribunal (States and National Assembly) Imo State
- Head of Delegation, Magistrates of the FCT on International Workshop to the Gambia
- Head of Delegation, Judges on Educational Visit to South Africa
- Educational Visit to Malaysian Judiciary
- Educational Visit to Singapore
- Educational Visit to United Kingdom Judiciary
- Educational Visit to United States (Training Programme)
- Chairman Panel on Justice Sector Reforms, (Responsible for draft and Advocacy of the Administration of Criminal Justice Act, 2015)
- Represented Nigeria at UNODC Vienna, and Presented a Paper on Judicial integrity – 2013

Ad hoc responsibilities

- Member National Judicial Council - 2018
- Member, Body of Benchers
- Chairman, Presidential Committee on Decongestion of Prisons and Prison Reforms in Nigeria
- Chairman, Presidential Panel of Implementation Leading to the Passage of the Administration of Criminal Justice Act 2015
- Member, Board of Governors of the National Judicial Institute
- Member, Education Committee of the National Judicial institute
- Member, National Judicial Ethics Committee
- Member, Finance Committee, Body of Benchers
- Member, Appointments, Promotion and Discipline Committee of the Board of Governors of the National Judicial Institute
- Member, Board of Trustees, Property Management Board Faculty of Law, Ahmadu Bello University Zaria
- Chairman Board of Trustees, Bar, Bench and Police Forum FCT, Abuja Chapter.
- Member, Preliminary Complaints Assessment Committee of the National Judicial Council.

Most relevant publications

- Modern Bar Advocacy: essays on the Administration of Justice in Nigeria

Papers presented

- Judge and Prosecutor Cooperation in Criminal Prosecution (Presented at a Training for Public Prosecutors at the institute of Advanced Legal Studies, 5-7 Ma 2019),
- Admissibility of Electronically Generated Evidence
- Recording of Evidence
- Comparative Analysis of the Penal Code, the Criminal Code, and the Criminal Procedure Act (Presented at the Nigerian Law School Practice Week for Law Students, 2-3 April, 2007)
- Pitfall in Prosecution, Perspective from the Bench (Presented at a one Day Workshop for Prosecuting and Investigating Police Officers, held in Bauchi State on 11 January 2009 organized by Lawyers without Borders)
- Interlocutory Appeals and Stay of Execution (presented at the Institute of Advanced Legal Studies Lagos, 11- 12 June, 2007)
- Corruption as anathema to effective Dispensation of Justice Challenges and Way Forward (Presented at the 2006 Conference of all Nigeria Judges of the Lower Courts held between 13- 17 November 2006).
- The Implication of Disregard for Judicial Orders (Presented at the Law Week of the Law students Association of the University of Abuja 30 June 2005
- Ethics and Code of Conduct for Judicial Officers
- Criminal Trials in the Magistracy
- Execution of Judgment
- Reforms and the Prison as a Corrective Institution
- Adequate Funding of the Judiciary, the Dilemma of Magistracy
- Importance of Moot Court Trial
- The Evolution of Alternative Dispute Resolution Mechanism and many others.

Most relevant seminars

- Numerous- Locally and Internationally
- Financial Crimes- Course Cambridge- 2004
- Financial Crimes - Seminar Ghana 2009

Membership of professional associations and societies

- Awardee of Unity Bar FCT, Abuja
- Life-Member – Magistrates Association of Nigeria
- Member, Nigeria Institute of Management (MNIM)
- Member, Nigerian Bar Association
- Member, International Bar Association
- Member, Chartered Institute of Arbitrators (UK)

Fellowship of professional bodies/institutes

- Fellow of the Nigerian Institute of Corporate Administration
- Fellow of the Chartered Institute of Mediators and Conciliators
- Fellow, Chartered Institute of Arbitrators (Nigeria)
- Fellow, International Dispute Resolution Institute (IDR)
- Fellow, Nigerian Institute of Advanced Legal Studies.

Personal interests

- Horse riding, travelling and reading

Other relevant facts**Referees**

- 1) The Honourable Chief Justice (Rtd)

Hon. Justice Muhammadu lawal Uwais, GCON

- 2) The Honourable Justice L.H. Gummi (Rtd), OFR
Emir of Gummi & former Chief Judge of the FCT

- 3) The Honourable Chief Judge
High Court of Justice Kaduna State

4. BEN MAHFOUDH, Haykel (Tunisia)

[Original: English]

Note verbale

The Embassy of the Republic of Tunisia presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and in reference to its note ICC-ASP/19/SP/01 of 20 December 2019 pertaining to the election of judges to the International Criminal Court, has the honour to inform that Tunisia decided to present the candidacy of Dr. Haykel Ben Mahfoudh for the election of judges to the International Criminal Court (List B), which will be held during the nineteenth Assembly of States Parties (United Nations Headquarters, New York, 7-17 December 2020).

The Embassy of The Republic of Tunisia encloses, herewith, the document submitted pursuant to paragraph 6 of resolution ICC-ASP/3/Res.6, in support of the proposed candidature of Dr. Ben Mahfoudh, along with his curriculum vitae.

Statement of qualifications

Document submitted pursuant to paragraph 6 of resolution ICC-ASP/3/Res.6, as amended by subsequent resolutions, in support of the proposed candidature of Professor Haykel Ben Mahfoudh for election as a judge of the International Criminal Court.

The Ministry of Foreign Affairs of the Republic of Tunisia presents its compliments to the Secretariat of the Assembly of States Parties of the International Criminal Court and has the honor to transmit this document in support of the nomination of Mr. Haykel Ben Mahfoudh as a candidate for election as a judge of the International Criminal Court, which will be held at the United Nations Headquarters in New York from 7 to 17 December 2020.

Professor Haykel Ben Mahfoudh is a Tunisian citizen. He is Professor of Public International Law at the Faculty of Legal, Political and Social Sciences of Tunis (University of Carthage) and Director of the Research Center for International and European Law and Maghreb-European Relations at the same Faculty.

The candidate is qualified to meet the criteria of article 36(3)(a) of the Statute, in particular for his high moral qualities and probity, for his qualifications and experience across the region, his professional integrity and records, his significant work in the field of humanitarian law and human rights, as well as for his sensitivity to cultural diversity.

Mr. Ben Mahfoudh holds a PhD (Doctorate) in International Humanitarian Law (IHL) from the University of Carthage. His doctoral thesis on "The protection of the environment in times of armed conflict", which was defended in 2005, was distinguished with highest honors and proposed for a prize and publication.

He began his career in 1996 as an Assistant-Teacher and then was admitted as an Assistant-Professor (2006). In 2009 he was admitted to national selection of Associate professors in public law. He is currently a full Professor (since 2015). He served as Head of the Public Law Department and Supervisor of the Common Law Master's degree program.

His work is recognized for its great relevance, method and high scientific quality in the fields of IHL and international peace and security studies. His publications are often cited in the researches related to his filed of work and among legal practitioners in Tunisia and abroad. The book he published in December 2011 on: "The Environment, Humanitarian and International Law" is, for example, quoted by the International Law Commission (ILC) Report on the protection of the environment in relation to armed conflicts.

Mr. Ben Mahfoudh has carried out and directed several research projects on several topics related to international humanitarian law, prevention and punishment of war crimes, crimes against humanity, the crime of genocide and crime of aggression. He brought his contribution to the development of knowledge on issues related to the individual criminal responsibility for international crimes and national measures to repress violations of humanitarian rules. He closely follows international and comparative jurisprudences in the

related areas and contributes to the dissemination and development of national legislation to combat impunity.

He intensively wrote, published and participated in the debates on the responsibility of non-State actors in noninternational armed conflicts. He has published works and conducted research on minorities' protection, the prosecution of terrorist acts as war crimes and/or crimes against humanity, and further potential ways that provides possibilities for the reparation of damages resulting from crimes committed by foreign fighters. He is a regular speaker at national and international symposia and seminars organized on topics related to the ICC's jurisdiction around the world.

In addition, he is recognized in North Africa and the Middle East (MENA) region for his expertise on local peace processes and the protection of civilians. He has a practical experience in designing peace processes and how to connect this with establishing sustainable justice systems in post-conflict States.

As a legal scholar, he was confronted to the issues of interplays between different legal systems and cultures. He learned from the legal operational dialogue with experts and practitioners how to help people build a better system of rule of law and accountability that meet the required standards of international law bodies and treaties.

In this capacity, he is increasingly involved in supporting security sector reform (SSR) processes, particularly with regional and global intergovernmental organizations (United Nations, ICRC, IDEA). He provides the conceptual framework for the design and negotiation of peace agreements provides technical advice to build the capacity of the national authorities (the police, the military or the judiciary) to respect and protect human rights and to combat impunity (Yemen, Libya, Iraq, Tunisia). This includes reviewing and drafting legal documents for the protection of vulnerable victims of human trafficking, such as migrants (Libya).

With a university career of more than 23 years, Professor Ben Mahfoudh has notably taught the following subjects: international humanitarian law, international criminal law, the system of sanctions in international law, international institutions, Introduction to the Common Law System. He also holds the Chair of Constitutional Law. His career reflects a scientific dynamism, openness to different cultures and legal systems and the development of a personal reflection on current problems of international law, particularly those related to the protection of victims of conflicts in the MENA region.

Furthermore, Mr. Ben Mahfoudh is a lawyer at the Court and has been a member of the Tunis Bar since 1996. He has practiced criminal trial in its various instances, and has provided advice and assistance to women and children who are victims of domestic violence and/or abuses. He continues to advise organizations and collectives for the defense of the victims of human rights violations and to speak out before national, regional and international judicial bodies.

He is fluent in Arabic, French and English. He teaches and publishes in all three languages.

Drawing on his professional records and expertise in the fields of international humanitarian law and human rights law, his focus on victims' rights and the need to protect the particular vulnerable persons, in addition to his legal practice in criminal law justice systems, Mr. Haykel Ben Mahfoudh is nominated by the Government of the Republic of Tunisia for the election of judges in list B for the purposes of article 36, paragraph 5, of the Statute.

His nomination is made in accordance with the procedure for the nomination of candidates for membership of the International Court of Justice as provided for in the Statute of the Court.

Dr. Haykal Ben Mahfoudh's nomination to the election as a judge of the International Criminal Court comes from the Tunisian State's adherence to the principles of a fair trial and to the universal human values and principles of human rights, which are the foundations of its new constitution for the year 2014 and an extension as well to its accession to the Rome Convention immediately after the democratic transition of 2011.

In expressing his interest in standing for election as a judge of the International Criminal Court, Mr. Ben Mahfoudh has formally undertaken to make himself available to serve on a full-time basis when the workload of the Court so requires. His status as a university professor allows him to benefit from the necessary layoffs for the duration of his term of office. The candidate is willing to provide all additional information in support of this nomination and to respond to the steps, procedures and meetings provided for this purpose.

Curriculum vitae

Personal data

Family name: Ben Mahfoudh
 First name: Haykel
 Gender: Male
 Date of birth: 24 September 1971
 Nationality: Tunisian
 Regional criteria: Africa
 Marital status: Single
 List A / List B: List B
 Languages: Mother tongue: Arabic
 English: (written) Advanced; (oral) Advanced
 French: (written) Advanced; (oral) Advanced
 Spanish: (written) Basic; (oral) Basic
 Italian: (written) Basic; (oral) Basic

Educational qualifications

01/2008 – 06/2008: Faculty of Legal, Political and Social Sciences, University of Carthage, Tunis, Tunisia.
 Habilitation à Diriger des Recherches (HDR).
 09/1997 – 10/2005: Faculty of Legal, Political and Social Sciences, University of Carthage, Tunis, Tunisia.
 Ph.D. in International Humanitarian Law.
 09/1993 – 06/1995: Faculty of Legal, Political and Social Sciences, University of Carthage, Tunis, Tunisia.
 Master in Public and Finance Law.
 09/1992 – 06/1993: Faculty of Legal, Political and Social Sciences, University of Carthage, Tunis, Tunisia.
 L.L.B. in Economic and Social Law (Certificat d'études spécialisées).
 09/1989 – 06/1993: Faculty of Legal, Political and Social Sciences, University of Carthage, Tunis, Tunisia.
 L.L.M. in Law (Maîtrise en science juridique).

Professional experience

- 09/2013 – present: Faculty of Legal, Political and Social Sciences, University of Carthage, Tunis, Tunisia.
- Full Professor, Director of Centre for International and European Law and Maghreb-Europe Relations.
- 1° Teaching activities (Subjects taught: International humanitarian law, The system of sanctions under international law, Constitutional law) -
2° Academic responsibilities (Head of the Common Law Master Degree Program)
- 3° Research areas: Protection of minorities, Torture, human rights violations during armed conflicts (Yemen and Libya), prosecution and repression of acts terrorism, New technologies and IHL, etc.)
- 4° Research activities and participation in symposia, conferences in Tunisia and abroad (Relevant research areas: New technologies and International Humanitarian Law; Violent extremism and the fight against terrorism, protection of human rights, justice reform and security sector reform).
- 05/2009 – 09/2013: Higher Institute of Legal and Political Studies - University of Kairouan. Associate Professor in Public Law, Director of the Public Law Department.
- 1° Teaching activities (Subjects taught: International Institutions, Administrative Law, Comparative legal systems)
- 2° Academic responsibilities (Director of the Public Law Department)
- 3° Supervision of thesis and dissertations on the following topics: Protection of minorities, Torture, Human rights protection mechanisms, prosecution and repression of terrorism, crimes against humanity and war crimes, immigration, regional security, etc.)
- 4° Research activities and participation in symposiums, conferences and scientific meetings in Tunisia and abroad (Relevant research areas: New technologies and international humanitarian law, Violent extremism and the fight against terrorism, protection of human rights, democratic transition and institutional of Legal, Political and Social Sciences, University of Carthage, Tunis, Tunisia. L.L.M. in Law (Maîtrise en science juridique).
- 03/2006 – 04/2009: Faculty of Law and Political Science of Tunis - Tunis El Manar University. Assistant-professor in Public Law.
- 1° Teaching activities (Subjects taught: International organizations, Comparative legal systems, International relations)
- 2° Supervision of thesis' dissertations in international law on various subjects relating to: international criminal law, international humanitarian law, international environmental law, etc.
- 3° Research activities and participation in symposia, conferences and scientific meetings in Tunisia and abroad (Relevant research areas: non-State actors and armed conflicts; threats to peace and security in the Mediterranean, protection of the environment and cultural property).
- 09/1996 – 03/2006: Faculty of Law and Political Science of Tunis - Tunis El Manar University. Assistant researcher.
- 1° Ph.D. candidate (preparation of a doctoral thesis in international humanitarian law)
- 2° Tutorial teaching (Subjects taught: International Relations, Administrative Law, Constitutional Law, Philosophy of Law)

3° Research activities (Relevant research areas: Law of Armed Conflict, Environmental Protection, Peaceful Settlement of Disputes, Human Rights and Public Freedoms). Supervision of Tunisian teams that took part in the African Human Rights Mock Trial Competition.

01/1996 – 06/2011: Mahfoudh and Partners Law Firm; BMC Partners Law Firm.

Lawyer registered at the Tunis Bar, Court of Appeal.

Partner Lawyer/counsel having represented and defended clients before civil, criminal and military courts.

Accompaniment and pro bono defence of women and children who are victims of domestic and/or sexual violence.

Drafting of legal notes, opinions and conclusions.

Participation in numerous legal training courses on the judicial protection of human rights.

Other professional activities

04/2017-present International Expert to International IDEA - Project "Political Dialogue in Yemen"

- Assignment: Advice and support to the negotiations of a peace agreement and the transitional security arrangements

- Review and analysis of issues of impunity of combatants, protection of vulnerable groups and persons, reparation of war damages, demobilization of combatants; post- conflict justice

- Strengthening mediation and negotiation capacities of actors.

10/2016 International Consultant - Hanns Seidel Foundation - World Relief and Cooperation Organization IOCEA (Libya)

Assignment: Review and commentary of the draft law on the reform of immigration and asylum laws in Libya.

12/2015-03/2016 International Consultant in Police and Justice reform, United Nations Assistance Mission for Iraq-OHCHR

- Assignment: Assessment and analysis of training programmes and complaints mechanisms in the justice and law enforcement sectors in Iraq

- Drafting of a human rights training manual for the police and law enforcement personnel in Iraq

- Capacity building of mechanisms for reporting human rights violations.

01/2015 - 03/2015 Expert in constitutional processes and security reform

Democracy Reporting International (DRI) in Libya. Assignment: Provide legal analysis and opinions on the Constitution Draft chapter relating to the Armed and Security Forces and Security

- Presentation and discussion of options for the "Disarmament, Demobilization and Reintegration (DDR)" process

- Exchange with members of the Constitutional Drafting Committee on the potential prosecution of war crimes in Libya before the ICC.

01/2015 - 02/2015 Consultant, World Organisation Against Torture (OMCT) Assignment: Preparation, facilitation and moderation of workshops for exchanges between professionals (Judges, police, forensic doctors, lawyers, psychologists, etc.) on the prevention of torture and ill-treatment in Tunisia, with follow-up recommendations.

02/2011 - 08/2013 Senior Adviser, Acting Head of Mission

Geneva Centre for the Democratic Control of Armed Forces (DCAF). - Mission: Management, coordination and supervision of the portfolio of projects related to DCAF operations in the MENA region, in particular those at the intersection of security and human rights: Criminal and military justice reform, prison reform, police reform, complaints mechanisms, parliamentary oversight of the armed forces, implementation of UNSCR 1325.

Most relevant publications

- Ben Mahfoudh, H. (2020), "Les victimes en droit international : essai de typologie", in *Droit, humanité et environnement: Mélanges Stéphane Doumbé-Billé (Français) Broché* – 22 janvier 2020. Mohamed Ali Mekouar (Sous la direction de), Michel Prieur (Sous la direction de).
- Ben Mahfoudh, H. (sld.) (2019). *Les victimes en droit international*. Publication du Laboratoire de recherche en droit international et européen et relations Maghreb-Europe (LR-DIERME) – Faculté des Sciences Juridiques, Politiques et Sociales de Tunis – Agence Universitaire Francophone.
- Doumbé-Billé, S., Ben Mahfoudh, H. (Ed.), *Révolutions et droit international*, Presses de l'Université Toulouse 1 Capitole - France, 01/2019.
- Ben Mahfoudh (H.), (2017), "Security Sector Reform and the Struggle against Terrorism: State of Affairs, Issues and Challenges", *IEMed. Mediterranean Yearbook 2017*, pp. 233-235.
- Ben Mahfoudh (H.), (2016), "Protect, Respect and Remedy: A Framework for Accountability for Human Rights Violations Committed by Foreign Fighters", *International Community Law Review* 18 (2016) 418–430.
- Ben Mahfoudh (H.), (2015), "Le contrôle juridique et juridictionnel des opérations militaires à l'extérieur", *Annuaire International de Justice Constitutionnelle*, Vol. XXXI, 2015, Economica, France, pp. 591-612.
- Ben Mahfoudh, H. (2010). *L'environnement, l'humanitaire et le droit international*. Centre des Publications Universitaires, Tunis.
- Ben Mahfoudh, H. (2007). "Acteurs non étatiques et droit international », In: *Acteurs non étatiques et droit international/ sous la dir. de Rafâa Ben Achour et Slim Laghmani, VIIe Rencontre internationale de la Faculté des Sciences juridiques, politiques et sociales de Tunis: 6, 7 et 8 avril 2004 /*, Publisher Paris: Pedone, Year 2007, Pages 215-241.
- Ben Mahfoudh, H. (2005). *La protection de l'environnement en période de conflits armés*. Thèse de doctorat en droit international humanitaire, Faculté des sciences juridiques, politiques et sociales de Tunis, 699 pages.

Most relevant seminars

I. Seminars and international courses

- "Governance of the security sector in fragile States", Master in Public Law - M2: Spécialité Droit de la reconstruction des Etats, Université Aix-Marseille, France 2016, 2017. And then Paris Panthéon - Sorbonne, 2019, 2020.
- "Cours Général: Constitution, Sécurité et Défense", Académie Internationale de Droit Constitutionnel, XXXIII ème session, 25 août – 3 septembre 2017, Tunis, Tunisie.
- "Civilian Oversight of the Security Sector in Post-Conflict and Transitional Environments", Master in Democratic Governance - Human Rights and Democracy in the MENA Region (DE.MA) – European Inter- University Centre for Human Rights and Democratization, Venice, Tunis, Beirut, 2016, 2017.
- "La justice pénale internationale : l'exemple de la CPI", Ecole supérieure de Guerre, Tunis, Tunisie (Cours annuel, années 2015, 2016, 2017).

II. Conferences and panels

- Rapporteur: Workshop sur "La conduite de poursuites et de procès contre les combattants terroristes étrangers, y compris ceux qui rentrent dans leur pays et ceux qui se relocalisent", organisé par le Laboratoire de recherche en droit international et européen et relations Maghreb-Europe (LR-Dierme)) et l'Association tunisienne pour les Nations Unies (ATNU), à l'occasion célébration de la journée des Nations Unies, Tunis, 24 octobre 2019.
- Panelist: "Transitional justice in Tunisia", Edinburgh Dialogues V: Transitional Justice and Constitution. Building Processes, School of Law, International IDEA, Edinburgh, December 2018.
- Speaker: "Technological change and international humanitarian law – amend, implement or simply manage expectations?", 3rd Stockholm Security Conference, SIPRI, 19–20 September 2018, Stockholm, Sweden.
- Contribution: "L'assassinat de Mohamed Zouari : un crime international ?", Leaders Magazine, décembre 2016.
- Panelist: "Workshop on The evolution of mercenarism and the implications for accountability and remedy with respect to human rights violations", Office of the United Nations High Commissioner for Human Rights, Palais des Nations, Genève, April 2016.
- Speaker: "L'atteinte aux biens culturels devant la CPI", Séminaire organisé par l'Association des historiens tunisiens et l'Institut national du patrimoine, Musée du Bardo, Tunis, Décembre 2015.
- Panelist: "Les archives judiciaires et l'histoire de la prépression en Tunisie", contribution à la journée d'étude sur: "La justice transitionnelle en Tunisie et le droit international: question de la compatibilité des standards de la JT avec les règles du droit international", LR-Dierme, UNHCHR, ICTJ, PNUD, 16/04/2015, Faculté des sciences juridiques, politiques et sociales de Tunis.
- Speaker: "Les paradoxes de la CPI: éléments de différenciation et de distinction d'une justice pénale internationale". Séminaire organisé par le Ministère de la Justice et le Centre de Genève pour la promotion des droits de l'homme et le dialogue global, Tunis, Novembre 2011.

Membership of Professional Associations and Societies

- 2019-present: Senior Nonresident Fellow, Rafik Hariri Center on the Middle East, Atlantic Council (Washington, D.C.)
- 2014-2017: Nonresident Fellow, Rafik Hariri Center on the Middle East, Atlantic Council (Washington, D.C.)
- 2014-present: Founding member of the Arab Organization for Constitutional Law and member of its Scientific Committee.
- 2011-2012: Member of the National Commission for Follow-up on the Recommendations of International and Regional Human Rights Rapporteurs, and representative of the Ministry of Higher Education and Scientific Research in this Commission.
- 2004-present: Associate Member, The Near East and South Asia (NESA) Center, U.S. Department of Defense, Washington, D.C.
- 2001-2003: Member of the American Society of International Law

Awards and honours

- Distinguished Alumnus Award (2014) of the NESA Centre – NDU (USA).

Personal interests

- Cello, hiking and photography.

Other relevant facts

- 2009: Visiting Scholar, Civic Education and Leadership Fellowship (CELF) program, Maxwell School of Syracuse University, NY/USA.
- 2002: Auditor of the Courses of the Academy of International Law, Session Private International Law, The Hague - Netherlands (2002).
- 2001: Recipient of a Fulbright Fellowship in the USA, Lafayette College, Easton, Pennsylvania. (US Constitution) (2001)
- 1998: Course Auditor for the Geneva Institute for Peace Research (GIPRI) - Geneva (1998).
- 1997: Auditor of the Courses of the Academy of International Law, Public International Law Session, The Hague - The Netherlands (1997).

5. CHAGDAA, Khosbayar (Mongolia)

[Original: English]

Note verbal

The Embassy of Mongolia to the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of the State Parties to the Rome Statute of the International Criminal Court and, with reference to the Secretariat's note ICC-ASP/19/SP/01, dated 20 December, 2019, has the honour to inform the latter that the Government of Mongolia has decided to nominate Mr. Chagdaa Khosbayar, a national of Mongolia, as a candidate for a judge of the Court for period of 2021-2030, at the elections to be held during the nineteenth session of the Assembly of the State Parties from 7 to 17 December 2020 in New York.

Mr. Chagdaa Khosbayar is being nominated for the inclusion in List A, having fully complied with the requirements of article 36 (3) (b) (i) as he has well established competence in criminal law and procedures and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings. Starting his career as an advocate specializing in juvenile crimes and human trafficking, he has now become a highly respected judge of the Supreme Court of Mongolia with focus on criminal cases. During his career, he has handled over four thousand criminal cases, including the most serious types of criminal offence.

The Government of Mongolia firmly believes that the election of a Mongolian candidate as a judge of the Court will make a substantial contribution to the strengthening of the international criminal justice system in its policy towards multilateralism and equitable geographical representation.

The curriculum vitae and the statement of qualifications of the candidate are enclosed.

Statement of qualifications

This statement is submitted in accordance with article 36, paragraph 4 (a), of the Rome Statute of the International Criminal Court and paragraph 6 of resolution ICC-ASP/3/Res.6, as amended by resolutions ICC-ASP/5/Res.5, ICC-ASP/12/Res.8, and ICC-ASP/14/Res.4, adopted by the Assembly of States Parties on 10 September 2004, 1 February 2007, 27 November 2013 and 26 November 2015, respectively, relating to the procedure for the nomination and election of judges of the International Criminal Court.

(a) Mr. Chagdaa Khosbayar fulfils the requirements under article 36, paragraph 3 (a), (b) and (c), of the Rome Statute as follows:

Paragraph 3 (a)

Mr. Chagdaa Khosbayar is a person of high moral character, impartiality and integrity who possesses the qualifications required in Mongolia for appointment to the highest judicial offices since he is working as a judge at the Supreme Court of Mongolia. In accordance with article 51 of the Constitution of Mongolia and article 4 of the Act on the Status of Judges of Mongolia, only a person of an unblemished character, whose impartiality and integrity cannot be questioned, can be appointed as a Justice of the Supreme Court. Mr. Chagdaa possesses all those characters and qualities.

Paragraph 3 (b) (i)

Mr. Chagdaa Khosbayar fully complied with the requirements of article 36 (3) (b) (i) as he has well-established competence in criminal law and procedure and attained a diverse experience in every aspect of criminal proceedings by assuming various positions as an advocate, investigating prosecutor, and as a judge from lower courts to the highest in the country. Starting his career as an advocate specializing in juvenile crimes and human trafficking, Mr. Chagdaa now has become a highly respected judge of the Supreme Court of Mongolia with focus on criminal cases. During his career, he has handled over four thousand criminal cases, including the most serious types of criminal offence.

Mr. Chagdaa Khosbayar has pioneered in establishing a legal framework and a new approach to Mongolian criminal justice and contributed to incorporating the principles of non-applicability of statute of limitations, universal jurisdiction and complementarity for the crimes within the jurisdiction of the Court in to our domestic law. He served as a member of the Government Committee for Drafting the revised Criminal and Criminal Procedure Code, and took an active participation in elaboration of Tort Law, Law Enforcement Act and Marshals Service Law.

Mr. Chagdaa Khosbayar is also intensely involved in lecturing at universities in Mongolia. He is an adjunct professor for advanced criminal law and procedure and criminology, and a PhD candidate at the School of Law, the National University of Mongolia. He has published legal research works on issues affecting administration of justice, comparative criminal proceedings and the codification of laws.

Paragraph (c)

Mr. Chagdaa Khosbayar has an excellent command of English, including both oral and written skills. He is also fluent in Russian and has a good knowledge of French.

(b) For the purposes of article 36, paragraph 5, of the Rome Statute, Mr. Chagdaa Khosbayar is being nominated for the inclusion in List A since he meets the requirements set out in article 36 (3) (b) (i) of the Rome Statute as stated above.

(c) The information relating to article 36, paragraph 8 (a) (i) to (iii), of the Rome Statute as follows:

- (i) Mongolia belongs to the continental legal system.
- (ii) Mongolia is a part of the region whose participation in the International Criminal Court is less represented. The election of Mr. Chagdaa Khosbayar will be the first ever case that a citizen of Mongolia serves as a judge of the Court.
- (iii) Mr. Chagdaa Khosbayar is male.

(d) Mr. Chagdaa Khosbayar has long-standing legal expertise in the field of violence against vulnerable groups in the society. He directed proceedings in numerous trials concerning violent crimes against minors and women and cases involving sexual violence against women while he served for several years as a judge for offenses committed by and against the juveniles. Prior being appointed as a judge, he served as a criminal defence advocate predominantly dealing with juvenile crimes and human trafficking, involving women and children with the purposes of sexual exploitation.

(e) For the purposes of article 36, paragraph 7, of the Rome Statute, Mr. Chagdaa Khosbayar is a national of Mongolia and does not possess the nationality of any other State.

(f) Mr. Chagdaa Khosbayar is fully committed to take up full-time service when the Court's workload so requires.

Curriculum vitae

Personal data

Family name: Chagdaa
 First name: Khosbayar
 Gender: Male
 Date of birth: 20 January 1967
 Nationality: Mongolian
 Regional criteria: Asia/Pacific
 Marital status: Married
 List A / List B: List A
 Languages: Mother tongue: Mongolian
 English: (written) Advanced; (oral) Advanced
 Russian: (written) Fluent; (oral) Fluent

Educational qualifications

09/2007 – present National University of Mongolia
 Ph.D. in Law (in progress)
 08/2010 - 04/2011 Brigham Young University, USA
 LL.M. in Comparative Law
 09/2003 - 06/2007 National University of Mongolia, School of Law
 Master of Arts in Law
 09/2003 - 06/2007 School of Foreign Service, National University of Mongolia
 Master of Arts in International Law
 09/1999 - 12/2001 National University of Mongolia, School of Law
 Bachelor of Art in Law
 09/1998 - 06/1999 Mongolian Technical University
 Master of Technical Science
 09/1984 - 06/1992 Mongolian Technical University
 Bachelor of Technical Science

Professional experience

04/2015 – present The Supreme Court of Mongolia
 Judge at the Criminal Division
 10/2013 - 04/2015 Capital City Court of Criminal Appeals
 Judge
 Many cases heard by this court involved the most serious types of
 criminal offences committed in Mongolia
 10/2012 - 10/2013 Capital City Court
 Judge at the Criminal Division
 03/2006 - 10/2012 Sukhbaatar District Court
 Judge presided as a first instance judge over numerous complicated
 criminal trials

- 06/2004 - 03/2006 Investigation Unit under the General Prosecutor's Office
Investigating Prosecutor was responsible for investigating crimes under special jurisdiction
- 04/2003 - 06/2004 Mongolian Advocate's Association
Advocate
Criminal Defense

Other professional activities

- 09/2011 -present Adjunct professor for advanced criminal law, advanced criminal procedure and criminology at the National University of Mongolia
- 11/2011 – present Lecturer at the National Legal Institute of Mongolia
- 09/2011 - 06/2016 Member of the Governmental Committee for Drafting the New Penal Code, New Criminal Procedure Code of Mongolia
- 09/2016 – present Member of the Governmental Committee for drafting amendments to the Penal Code of Mongolia
- 09/2013 - 09/2016 Member of the Committee for Professional Responsibility at the Mongolian Bar Association
- 01/2017 – present Member of the Editorial Board of “The Scale of Justice” Journal of the Mongolian Association of Judges
- 05/2013 - present Member of the Steering Board of International Law Committee of Mongolian Association of Jurists
- 05/2013 – present Member of the Steering Board of Criminal Law Committee of Mongolian Association of Jurists
- 05/2013 – present Member of the Judges’ Committee of Mongolian Association of Jurists
- 05/2017 – present Member of the Supreme Court Special Commission on drafting commentaries for the Penal Code 2015 and the Criminal Procedure Code 2015 of Mongolia

Most relevant publications

- “Illicit enrichment and it’s treaty context”, “Justice” periodical journal by The Authority Against Corruption of Mongolia #18, 2019, at 4-24
- “Dissenting opinion in Civil law jurisdiction”, “Judiciary“ periodical law journal by The Judicial General Council of Mongolia #4, December 2016, at 8-16
- “Public participation in the Court decision making process is a Constitutional requirement”, “Law“ periodical law journal by National University of Mongolia #4, December 2014, at 88-103
- “Codification of Evidence rule and Proof process”, “Law“ periodical law journal by National University of Mongolia #4, December 2014, at 104-110
- “Criminal law: New approaches in Modern criminal law doctrine and principles”, Reference book for Mongolian judges by the Supreme Court of Mongolia & Hanns Seidel Stiftung fund (Germany) #3, 2013, co-author with 9 Judges
- “Establishing Rule of Evidence and Standard of Proof must be one of the leading points of New Criminal Code of Mongolia”, “Mongolia’s State and Law” bimonthly magazine by Supreme Court of Mongolia #4 (70), 2012, at 33-41
- “Modern Criminal law doctrine and principles”, Reference book for Mongolian judges by the Supreme Court of Mongolia & Hanns Seidel Stiftung fund (Germany) #2, 2012, co-author with 10 Judges

- “Comparisons of Simplified procedure of Criminal proceedings in Civil law countries to Plea bargaining and Adjudication by plea in Common law jurisdictions”, “The Scale of Justice” trimonthly law magazine by The Association of Mongolian Judges #3, December 2011, at 12-18
- “Simplified procedure of Criminal proceedings”, “Rule of Law” periodical law journal by National Legal Institute #3, 2011, at 54-60
- “The essence of Common law system and its comparison to the Civil law system”, “Rule of Law” periodical law journal by National Legal Institute #2, 2011, at 36-41
- “Is it possible to have the Jury System in Mongolia?”, “Mongolian Law Review” by National Legal Institute #1, March 2011, at 35-45
- “Adjudication by plea in Common law jurisdictions”, “World Affairs” periodical journal by School of Foreign Service of National University of Mongolia #2, 2009, at 108-116
- “Adjudication by Plea in Civil law jurisdictions”, “Rule of Law” periodical law journal by National Legal Institute magazine #2, June 2009, at 77-80
- “Adjudication by Plea in US criminal proceedings”, “Rule of Law” periodical law journal by National Legal Institute magazine #1, February 2009, at 49-55
- “Particularities in the investigation of Corruption crimes committed by High level government officials”, “Mongolian State and Law” bimonthly magazine by Supreme Court of Mongolia #3 (51), 2007, at 31-36

Most relevant seminars

- 13-17 January, 2020 “Fight Against Terrorism Financing and Transnational Criminal Organizations, Economic and Financial Investigation Techniques” by UN Counter-Terrorism Centre and Economic – Financial Police School, Rome, Italy
- 24 June – 05 July, 2019 “Judicial Capacity Building Program for the Mongolian Judiciary” organized by the Judicial Research and Training Institute and funded by the Supreme Court of Korea, Seoul, Korea
- 17-19 May, 2017 International Judicial Conference sponsored by The Furth Family Foundation, Paris, France
- 20-30 March, 2017 “Strengthening the Capacity of Judicial Training” /Economic Crimes/ by the Asian Development Bank in partnership with the Judicial General Council of Mongolia, Ulaanbaatar, Mongolia
- 07-25 July, 2014 “Public International Law” by The Hague Academy of International Law, The Hague, Netherlands
- 23 September, 2013-07 July 2016 “Français Général” by “L’Alliance Francaise D’Oulan Bator”, Ulaanbaatar, Mongolia
- 01-03 October, 2013 “Workshop on Countering The Financing of Terrorism: Investigation and Prosecution Issues” by Terrorism Prevention Branch of United Nations Office on Drugs and Crime, Ulaanbaatar, Mongolia
- 29 July-18 August, 2013 “ Private International Law” by The Hague Academy of International Law, The Hague, Netherlands
- 04-16 December, 2011 “Translation and Interpreting Training in English” by Inlingua language Centers, Fort Lauderdale, Florida, USA
- 27-29 September, 2011 “Protection of Children’s Right” by UNICEF, Ulaanbaatar, Mongolia Qualified as a trainer in the area of protection of children’s rights in criminal process
- 06 March, 2009 “The Principles of Evidence” by USAID United States Agency: International Development, National Center for State Courts
- 08 November-20 December, 2008 “Drug Trafficking Combat” by Mubarak Police Academy, Egypt
- October 9-30, 2008 International Visitor Leadership Program by United States Department of State Bureau of Educational and Cultural Affairs, Washington, D.C. 20547

- 24-26 April, 2006 “Das neue mongolische Zivil-und Strafprozeßrecht sowie Urteilsstechnik” by Zusammenarbeit (GTZ) GmbH and USAID United States Agency: International Development Mongolia
- 30 June, 2006 “Litigation skills” by The National Center for Legal and Judicial research, Training and Information, Mongolia
- 10-11 October, 2006 “Preparatory training for the experts in the juvenile crimes” by United Nations Children’s Fund
- 01 September, 2005-01 September, 2008 “Special permission for the interpretation during investigative, pretrial and trial proceedings into Russian language” by The Training Center of the Ministry of Justice and Internal Affairs, Mongolia
- 23 September, 2004 “Money laundering and Financial Investigation” by Asia Law Initiative, US Treasury Department, Liberty and Rule of Law Association
- 1 September, 2001-1 July, 2003 Advanced English Proficiency Training by National University of Mongolia, School of Foreign Service

Membership of professional associations and societies

- Member of the International Association of Judges
- Member of the Bar Association of Mongolia
- Member of the Editorial Board of the Mongolian Judges Association Law Journal “The Scale of Justice”
- Member of the Governmental Committee for drafting amendments to the Penal Code 2015 and the Criminal Procedure Code 2015 of Mongolia
- Member of the Steering Board of International Law Committee of Mongolian Association of Jurists
- Member of the Steering Board of Criminal Law Committee of Mongolian Association of Jurists
- Member of the Judges’ Committee of Mongolian Association of Jurists
- Member of the Supreme Court Special Commission on drafting commentaries for the Penal Code 2015 and the Criminal Procedure Code 2015 of Mongolia
- Member of the Supreme Court Special Commission on Amnesty and Adjustment of Sentence

Awards and honours

- Consecration Medal of Labor Honour for “Contribution to the benefit of Mongolia and its People”
- Chest Hardware of Featured Judicial Officer from the Minister of Justice for “Outstanding contribution to administration of justice”
- Certificate of Honour from the Supreme Court of Mongolia

Personal interests

- Gardening, travelling, hunting
- Sports (bodybuilding)

Other relevant facts

- Member of Mongolia’s Supreme Court delegation to the International Criminal Court in November 2014
- Member of Mongolia’s delegation to the 14th Session of the Assembly of States Parties to the Rome Statute

6. ČOSIĆ DEDOVIĆ, Jasmina (Bosnia and Herzegovina)

[Original: English]

Note verbale

The Embassy of Bosnia and Herzegovina in The Hague presents its compliments to the Secretariat of the Assembly of States Parties of the International Criminal Court (ICC) and has the honour to inform that Bosnia and Herzegovina has nominated Judge Jasmina Čosić Dedović as a candidate for the elections of judge at the International Criminal Court (List A), for the term 2021-2030, in the elections to be held during the nineteenth session of the Assembly of States Parties to the Rome Statute (New York, 7-17 December 2020).

Judge Jasmina Čosić Dedović is a judge at the Criminal Department of the Court of Bosnia and Herzegovina (a state court that is considered one of the highest courts in the country) and has extensive relevant judicial experience and expertise in the areas of criminal and international law. Judge Jasmina Čosić Dedović is nominated for election under the terms of article 36, paragraph 4, of the Rome Statute, and resolution: ICC-ASP/3/Res.6, supplemented by resolutions ICC-ASP/5/Res.5 and ICC-ASP/12/Res.8, annex II, and ICC-ASP/14/Res.4, annex II, that refer to the procedures of the nomination and elections of judges at the International Criminal Court.

Judge Jasmina Čosić Dedović was elected as a judge at the Court of Bosnia and Herzegovina in 2016, according to the strict legal procedures of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. This position requires, apart from extensive professional qualifications, the highest standards of professional integrity, impartiality and high moral qualities. Thus, Judge Čosić Dedović fulfils all the requirements as stipulated in the article 36, paragraph 3 (a).

The detailed account of her background and the required documents are herewith enclosed within this note (CV of Judge Jasmina Čosić Dedović, statement of qualifications with a memo from the High Judicial and Prosecutorial Council of Bosnia and Herzegovina no. 08-14-1-481-5/2020).

Statement of qualifications

This statement is submitted according to article 36, paragraph 4 of the Rome Statute of the International Criminal Court and resolution ICC-ASP/3/Res.6, supplemented by resolutions ICC-ASP/5/Res.5 and ICC-ASP/12/Res.8, annex II and ICC-ASP/14/Res.4, annex II, that refer to the procedure for the nomination and election of judges of the International Criminal Court.

a) *A detailed overview how the candidate fulfils the requirements according to article 36, paragraph 3 (a) of the Rome Statute*

Given that judge Jasmina Cosic Dedovic was elected in 2016 by the High Judicial and Prosecutorial Council of BiH for a judge of the court of BiH (a state court that is considered one of the highest courts in the country) and for that position, apart from professional qualifications, one of the criteria is that the person is characterised by professional impartiality and high moral qualities, thus the requirement from article 36, paragraph 3 (a) is fulfilled.

b) *A detailed overview how the candidate fulfils the requirements according to article 36, paragraph 3 (b) of the Rome Statute*

As seen in the curriculum vitae and the position of the Court of BiH judge, which judge Cosic Dedovic holds, it is visible that this is a candidate who has been performing judicial duties since 2010 to date and only processing criminal cases. From 2016, she has been working in the War Crimes Department of the Court of Bosnia and Herzegovina, acting

as the president of the trial chamber or a member of the trial chamber in cases of crimes against humanity and values protected by international law, as one of the hardest areas of criminal law. From 2010, she worked as a judge in the Municipal Court in Sarajevo (the basic court for the Sarajevo Canton) only in criminal cases, including domestic violence cases, rapes, juvenile cases and other.

Besides regular judicial duties, she is also a representative of Bosnia and Herzegovina in the Consultative Council of European Judges (CCJE), permanent trainer of the Judicial and Prosecutorial Training Centre of the Federation of Bosnia and Herzegovina for criminal law, juvenile judiciary and other domains of substantive law and procedural law and skills; she is a trainer and author of topics in seminars and trainings in domains of criminal law and criminal procedural law, she is a guest lecturer at the Faculty of Law of the University in Sarajevo in domains of criminal proceedings and juvenile delinquency; she is an advisor for sexual and gender-based harassment in the Court of Bosnia and Herzegovina; she is also a trainer with the Federation Ministry of Justice for training the institutions outside of judiciary in Law on Protection and Handling of Children and Minors in Criminal Proceedings; she is an author and co-author of several publications in domains of domestic violence, command responsibility, juvenile delinquency, criminal offence of rape, sexual exploitation from the position of power and narcotic drugs abuse.

Before she became a judge, in the period between 25 February 2004 and July 2008 she worked at the International Criminal Tribunal for the former Yugoslavia as a legal assistant in the defence team in the IT-03-68 case in all the phases of the proceedings, including the investigation, trial, appeals procedure, which resulted in the final acquittal verdict.

Besides the aforementioned professional experience, on 27 April 2020 she completed her post-graduate studies at the Faculty of Law of the University of Sarajevo by defending her master's thesis: "Command Responsibility - the Statute and Practice of the International Criminal Tribunal for the former Yugoslavia," thus obtaining the Master of Laws academic degree. On 25 May 2017, she obtained her Ph.D. at the Faculty of Law of the University of Sarajevo in the Criminal Law Department by defending her doctoral dissertation: "Questioning the witnesses in Criminal Procedure." She passed the bar exam in 2007 and the attorney's admission exam in October of the same year.

It follows from the aforementioned that the candidate fulfils the requirements prescribed by article 36, paragraph 3 (b).

c) *A detailed overview how the candidate fulfils the requirements according to article 36, paragraph 3 (c) of the Rome Statute*

As evidence that the candidate has excellent knowledge of and is fluent in English language, as one of the working languages of the Court, a copy of the certificate that confirms fulfilment of English language requirement is enclosed. Enclosed as well is a copy of the certificate on successfully completed French language course.

d) *A detailed overview how the candidate fulfils the requirements according to article 36, paragraph 4 (a) of the Rome Statute*

The election of the candidate for the said position was done by the Judicial and Prosecutorial Council of Bosnia and Herzegovina as the competent body for election of judges of all levels in Bosnia and Herzegovina in a manner prescribed by the Law on the HJPC BiH, which fulfils the requirement of election on the basis of the procedure for nomination of candidates for appointment to the highest judicial offices in Bosnia and Herzegovina, from article 36 paragraph 4 (a) (i) of the Statute.

e) The information to which list the candidate is nominated according to article 36, paragraph 5 of the Rome Statute

Given that the candidate has the qualifications prescribed by article 36, paragraph 3 (b) (i) of the Rome Statute, she is nominated to the List A.

f) The information regarding article 36, paragraph 8 (a)(i) to (iii) of the Rome Statute

While selecting the candidate, the High Judicial and Prosecutorial Council bore in mind the provisions of article 36, paragraph 8 (a)(i) to (iii) of the Statute.

- (i) Bosnia and Herzegovina belongs to the continental legal system.
- (ii) Bosnia and Herzegovina belongs to the group of Eastern Europe countries.
- (iii) Judge Jasmina Cosic Dedovic is a candidate of female gender.

g) The information whether the candidate has the expertise defined in article 36, paragraph 8 (b) of the Statute

Judge Jasmina Cosic Dedovic has great experience in domestic violence, violence against women and children, sexual exploitation from the position of power, criminal offence of rape and issues of children's rights. As a judge of the Municipal Court, she tried cases of domestic violence, rapes and cases involving children and minors. In addition, the candidate performed the following functions in these domains: the representative of the Federation of BiH for domestic violence in the World Health Organization, a member of the state Coordinating Body monitoring the implementation of the Strategy Against Juvenile Delinquency in BiH; a member of the Council for Children of Bosnia and Herzegovina; on the level of the Federation of BiH and Sarajevo Canton she participated in drafting and implementing of a number of projects in juvenile delinquency, domestic violence and prevention of narcotic drugs abuse.

The candidate is an author and co-author of several publications about domestic violence, criminal offence of rape and juvenile delinquency. She had her professional training in these domains in various types of training, seminars, round tables, conferences, courses, both local and international ones.

h) The information on which State the candidate is nominated from according to article 36, paragraph 7 of the Rome Statute.

Judge Cosic Dedovic is a national of Bosnia and Herzegovina and is nominated on behalf of this State.

Curriculum vitae

Personal data

Family name: Ćosić Dedović
 First name: Jasmina
 Gender: Female
 Date of birth: 11 November 1980
 Nationality: Bosnia and Herzegovina
 Regional criteria: Eastern Europe
 Marital status: Married
 List A / List B: List A
 Languages: Mother tongue: Bosnian
 English: (written) Advanced; (oral) Advanced

French: (written) Intermediate; (oral) Intermediate
 German: (written) Intermediate; (oral) Intermediate
 Spanish: (written) Basic; (oral) Basic

Educational qualifications

2014–2017: Law School of the University of Sarajevo.
 PhD in Law - Doctor of Legal Sciences - PhD thesis "Examination of witnesses in criminal proceedings"

04/2012: Law School of the University of Sarajevo.
 MA in law - Master of Legal Sciences - MA thesis „Command responsibility – Statute and jurisprudence of the International Criminal Tribunal for the former Yugoslavia"

2007: Ministry of Justice of Bosnia and Herzegovina.
 Bar exam passed.

2007: Bar Association of the Federation of Bosnia and Herzegovina.
 Attorney’s exam passed.

10/1998-10/2002: Law School of the University of Sarajevo.
 BA in Law - Law Graduate.

Professional experience

05/2016-
 present: Court of Bosnia and Herzegovina (State-level Court with special jurisdiction over war crimes).
 Judge at the Criminal Department - Section I for War Crime.
 Relevant experience under List A - since 2016 - working on a daily basis as a Judge in War crimes Department, performing duties of a presiding judge or member of the trial chamber in cases covering crimes against humanity and values protected by international law - as one of the most difficult fields of criminal law.

2010-
 2016: Municipal Court in Sarajevo (basic court for Canton Sarajevo).
 Judge at the Criminal Department.
 Relevant experience under List A - worked as a judge in criminal cases, including cases of domestic violence, criminal offence of rape, juvenile delinquency cases etc. Beside the regular judicial activities, I was also actively involved in the following: trainings of professionals (judges, prosecutors, social workers, police, lawyers, etc) in the new Law on Protection and Treatment of Children and Juveniles in the Criminal Proceedings of the Federation of Bosnia and Herzegovina (trainer appointed by the Ministry of Justice of the Federation of BiH and by the Judicial and Prosecutorial Training Center of the Federation of BiH); Member of the domestic violence Judge Panel in BiH (DCAF and the Atlantic initiative project); Drafted and implemented various projects dealing with domestic violence; As a judge, attended a number of local and international Conferences, Workshops, Annual Meetings, etc.

- 2008–
- 2010: FBiH Ministry of Health.
Head of the Minister's Cabinet.
- Relevant experience - Main tasks of the Head of the Cabinet were to coordinate the work of whole Ministry. Beside the regular activities, I was also involved in the following: appointed as the WHO focal point for Violence prevention for the Federation of Bosnia and Herzegovina; Appointed member of the Coordinating Body for the implementation of the Strategy for prevention of juvenile delinquency at the State level; Appointed member of the Children's Council on the State level; Drafted and implemented a number of projects dealing with juvenile delinquency, domestic violence and prevention of drug abuse at the level of the Federation of BiH and Canton Sarajevo; Worked as a trainer of health workers in cases of domestic violence in the Federation of BiH; appointed as member of different working groups tasked with drafting of different strategies, such as: Strategy for youth and health, Strategy for sexual and reproductive health, Strategy for development of health sector, Strategy for prevention of family violence, Strategy for prevention of juvenile delinquency, Strategy for combating violence against children, etc.; Attended a number of international Conferences, Workshops and annual Meetings, etc.
- 2004–
- 2008: International Criminal Tribunal for the former Yugoslavia.
Legal Assistant.
- From 25 February 2004 till July 2008 – worked as the Legal Assistant in the Defence team in the case IT-03-68 “The Prosecutor vs. Naser Oric”. Worked as a Defence team member in all parts of the proceedings before the Tribunal, including investigation, trial, post trial, and appeal phases, which resulted in the acquittal of our Client.
- 2003–
- 2004: Office of the High Representative.
Junior professional.

Other professional activities

- 04/2019-
present: BiH representative at the Consultative Council of European Judges (CCJE).
- 2014-
present: Standing trainer of the Judicial and Prosecutorial Training Center of the Federation of BiH in criminal law, juvenile justice and other areas of substantive and procedural law and skills.
- Trainer and author of topics at seminars and trainings in the areas of criminal and criminal procedure codes
- Visiting lecturer at the Law School of the University of Sarajevo in the areas of criminal proceedings and juvenile delinquency
- Consultant for sexual and gender based harassment within the Court of Bosnia and Herzegovina.
- 2007-
2011: Representative (focal point) of the Federation of Bosnia and Herzegovina in the field of domestic violence at the World Health Organization.

- 2008-
- 2010: Member of the state-level Coordination Body for Monitoring the Implementation of the Strategy against Juvenile Delinquency in BiH.
- 2007-
- 2011: Member of the working group charged with implementing and monitoring the implementation of the Strategy for Prevention of Domestic Violence in the federation of BiH.
- 2007-
- 2010: Member of numerous working groups charged with drafting new laws or amendments to existing laws, drafting bylaws, multi-sector strategies, policies and action plans on the State and Entity levels, including: Strategy for youth and health, Strategy for sexual and reproductive health, Strategy for development of health sector, Strategy for prevention of family violence, Strategy for prevention of juvenile delinquency, Strategy for combating violence against the children, etc.
- Trainer for health workers in cases of domestic violence in the Federation of BiH.

Most relevant publications

Author and co-author of a number of publications on domestic violence, command responsibility, juvenile delinquency, criminal offence of rape, sexual exploitation from the position of power (sextortion) and narcotic drug abuse, including the following:

- J. Ćosić Dedović, S. Idrizović, The evolution of the Law on Command Responsibility, *Legal Thought / Pravna Misao*, jul/aug 2019, Issue 7/8, p64-92
- H. Halilović, I. Marković, H. Huhtanen, M. Mujagić, M. Halilović, A. Zahiragić, A. Lukač, A. Skrobo-Kadrić, B. Radulović, D. Miloica, J. Ćosić Dedović, L. Konjić Dragović, M. Murtezić, M. Popović, N. Živković, S. Belegić-Perčinlić i S. Bajić, Benchbook for consideration of the criminal offence of rape in the caselaw of Bosnia and Herzegovina, Sarajevo, 2019, Link: <https://atlantskainicijativa.org/wp-content/uploads/PRESS-Benchbook-for-consideration-of-the-criminal-offence-of-rape-in-the-caselaw-of-Bosnia-and-Herzegovina1.pdf>
- M. Božović, H. Mašović, J. Ćosić Dedović, M. Hadžić, E. Čorbadžić i J. Ferizović, Processing Corruption and Terrorism cases before the Court of Bosnia and Herzegovina, Court of Bosnia and Herzegovina, Sarajevo, 2017
- M. Duranović, S. Suljagić, J. Ćosić, A. Begić i S. Pačarić, Protection and Treatment of Children and Juveniles in Criminal Proceedings, Federal Ministry of Justice, Sarajevo, 2016, link: <https://nwb.savethechildren.net/sites/nwb.savethechildren.net/files/library/Zastita-i-postupanje-sa-djecom-i-maloljetnicima-u-krivicnom-postupku.pdf>
- J. Kosović, J. Ćosić, J. Pećanac, D. Uletilović i E. Muratbegović, Training Manual for Judges and Prosecutors on Law on Protection and Treatment of Children and Minors in Criminal Proceedings in the Federation of Bosnia and Herzegovina, Association of Prosecutors of the Federation of Bosnia and Herzegovina and Public Institution Center for judicial and prosecutorial training in the Federation of Bosnia and Herzegovina, 2014
- Rada Bjeljac, Jasmina Ćosić, Sanela Kovač-Grabonjić, Branimir Maletić, Amela Mahić-Samardžić, Darko Samardžić, Dragan Uletilović, Biljana Vučetić, Adisa Zahiragić, Judicial benchbook - Considerations for Domestic Violence Case Evaluation in Bosnia and Herzegovina, DCAF 2014
- Jasmina Ćosić, Program of bringing Opioid substitution therapy (OST) into the Institutions for Execution of Criminal Sanctions, Federal Ministry of Health, July 2012

- Adisa Zahiragić, Amela Mahić, Mediha Pašić, Jasmina Ćosić, Edin Šaćirović, Adnan Kadribašić i Jasminka Susmel, Toolkit: Fighting sextortion, Association of Women Judges in BiH, October 2011
- Emira Tanović Mikulec, Milan Mioković, Jasmina Ćosić, Zlatan Hrnčić, Mirsada Poturković i Suvada Kuldija, Manual for training and education of health workers in cases of domestic violence, Federal Ministry of Health, 2009
- Zlatko Čardaklija i Jasmina Ćosić, Sexually transmitting diseases and HIV among the high risk occupations (police, army and fireworks), Sarajevo, 2008

Most relevant seminars

- 2019 - International Institute for Justice and the Rule of Law Workshop "IJJ Juvenile Justice Initiative: Sectoral Workshop for Judges, St. Julian's, Malta
- 2019 - Council of Europe High-Level Conference "Responses to Prison Overcrowding", Strasbourg
- 2019 - Seminar on "Ethical standards" - MATRA project
- 2019 - International Conference "International Perspectives on Gender and Justice: Theory and Practice"
- 2019 - International conference "Gender and Justice: Theory and practice across contexts"
- 2019 - TAIEX workshop on "Gender based violence and equal access to justice"
- 2018 - CEST Seminar on "Trafficking in Human Beings"
- 2018 - OSCE Training course "Dark Web and Virtual Currencies Basic", Tirana, Albania
- 2018 - Special investigative measures - caselaw of ECHR, Sarajevo
- 2018 - EJTN Seminar on Judgecraft, Ljubljana, Slovenia
- 2017 - Study visit organized in the framework of the project "Strengthening Regional Cooperation of the Western Balkans' Judicial Training Institutions" GIZ Open Regional Funds – Legal Reform, Strasbourg
- 2016 - Judicial and cooperation training at the European Court of Human Rights in Strasbourg
- 2014 - Workshop on "Responses to Violence: Considerations for Domestic Violence Case Evaluation in BiH"
- 2014 - Association of Women Judges in Bosnia and Herzegovina (AWJ) and DCAF Workshop on "Strengthening Capacities for Planning and Managing Projects"
- 2008-2011 - Regular Annual Meetings of the European Ministry of Health focal persons on violence and injury prevention, Helsinki, Lisbon and Mexico
- 2006 - Criminal Defence Section Seminar on International Humanitarian Law
- 2006 - Criminal proceedings before Department I of the Court of Bosnia and Herzegovina
- 2002 - International Humanitarian Law before ICTY and National Courts
- 2001 - ICRC Seminar on International Humanitarian Law

Membership of professional associations and societies

- Consultative Council of European Judges
- Association of Judges of the Federation of Bosnia and Herzegovina
- Association of Women Judges in Bosnia and Herzegovina
- International Association of Women Judges
- Association of Judges of Court of Bosnia and Herzegovina

Awards and honours

- Law School of the University of Sarajevo
- Medical High School
- Primary school Hasan Kaimija

Personal interests

- Horse riding, horses, music, history and art

7. FLORES LIERA, María del Socorro (Mexico)

[Original: Spanish]

Note verbale

The Embassy of Mexico to the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and has the honour to inform it that the Government of Mexico has decided to nominate lawyer Socorro Flores Liera for one of the six vacancies available for the post of judge of the International Criminal Court (ICC), with a view to the elections to be held during the 19th session of the Assembly of States Parties to the Rome Statute in New York from 7 to 17 December 2020.

The Embassy wishes to draw the attention of the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court to the fact that the candidate is a prominent member of the Mexican Foreign Service, where her work has gained wide recognition. Ms Socorro Flores has developed her professional and diplomatic career in branches of law that are closely related to the work of the Court, such as international humanitarian law, international criminal law and international human rights law. During her career, the nominee has been a member of the Mexican delegation responsible for negotiating the Rome Statute, a representative of the Mexican State in proceedings before the International Court of Justice (ICJ), and Head of the Liaison Office of the International Criminal Court at the United Nations in New York, in addition to having participated in the negotiation of various international instruments in the field of public international law. Currently, the Mexican nominee serves as Permanent Representative of Mexico to the International Organizations in Geneva, Switzerland, with the rank of ambassador.

In light of the foregoing, the Embassy is pleased to note that Ambassador Flores fully meets the requirements set out in the Rome Statute for the presentation of nominations, in view of her recognized competence and solid, successful and extensive experience in international legal matters. The candidate is nominated for inclusion in list B for the purposes of article 36, paragraph 5 of the Statute.

The Embassy is also pleased to highlight the suitability of the Ambassador to be elected as a judge of the Court at the nineteenth Assembly of States Parties to the Rome Statute, in view of the fact that the minimum voting requirements provide that at least one female judge, at least one candidate from list B and at least two candidates from Latin American and Caribbean States must be elected.

The Embassy would add that the nomination of Ambassador Flores is made under article 36, paragraph 4(a)(i) of the Rome Statute, in accordance with the requirements that should be met by any person nominated for appointment to the highest judicial office in Mexico, namely judge of the Supreme Court of Justice of the Nation. The candidate fully meets such requirements, as set out in article 95 of the Political Constitution of the United Mexican States. Likewise, the Embassy conveys the candidate's commitment to be available to take up full time service when the Court's workload so requires.

A statement specifying in the necessary detail how the candidate fulfils each of the requirements of article 36, paragraph 3(a) and (b)(ii) of the Rome Statute, as well as her curriculum vitae, is attached.

Statement of qualifications

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

The Government of Mexico has decided to nominate Ambassador Socorro Flores Liera for one of the six vacancies available for a post of judge at the International Criminal Court (ICC), with a view to the elections which are to be held at the 19th session of the Assembly of States Parties to the Rome Statute in New York from 7 to 17 December 2020.

The curriculum vitae of Ambassador Socorro Flores Liera is attached in the format requested by the Secretariat of the Assembly of States Parties.

(a) On the necessary detail of how the candidate fulfils each of the requirements of article 36, paragraph 3(a), (b) and (c) of the Statute, in accordance with article 36, paragraph 4(a) of the Statute

Ms Flores Liera meets all the conditions of high moral character, impartiality, integrity, experience and seniority required in Mexico for appointment to the highest judicial offices, in accordance with article 36(3)(a) of the Rome Statute.

Ms Flores Liera has established experience in relevant areas of international law, such as international humanitarian law and international human rights law, and extensive professional experience in the legal domain that is of relevance to the judicial work of the Court. Accordingly, the nominee fully meets all the requirements set out in the Rome Statute for the nomination of candidates, in view of her established competence and her solid, successful and extensive experience in international legal matters. The nominee is a prominent member of the Mexican Foreign Service, where her service has gained wide recognition. Ambassador Flores has developed her career in branches of law that are closely related to the work of the Court. She has, *inter alia*, been a member of the Mexican delegation responsible for negotiating the Rome Statute, with outstanding work both during the preparatory sessions and at the Rome Conference; a representative of the Mexican State in proceedings before the International Court of Justice (ICJ) in the “Avena” case (Mexico v. United States); and Head of the Liaison Office of the International Criminal Court at the United Nations in New York. She has also participated in the negotiation of various international instruments in the field of public international law, and at the invitation of the International Committee of the Red Cross, has served as Chairman of the Drafting Committee at the 33rd International Conference of the Red Cross and Red Crescent. Currently, the Mexican nominee serves as the Permanent Representative of Mexico to the International Organizations in Geneva, Switzerland, with the rank of Ambassador.

Ms Flores Liera is fluent in English, has an intermediate level of French and has an intermediate level of spoken Greek.

(b) On whether the candidate is being nominated for inclusion in list A or list B for the purposes of article 36, paragraph 5 of the Statute

The candidate is nominated for inclusion in list B for the purposes of article 36, paragraph 5 of the Statute.

(c) Information relating to article 36, paragraph 8(a)(i) to (iii) of the Statute

The nominee is suitable to be elected as a judge of the Court at the 19th Assembly of States Parties to the Rome Statute, given that in these elections, the minimum voting requirements provide that at least one female judge, at least one candidate from list B and at least two candidates from Latin American and Caribbean States must be elected.

(d) On whether the candidate has any expertise under article 36, paragraph 8(b) of the Statute

The nominee has developed her career in branches of law that are closely related to the work of the Court, such as international humanitarian law, international criminal law and international human rights law.

(e) On the nationality under which the candidate is being nominated for the purposes of article 36, paragraph 7 of the Statute, where a candidate is a national of two or more States

The nominee is a Mexican national and does not have the nationality of any other State.

(f) On whether the nomination is made under article 36, paragraph 4(a)(i) or paragraph 4(a)(ii), and on the necessary detail of the elements of that procedure

Ms Flores is nominated under article 36, paragraph 4(a)(i) of the Rome Statute, in accordance with the requirements for any nomination for appointment to the highest judicial office in Mexico, namely judge of the Supreme Court of Justice of the Nation. The candidate fully meets such requirements as set out in article 95 of the Political Constitution of the United Mexican States.

(g) On the commitment of the candidate to be available to take up full-time service when the Court's workload so requires

The nominee would be available to take up full-time service when the Court's workload so requires.

Curriculum vitae**Personal data**

Family name: Flores Liera
 First name: María del Socorro
 Gender: Female
 Date of birth: 15 Septiembre 1965
 Nationality: Mexican
 Regional criteria: GRULAC
 Marital status: Married
 List A / List B: List B
 Languages: Mother tongue: Spaniosh
 English: (written) Advanced;(oral) Advanced
 French: (written) Intermediate; (oral) Intermediate

Educational qualifications

09/1992–06/1993: Instituto Matias Romero de Estudios Diplomáticos (Matias Romero Institute for Diplomatic Studies). Diplomatic training diploma
 09/1991–06/1993: Law faculty of the Universidad Autonoma de México (Autonomous University of Mexico). Certificate of specialization in international law.
 09/1983–06/1987: Universidad Iberoamericana (Ibero-American University). Law degree.

Professional experience

11/2017-present: Mexican Secretariat of Foreign Affairs.
 Permanent Representative of Mexico to the International Organizations in Geneva.
 Vice-President of the Human Rights Council for the year 2020.

Chairman of the Drafting Committee at the 33rd International Conference of the Red Cross and Red Crescent.

Member of the Working Group on Situations of the Human Rights Council for the year 2019.

09/2015-09/2017: Mexican Secretariat of Foreign Affairs.

Under-Secretary for Latin America and the Caribbean.

Extensive diplomatic experience promoting cooperation with countries from the region.

01/2013–09/2015: Mexican Secretariat of Foreign Affairs.

Director General for American Regional Organizations and Mechanisms.

07/2013–11/2013: Mexican Secretariat of Foreign Affairs.

Special Adviser on Climate Change.

10/2007–02/2011: Mexican Secretariat of Foreign Affairs.

Director General for Global Issues

Other professional activities

2007-2012: Coordinated the participation of Mexican delegations in United Nations Conferences on Climate Change; member of the management team that organized the Cancún climate change conference in 2010, which brought a new momentum to multilateral negotiations on the topic.

1994-2007: Since the adoption of resolution 49/53 of the General Assembly of the United Nations on the establishment of an international criminal court, participated in the entire process leading up to the creation of the Court and in the negotiations on the Rome Statute and Elements of Crimes. Coordinated contact between the Court and the United Nations, and opened the permanent office in New York in 2006.

1992-present: Member of and career in the Mexican Foreign Service.

Has held the rank of ambassador since 2012.

Most relevant publications

- "La lucha contra el terrorismo internacional y la Corte Penal Internacional, dos temas jurídicos en la Agenda de la AGONU", Revista Mexicana de Política Exterior, Number 53, 1998.
- "Elements of Crimes and Rules of Procedure and Evidence", in: The International Criminal Court, Roy S. Lee and Hakan Friman Comp, Ardsley Transnational Publishers, New York, 2001.
- "Ratification of the Statute of the International Criminal Court by Mexico", in: State responses to issues arising from the International Criminal Court Statute, Roy S Lee, Comp., Ardsley Transnational Publishers, New York, 2005.
- "México y la Corte Penal Internacional", in: Globalización y Derechos Humanos, Coordinador Luis T. Muller, Revista del Instituto de la Judicatura Federal, Number 16, 2003.
- "La Conferencia de Cambio Climático de Cancún: un nuevo paradigma de desarrollo", Secretariat of Foreign Affairs, Mexico, 2012.

- "La Cooperación Internacional contra el Cambio Climático, el papel de México en la COP-16 de Cancún", in: La Cooperación Internacional para el Desarrollo de México, Revista Española de Desarrollo y Cooperación, Number 28, 2011.
- "El Cambio Climático, un reto que rebasa a la comunidad internacional", in: México y el Multilateralismo del Siglo XXI, Reflexiones a 70 años de la ONU, Guadalupe González et al (editoras), Siglo XXI editores, Mexico, 2014.
- "La Alianza del Pacífico, una apuesta a la libre movilidad y la integración", in: Revista Mexicana de Política Exterior, Instituto Matías Romero, Number 106.
- "Identidad Internacional de la Alianza del Pacífico", in: Foreign Affairs Latinoamerica, Volume 17, Number 3, July-September 2017.
- "México y la Solución Pacífica de Controversias. Acervo Histórico Diplomático", Series "Los Principios Constitucionales de Política Exterior", Secretariat of Foreign Affairs, 2017.

Membership of professional associations and societies

- International Law Association

Awards and honours

- Award "Mexican Foreign Service- 25 years"

Personal interests

- Reading, cinema, walking

8. KAM, Gberdao Gustave (Burkina Faso)

[Original: French]

Note verbale

The Embassy of Burkina Faso to the Kingdom of Belgium presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and has the honour to inform it that the Government of Burkina Faso has decided to nominate Judge Gberdao Gustave Kam as a candidate for the post of judge of the International Criminal Court (List B), at the elections to be held in December 2020 during the nineteenth session of the Assembly of States Parties to the Rome Statute.

Judge Gberdao Gustave KAM is a judge at the exceptional grade and has held senior positions both in the judicial system of Burkina Faso and at the international level. His curriculum vitae is attached herewith, as well as French and English versions of his letter of motivation and commitment.

Statement of qualifications

Motivation and commitment

One of the primary goals of the United Nations is to ensure universal respect for human rights and fundamental freedoms. In this context, the fight against impunity and for peace, justice and human rights in conflict situations today is of great importance. The establishment of a permanent international criminal court, following the United Nations Diplomatic Conference of Plenipotentiaries held in Rome, Italy on 17 July 1998, was a decisive step forward.

Since their independence, various different African States have had a number of ambitions in the struggle against impunity. Some struggles have found their place at the level of regional organization: combating international In this regard and for the purpose of making a rapid assessment, we note that Africa has had *ad hoc* international courts (the International Criminal Tribunal for Rwanda, (ICTR)) and mixed courts (Sierra Leone) as well as national courts of all kinds, including the Special Criminal Court in the Central African Republic and the Extraordinary African Chambers in Senegal. In addition, Africa has come under the permanent jurisdiction of the International Criminal Court (ICC), which has the broadest geographical scope. One might also mention the African Court on Human and People's Rights, especially since the Malabo Protocol, adopted in 2014, extended its jurisdiction to include fourteen crimes. Africa is well represented in the international courts.

1. The ICTR, established pursuant to United Nations Security Council resolution 955 (1994), since 1994. This Tribunal officially concluded its work in 2015. Nevertheless, a mechanism was established to address residual issues concerning the two *ad hoc* tribunals for the former Yugoslavia and Rwanda.
2. The Special Court for Sierra Leone, established pursuant to Security Council resolution 1350 (2000) and the subsequent Agreement between the United Nations and the Government of Sierra Leone, signed in 2002.
3. The Extraordinary African Chambers resulting from the Agreement between the Government of Senegal and the African Union, signed on 22 August 2012. The African Chambers are competent to prosecute and try people accused of crimes and other serious violations of international law committed in the territory of Chad between 7 June 1982 and 1 December 1990.
4. The Special Criminal Court in the Central African Republic was established for the sole purpose of prosecuting people accused of committing war crimes and crimes against humanity or other violations of international humanitarian law in the territory of the Central African Republic between 1 January 2001 and 31 December 2014.

5. The ICC, established pursuant to the adoption of the Rome Statute of the International Criminal Court on 17 July 1998, which entered into force on 1 July 2002. The great majority of cases brought before the Court today are African.

The prominent place of Africa in proceedings pending before the ICC is due to human rights violations even if this fact does not concern the whole of Africa since a majority of African States are not prosecuted before international courts. For all of these reasons, African States should campaign for proper training for judges and for the representation of African judges and jurists in international criminal judicial bodies, as this will contribute to the dissemination of international criminal law in Africa, whether at the local or regional level.

Gberdao Gustave Kam, whose candidature for election as a judge to the ICC is hereby respectfully submitted, is a judge at the exceptional grade who enjoys the confidence of the highest authorities in Burkina Faso, having proven himself through the many national and international positions that he has held.

Mr Kam has more than 30 years of professional experience in a judicial and legal career at the national and international levels, as evidenced by his curriculum vitae. After a brilliant training at the Ecole nationale de magistrature (National School for the Judiciary) in France in 1984, he began his career as a judge at the national level as an investigating magistrate at the County Court of Bobo Dioulasso, from 1985 to 1987. He was rapidly promoted to President of the courts of Tenkodogo from 1987 to 1988, Bobo Dioulasso from 1992 to 1995 and Koudougou from 1995 to 1996. In 1996, he was appointed Public Prosecutor at the Ouagadougou Court of Appeal.

From 1998, he undertook administrative assignments in the Chancellery: as Director of Civil and Criminal and Matters and of the Seal; then as Director of Studies and Planning in February 2001, at the same time as his duties as Coordinator of the Programme to Support Consolidation of the Democratic Process, the Rule of Law and Good Governance (PADEG) from 2003.

In June 2003, he was elected by the United Nations General Assembly as an *ad litem* judge to the ICTR. When his mandate expired in July 2012, he was given new *ad hoc* assignments in the Ministry of Justice of his country. Furthermore, with the closure of the ICTR in 2011, he was elected as judge of the International Residual Mechanism for Criminal Tribunals (IRMCT) for a two-year mandate from July 2018.

His professional experience, as a judge who has served at most levels of the national courts of Burkina Faso and internationally in two bodies, has given him considerable mastery of the law and its practice that could be of use in the service of the ICC.

Although he was trained in the Romano-Germanic system generally known as civil law, he also has a good command of unwritten or Anglo-Saxon law generally known as common law. He participated in the negotiations in Rome and at United Nations headquarters in New York that led to the adoption of the Rome Statute of the International Criminal Court (1998), then in the drafting of the various instruments governing the Court, including the Rules of Procedure and Evidence and, also, the Elements of Crimes. The working environment at the ICTR enabled him to develop his legal culture beyond the legal system of Burkina Faso, due to the multi-cultural nature of the legal actors in proceedings before the Tribunal. His immersion in international criminal law and criminal procedure added a new dimension to his experience, and he developed a better comparative approach to the different legal systems in the cases in which he was involved and in accordance with the other judges with whom he worked.

Moreover, in April 2015, he was selected by the African Union Commission to preside over the Extraordinary African Assize Chamber in Dakar. This was the framework in which Hissène Habré was indicted and referred by the Indictment Chamber to the Assize Chamber for trial. On 30 May 2016, the Chamber over which Mr Kam presided sentenced Hissène Habré to life imprisonment. This decision, which drew heavily on the jurisprudence of international criminal courts, was described as historic and revolutionary by the international

community, with regard to the evolution of African criminal law and, above all, with regard to the fight against impunity in Africa.

Mr Kam thus has the assets and skills that will help the ICC to realize the objectives set for it by the international community, including by trying those accused of serious crimes in order to deter others from such crimes. His extensive professional experience as a judge at the national level and at the ICTR and the Extraordinary African Chambers are a significant asset that could only be of benefit to the Court. Moreover, his participation in the negotiations that led to the adoption of the Statute of Rome and the subsequent instruments affords him additional insight for a richer reading of the texts in their application.

He has perfect command of French, which is his first working language. However, he is also able to work in English and his experience with the ICTR in Arusha consolidated that ability.

Mr Kam is motivated by the desire to contribute to ending impunity: international crimes are committed by human beings, and it is only by punishing the individuals who commit such crimes that international law can be enforced. This fight against impunity will at the same time contribute to ending conflicts. In the armed conflicts in Sierra Leone and Rwanda, the civilian population recorded very heavy losses, primarily of the most vulnerable, namely, women and children. The punishment of these mass crimes, committed in violation of international law, has contributed to ending conflicts when all nations are treated equally. It is to be hoped that recourse to international criminal justice will be more extensive in support of national justice, in the complementary manner envisaged in the Rome Statute. Ultimately, the hope is that the work of the ICC will deter potential criminals. The international community must no longer tolerate any such egregious acts without attributing responsibility and imposing appropriate penalties on the perpetrators.

One of the criticisms levelled at the international courts is the slow pace of judicial proceedings and of judgments in these institutions and the resultant high cost. Mr Kam has also undertaken to work to reduce the time taken to hand down judgments in cases before the Court: he will draw on his many years of experience with the ICTR, the IRMCT, the Extraordinary African Chambers and the national courts to expedite judgments to the extent possible. In the Extraordinary African Chambers, he overcame the major challenge of trying the case of Hissène Habré with few qualified personnel in a relatively short time, with the decision available at the time that the judgment was pronounced.

Today one of the criticisms levelled by sceptics against international courts and tribunals relates to the slow pace of judicial proceedings, which impedes the issuance of timely judgments against high-level alleged perpetrators at the cost of victims demanding justice. His election as a judge to the ICC would give Mr Kam the opportunity to contribute to enhancing its efficiency. Mr Kam brings the experience that he has acquired through years spent as a national and international judge at various institutions, including the ICTR, the IRMCT and the Extraordinary African Chambers. As the Presiding Judge of the Extraordinary African Chambers, he was mandated to complete the trial of Hissène Habré within a specified time frame. This Chamber, which was a first in the African judicial system, was faced with a number of challenges, including the non-cooperation of defendants and the dearth of qualified personnel with knowledge of international judicial procedures. Although one would expect such difficulties to delay proceedings, by applying his previously acquired experience Mr Kam was able to fulfil his mandate successfully and rendered the full judicial decision within a year. Thus, he is well accustomed to alleviating lengthy proceedings and comfortable with judicial systems that include a combination of civil law and common law.

Lastly, one of the other objectives of Mr Kam is to contribute to the provision of technical assistance and training to members of national courts in order to equip them with the tools necessary to fulfil their judicial duties in line with the aims of the founders of the ICC, namely that the ICC should be a court of last resort.

By appointing Mr Kam as a judge to the ICC, you will allow him to bring to the service of international justice all the knowledge that he has acquired over decades of experience,

both at the national level and at the level of the most prestigious international and hybrid courts.

Curriculum vitae

Personal data

Family name: Kam
 First name: Gberdao Gustave
 Gender: Male
 Date of birth: 19/05/1958
 Nationality: Burkina Faso
 Regional criteria: Africa
 Marital status: Married
 List A / List B: List B
 Languages: Mother tongue: Dyan, Lobi, Jula
 English: (written) Intermediate; (oral) Intermediate
 French: (written) Advanced; (oral) Advanced
 Spanish: (written) Basic; (oral) Basic

Educational qualifications

01/1984–07/1985: École nationale de la magistrature (National School for the Judiciary) (international section), Paris.
 Diplôme de magistrat (Judicial service diploma).
 10/1982–07/1983: Université de Ouagadougou: Ecole supérieure de droit de Ouagadougou (University of Ouagadougou: Ouagadougou School of Law).
 Maîtrise (Masters degree) in Law.
 10/1979–07/1982: École supérieure de droit de Ouagadougou (Ouagadougou School of Law).
 License (Bachelors degree) in Law.
 10/1971–07/1978: Lycée Ouezzin Coulibaly.
 Baccalauréat (Certificate of secondary education).

Professional experience

04/2016–present: Ministry of Justice. Chargé de missions.
 Office of the Minister of Justice: Ensure the prompt study and analysis of specific case files on behalf of the Minister.
 12/2011–07/2020: United Nations: International Residual Mechanism for Criminal Tribunals for the former Yugoslavia and Rwanda.
 Judge.
 Seek and prosecute remaining fugitives, conduct new trials, appeal procedures in cases brought before the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for the former Yugoslavia (ICTY), contempt hearings and review procedures, respond to requests for assistance from national courts; monitor the

enforcement of sentences handed down by the ICTR, the ICTY and the Mechanism; ensure the protection of thousands of witnesses and victims in cases decided by the ICTR, the ICTY and the Mechanism.

04/2015–07/2016: (African Union): Extraordinary African Chambers, Dakar.

President (Judge) of the Extraordinary African Chambers.

The Extraordinary African Chambers were established on the basis of an Agreement between Senegal and the African Union signed on 22 August 2012. They were mandated to "try the person or persons most responsible for crimes and serious violations of international law, customary international law and international conventions ratified by Chad, committed in the territory of Chad during the period from 7 June 1982 to 1 December 1990." On 30 May 2016, this hybrid court sentenced Mr Hissène Habré to life imprisonment for international crimes committed in Chad.

06/2003–12/2012: United Nations: ICTR.

Judge.

The ICTR was established by the Security Council "for the [...] purpose of prosecuting persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda [...] and in the territory of neighbouring States, between 1 January 1994 and 31 December 1994."

07/1996–06/1999: Ministry of Justice.

Public Prosecutor to the Court of Appeal of Ouagadougou and Commissioner-in-Council to the Military Tribunal of Ouagadougou. Carry out the functions of the prosecution service before the Court of Appeal.

Ensure the application of criminal law on national territory; Take or cause to be taken all necessary actions for the investigation and prosecution of criminal offences; Monitor the activities of prosecutors in courts of first instance; Ensure the organization and monitor the proper functioning of the criminal courts.

Other professional activities

07/2001: Director of Studies and Planning, and National Coordinator of PADEG. As Director of Studies, my duties were as follows:

- Centralize all data relating to the activities of the Ministry and projects in progress or to be carried out;
- Follow up and monitor projects, whether or not included in development plans and programmes;
- Conduct or commission the studies necessary to revitalize the Ministry, including the study and design of the department's projects;
- Organize the award of public contracts under the authority of the Ministry, including the preparation of technical files for calls for tender and purchase orders;
- Monitor relations with international institutions;
- Monitor the work of joint cooperation committees;
- Develop, implement and monitor the Ministry's data-processing system;
- Develop and monitor the planning of the Ministry's activities;
- Develop and ensure the implementation of annual and three-year public investment programmes and those of the Ministry.

- PADEG - the Programme to Support Consolidation of the Democratic Process, the Rule of Law and Good Governance - is a European Union project with a €16 million budget. The project covered initial training for judicial staff, in-service training for judicial staff and court officials, legal documentation, strengthening access to justice and communication, infrastructure, court equipment, prisons policy, and funds to support the rule of law. I was responsible for coordinating the successful implementation of this project.
- 07/1999: Director of Civil and Criminal and Matters and of the Seal, Ministry of Justice.
- Monitor the activity of the civil, commercial criminal, social and administrative courts;
 - Oversee the operation of departmental and district courts;
 - Ensure the effective implementation of international conventions relating to private law, serving of legal proceedings, transcription of marginal entries in civil status registers and processing of applications for naturalization.
- 07/1992: President of the High Court of Bobo Dioulasso.
- In 1992, the Court of First Instance had general jurisdiction in all civil (personal status, mainly marriage and divorce), criminal (correctional) and commercial (disputes concerning traders, whether legal or natural persons) matters. The role of the President was administrative (ensuring the proper functioning of the court) and judicial (rendering judicial decisions at first instance in civil, commercial and criminal cases brought before the court that were within its jurisdiction and prescribing protective or restitution measures, as appropriate).
- 07/1988: Lawyer
- Cabinet Populaire d'assistance judiciaire (People's legal aid office): Responsible for representing and assisting the parties, mainly State-owned and semi-public companies, and for applying to, concluding and pleading before the competent courts on their behalf
- 07/1987: President of the Tengkodogo Court of First Instance.
- The Court of First Instance had general jurisdiction in all civil (personal status, mainly marriage and divorce), criminal (correctional) and commercial (disputes concerning traders, whether legal or natural persons) matters. The role of the President was administrative (ensuring the proper functioning of the court) and judicial (rendering judicial decisions at first instance in civil, commercial and criminal cases brought before the court that were within its jurisdiction and prescribing protective or restitution measures, as appropriate).
- 07/1985: Investigating Judge at Bobo Dioulasso Court of First Instance.
- Conduct the necessary investigations (including by questioning defendants and witnesses and attending crime scenes) in order to establish the truth and enable the court to prosecute the perpetrators of the acts in question.

Most relevant publications

At the International Criminal Tribunal for Rwanda, I rendered the following decisions:

- Prosecutor v. Michel Bagaragaza. The defendant pleaded guilty and was sentenced to a penalty of eight years for conspiracy to commit genocide.
- Prosecutor v. GAA. Having pleaded guilty, the defendant was sentenced to a penalty of nine months for making a false statement under oath in contempt of court.

- Prosecutor v. Callixte Kalimanzira. The defendant was sentenced to a penalty of thirty years for genocide and direct and public incitement to commit genocide.
- Prosecutor v. Édouard Karemera, Mathieu Ndirumapatse et Joseph Nzirorera. The first two defendants were sentenced to life imprisonment for different international crimes. The third defendant died before the completion of the trial.
- Prosecutor v. Siméon Nchamihigo. The defendant was sentenced to life imprisonment for genocide and crimes against humanity (extermination, murder and inhuman acts).
- Prosecutor v. André Rwamakuba. The defendant was acquitted of all allegations made against him. The Prosecutor did not appeal.
- Prosecutor v. Athanase Seromba. The defendant, a priest, was sentenced to fifteen years in the first instance and to life imprisonment on appeal for genocide and crimes against humanity.

At the Extraordinary African Chambers in Dakar, I handed down a life sentence to Hissène Habré.

Through the Mechanism, I handed down the following relevant decisions:

- Review of judgment in Prosecutor v. Augustin Ndirabatware
- Appeal judgement in Prosecutor v. Ratko Mladic

Preparing a book on a comparative study of national and international proceedings and another book on the Hissène Habré trial.

Most relevant seminars

5 November 2019: National training workshop on international criminal cooperation in cases of terrorism, held in Ouagadougou. The objective of the workshop was to discuss the principles, legal grounds and procedures applicable to judicial cooperation and extradition in general and terrorism in particular, and familiarize participants with the tools of judicial cooperation.

November 2018: Annual Forum of Parliamentarians for Global Action. This annual forum took the form of a consultative assembly of parliamentarians on the International Criminal Court and the rule of law, organized in Kyiv from 16 to 17 November 2018.

2017: Conferences at the Ecole nationale de la magistrature in Paris on the effectiveness of international criminal justice.

July 2017: Symposium and seminar held in Dakar from 6 to 11 July 2017. These two events were organized by the Africa Group for Justice and Accountability and the Wayamo Foundation, respectively. I was invited to these activities as an expert speaker to share my experiences in international criminal law, at both the Extraordinary African Chambers and the International Criminal Tribunal for Rwanda with the participants, most of whom were new members of the Special Criminal Court in the Central African Republic.

2 to 5 May 2017: High-level working meeting of experts in international criminal justice, international humanitarian law and human rights for the implementation of the agreement between the African Union and the Government of South Sudan to establish a hybrid court with the authority to investigate and prosecute persons responsible for serious violations of international law or the laws of South Sudan committed in the territory of South Sudan since 15 December 2013.

2016: Course in international criminal and procedural law at the University Institute of Initial and Continuing Education (IUFIC, Ouaga II), Ouagadougou, Burkina Faso.

2010: Presentation on procedure in international criminal law as training for Rwandan Bar Association lawyers.

2000: Presentation at the Conference on the Rome Statute and its implementation organized by the Women Jurists of Burkina Faso for the benefit of civil society.

July 1998: Member of the delegation of Burkina Faso to the Rome Conference of Plenipotentiaries that led to the creation of the International Criminal Court.

In this regard, I participated in Rome and at the United Nations headquarters in New York in the drafting of the Rome Statute of the International Criminal Court (1998); of the Rules of Procedure and Evidence and of the Elements of Crimes; of the Financial Regulations and Rules; of the Agreement on the Privileges and Immunities of the International Criminal Court; and of the Relationship Agreement between the United Nations and the International Criminal Court.

1996: Course in criminal procedure at the Academy for police and prison security guards.

Membership of professional associations and societies

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

Founding Member and Secretary-General of APED-Liberté, an association for the defence of democracy and freedom

Founding Member of the Ligue des Consommateurs du Burkina (LCB), a Burkina Faso consumer association:

The LCB is an association for the defence of consumer rights. The consumption of illicit, expired and poor quality products has become a public health issue.

Member of the Association Burkinabé du Droit Pénal (Burkinabé Association of Criminal Law)

Awards and honours

Knight of the National Order (of the Order of Valour)

Officer of the National Order (of the Order of Valour)

Personal interests

Member of service club for welfare and charitable works and the gift of self

Sport

Mentoring

Reading

Other relevant facts

2000: Obtained university diploma in multimedia communication (data entry, creation and maintenance of Internet sites, desktop publishing)

9. KORNER, Joanna (United Kingdom of Great Britain and Northern Ireland)

[Original: English]

Note verbale

The Embassy of the United Kingdom of Great Britain and Northern Ireland to the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of States Parties with reference to the latter's note ICC-ASP/19/SP/01 dated 20 December 2019.

The Embassy has the honour to inform the Secretariat that the Government of the United Kingdom of Great Britain and Northern Ireland hereby nominates **Judge Joanna Korner CMG QC** as a candidate for election as a judge of the International Criminal Court at the elections to be held during the nineteenth session of the Assembly in New York, from 7 to 17 December 2020.

The Embassy has the honour to attach to this note a statement prepared in accordance with article 36, paragraph 4(a), of the Rome Statute of the International Criminal Court and paragraph 6 of the resolution of the Assembly of States Parties on the procedure for the nomination and election of judges of the Court (ICC-ASP/3/Res.6, as amended) and Judge Korner's curriculum vitae.

Statement of qualifications

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

a) Procedure for appointment

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.

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.

b) Criteria of high moral character, impartiality and integrity

Judge Korner is a person of high moral character, impartiality and integrity.

c) 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.

Judge Korner is currently a circuit judge sitting on the Crown Court, which is the highest court of first instance for criminal cases. The criteria for becoming a circuit judge are similar to those for the High Court. However, in addition, candidates are expected to have previous judicial experience.

d) Established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings

Judge Korner has the necessary competence and is exceptionally well qualified to sit as a judge of the International Criminal Court, having extensive judicial experience and expertise in the field of international criminal justice. She spent a total of eight years as a senior prosecutor at the International Criminal Tribunal for the former Yugoslavia, including leading in the cases of *Prosecutor v. Mićo Stanišić and Stojan Župljanin*, *Prosecutor v. Radoslav Brđjanin and Momir Talić*, and *Prosecutor v. Milomir Stakić*. Her broad first-hand experience, in-depth knowledge of international criminal law issues and proven ability to work effectively with colleagues from both civil and common law jurisdictions are all highly relevant to the work of the International Criminal Court.

She has 26 years of judicial experience in the criminal courts of England and Wales. She routinely tries the most serious and complex criminal cases including cases of fraud and murder.

In addition, Judge Korner is an internationally recognised expert on international criminal law, and she has trained judges and lawyers from across the globe on international criminal law and advocacy, including in Africa, Eastern Europe, the Middle East, South America and South-East Asia.

e) Knowledge of and fluency in either English or French

Judge Korner is a native English speaker.

f) Indication of nomination for List A or List B

In light of her experience as a criminal judge, prosecutor and advocate, Judge Korner is being nominated for inclusion in List A, covering candidates with established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings.

g) Information relating article 36, paragraph 8(a)(i) to (iii), of the Rome Statute

For the purposes of Article 36, paragraph 8(a)(i) to (iii), of the Rome Statute, Judge Korner will represent the common law system and the Western Europe and Other Regional Group. She is a female candidate.

h) Legal expertise on specific issues, including, but not limited to, violence against women or children.

Judge Korner is qualified to try cases involving serious sexual offences and has expertise in the handling of vulnerable witnesses, particularly those who are the victims of alleged sexual violence and has provided training in this area.

i) Nationality under which the candidate is nominated

Judge Korner is British and is being nominated as a judge of the United Kingdom.

j) Commitment to take-up full-time service

Judge Korner is committed to being available to take up full-time service when the Court's workload so requires.

Curriculum vitae**Personal data**

Family name: Korner
 First name: Joanna
 Gender: Female
 Date of birth: 1 July 1951
 Nationality: United Kingdom
 Regional criteria: WEOG
 Marital status:
 List A / List B: List A
 Languages: Mother tongue: English

Educational qualifications

1970-1973: Inns of Court School of Law. Degree of Barrister-at-law.

Professional experience

2012 Judge of the Crown Court of England and Wales (the highest court of first instance for criminal cases).

From 2014, appointed as a judge in the specialist fraud court for England and Wales. Also tries murder cases.

2009 – 2012: Senior Prosecuting Trial Attorney (P5).
 Office of the Prosecutor at the International Criminal Tribunal for the former Yugoslavia (ICTY), leading in trial of *Prosecutor v. Mićo Stanišić and Stojan Župljanin*.

2004 – 2009: Queen's Counsel (senior barrister)
 Bar of England and Wales, undertaking serious criminal cases including fraud, murder, serious sexual offences and other grave crimes.

1999 - 2004: Senior Prosecuting Trial Attorney (P5).
 Office of the Prosecutor at the ICTY.
 Lead prosecutor in two trials of political and military leaders – *Prosecutor v. Radoslav Brđjanin and Momir Talić* (now a leading authority on joint criminal enterprise), *Prosecutor v. Milomir Stakić* - charged, *inter alia*, with genocide and crimes against humanity, including those of sexual violence.

Additionally, engaged in the investigation and conduct of four other cases. Led large multi-disciplinary and multi-national teams of lawyers, investigators, analysts, administrative and language staff.

- 1994: Recorder (part-time circuit judge) of the Crown Court.
- 1993 – 1999: Queen’s Counsel prosecuting and defending cases of murder, serious fraud, kidnapping and serious sexual offences.
- 1974 – 1993: Practising Barrister at 6 King’s Bench Walk Chambers undertaking serious and complex criminal work, both prosecution and defence.
- 1974: Called to the Bar of England and Wales (Inner Temple).

Other professional activities

- 2016: Instructed by the Organization for Security and Co-Operation in Europe to conduct an assessment of the “Processing of War Crimes at the State Level in Bosnia and Herzegovina”. Report delivered April 2016. Adopted by High Judicial and Prosecutorial Council of Bosnia and Herzegovina in January 2017.
- 2013-present: Tribunal for Conscientious Objectors, Chairwoman (2013 – present).
- 2013: Instructed by the ICTY and the EU Delegation in Bosnia to conduct an assessment of training needs for judges and lawyers in Bosnia, in respect of the investigation and trial of war crimes. Report delivered in May 2013.
- 2006: Acting for Bosnia and Herzegovina - one of a team of Counsel in the International Court of Justice case of *Bosnia and Herzegovina v. Serbia and Montenegro* [2007] ICJ 2.
- 2004 – 2005: Senior Legal Adviser to Chief Prosecutor of Bosnia and Herzegovina, during establishment of War Crimes Section. Responsibilities included drafting the original “orientation criteria”, selection of international prosecutors, integration of national and international prosecutors, liaising with other criminal justice and diplomatic agencies.

Publications

Contributor to “Transitional Justice and Displacement” (2012) Social Science Research Council.

Lectures, seminars and training

Evidence gathering training in Bangladesh for UN Women.

International Course Director of the Judicial College of England and Wales (2014-2017). Organized and delivered training courses on a wide variety of topics including judgecraft, fair and appropriate handling of vulnerable witnesses and the conduct of long and complex trials.

Organized and/or participated as speaker and trainer in training programmes and conferences, delivered to judges and/or lawyers of Cambodia, Iraq, Lebanon, Macedonia, and Tunisia on international criminal law and Russian judges on jury trials.

Organized and delivered training programmes in Bulgaria and Macedonia on EU law and to judges from Nigeria on terrorism cases. Since 2016 involved in a continuing project to deliver training to judges of Central and South America on long and complex trials.

Grade “A” advocacy trainer. Head of International Faculty of the Advocacy Training Council 2005-2011. Organized and taught on numerous advocacy-training courses in the UK and

internationally, including for the International Criminal Court, United Nations agencies, the ICTY, and the Special Court for Sierra Leone.

Membership of professional associations and societies

Member of Council of Circuit Judges

Awards and honours

2004 Appointed Companion of the Order of St. Michael and St. George (“CMG”) for services to international law.

10. LORDKIPANIDZE, Gocha (Georgia)

[Original: English]

Note verbale

The Embassy of Georgia to the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of States Parties and, with reference to the latter's note no. ICC-ASP/19/SP/01, dated 20 December 2019, has the honour to inform that the Government of Georgia has conducted an open, transparent, and merit-based selection process at the national level and has decided to nominate the successful candidature of Professor Gocha Lordkipanidze for the election of judges of the International Criminal Court, to be held during the nineteenth session of the Assembly of States Parties scheduled for 7 to 17 December 2020, at United Nations Headquarters, New York.

The statement of qualifications and the curriculum vitae of Mr. Lordkipanidze are attached hereto, in accordance with article 36(4)(a) of the Rome Statute of the International Criminal Court and paragraph 6 of the resolution on the Procedure for the nomination and election of judges, the Prosecutor and Deputy Prosecutors of the International Criminal Court (ICC-ASP/3/Res.6, as amended by ICC-ASP/18/Res.4 on 6 December 2019).

The Government of Georgia wishes to emphasize that the statement of qualifications is accompanied by three annexes, which thoroughly illustrate the national-level nomination process, including national legal framework and procedures, and shall form an integral part of the statement of qualifications.

Statement of qualifications

In accordance with article 36(4)(a) of the Rome Statute of the International Criminal Court and paragraph 6 of the resolution on the Procedure for the nomination and election of judges, the Prosecutor and Deputy Prosecutors of the International Criminal Court (ICC-ASP/3/Res.6, as amended by ICC-ASP/18/Res.4 on 6 December 2019), the Government of Georgia has the honour to present the following statement of qualifications of Mr. Gocha Lordkipanidze as candidate for the election of judges of the International Criminal Court, at the nineteenth session of the Assembly of States Parties, United Nations, New York, 7-17 December 2020.

a) Requirement of 'high moral character, impartiality and integrity' (art 36(3)(a))

The path Mr. Lordkipanidze has followed during his extensive professional and academic career is self-explanatory and attests to his high moral character, impartiality and integrity. His high reputation, which has been recognized in professional and public life, both in Georgia and internationally, is evident from the fact that his candidature was supported by a wide margin by the Parliament of Georgia (91 votes in favour, 0 against).

b) Requirement of 'qualifications required in their respective States for appointment to the highest judicial offices' (art 36(3)(a))

Mr. Lordkipanidze fully satisfies the required qualifications for appointment to the highest judicial offices in Georgia. The Selection Procedure adopted by Governmental Ordinance №59 combined the criteria and procedures of the nomination of candidates to the Constitutional Court of Georgia and the Supreme Court of Georgia.

According to Article 7 of the Law on Constitutional Court of Georgia, any citizen of Georgia from the age of 35 with a higher legal education, 10 years' professional experience, and outstanding professional qualifications, may be a member of the Constitutional Court. According to Article 34 of the Organic Law on General Courts, a competent citizen of Georgia may be appointed (elected) as a judge of the Supreme Court, if he/she is of 30 years

of age, has a higher legal education with at least a master's or equal academic degree or higher education diploma, and at least five years of work experience as a legal specialist.

Given these criteria, a candidate from Georgia was expected to meet the maximum requirements envisaged for judges of the Constitutional Court of Georgia and the Supreme Court of Georgia: the minimum age and requisite experience were determined in line with the requirements of the Constitutional Court of Georgia, while the requirement of higher education and capacity in accordance with requirements of the Supreme Court of Georgia. Consequently, a candidate for nomination by Georgia for election of judges at the Court shall have a high moral and professional reputation, be a national of Georgia of no less than 35 years age, and shall have legal capacity and excellent knowledge of at least one of the working languages of the Court (English or French). He/she shall also meet the requirements for candidates under List A or List B described in detail below, under the nomination procedure and the elements of that procedure.

c) Requirement of 'established competence in relevant areas of international law such as international humanitarian law and the law of human rights, and extensive experience in a professional legal capacity which is of relevance to the judicial work of the Court' (art 36(b)(ii))

Mr. Lordkipanidze fully meets the requirements of article 36(b)(ii) to be elected as a judge under List B, as is evident from his curriculum vitae.

Through international law as his official, professional, and also personal, project he has sought to contribute to a rules-based international order, creating and strengthening mechanisms of international justice. In addition, he has extensive experience in assisting victims of serious crimes both in terms of policy and practice.

He holds a Master's Degree in International Human Rights Law from the University of Essex (United Kingdom) and a Master's Degree in International Legal Studies from Harvard Law School (United States) with a focus on international law, international human rights law and international humanitarian law. From 2011 to 2013, he has been a S.J.D candidate and Doctoral Fellow at Fordham Law School, New York, United States.

He has more than 20 years experience of working with international courts and international organizations in international criminal law, international humanitarian law and international human rights law: 12 years with the International Criminal Court, including 1 year on the Board of Directors of the Trust Fund for Victims; 3 years dealing with issues related to the International Criminal Tribunal for Yugoslavia; 2 years with the International Criminal Tribunal for Rwanda; 19 years with the United Nations; 10 years with the Council of Europe; 10 years with the European Union; and 10 years with the Organisation for Security and Co-operation in Europe. His experience and substantial involvement with international law, and international criminal law and procedure at the Ministry of Foreign Affairs, started with the implementation of UN SC resolutions on the establishment of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR). In particular, he contributed to national measures to enhance Georgia's co-operation with international tribunals in 1997, including proposals concerning changes and amendments to the legislation of Georgia.

Furthermore, serving as a focal point of the Georgian negotiating team on the Rome Statute, he made major contributions to shaping Georgia's positions, especially as regards continued international crimes, drafted the mandate of the Georgian delegation for negotiation of the Rome Statute at the Rome Conference, proposed and advocated Georgia's joining of the Like-minded Group of States, and as Georgia's representative he worked on proposals and supported the Group on substantive issues of the Rome Statute, including the inherent jurisdiction of the Court over the 'core' crimes of genocide, crimes against humanity, war crimes etc. He also participated in negotiations leading to the adoption of the Rome Statute in 1998. Following the Rome Conference, as a legal counsellor at the Permanent Mission of Georgia to the United Nations, he represented Georgia and participated in the work of the Preparatory Commission for the International Criminal Court in New York

(1999-2002) on the relationship agreement between the Court and the United Nations, the Financial Regulations and Rules of the Court, the Agreement on the Privileges and Immunities of the Court, the Rules of Procedure and Evidence, and the crime of aggression. At the Permanent Mission of Georgia, he was in charge of the Third Committee (human rights), Sixth Committee (legal) and Special Committee on the Charter of the United Nations, whose work complemented the Preparatory Commission by setting international principles and standards relevant to the International Criminal Court as an international organization.

As a professor in international law, a diplomat, and the current Deputy Justice Minister of Georgia (a high-level legal counsel of the State), he has gained extensive and in-depth experience at the intersection of international law, international humanitarian law, and international criminal law. Since joining the Ministry of Foreign Affairs of Georgia in 1991, he has held various key positions that required legal work and involvement. Amongst others, he has proposed joining and contributed to the negotiations, ratification and implementation of international treaties and agreements, with a focus on international human rights, international humanitarian law, and international crimes. He has also frequently represented the Ministry of Foreign Affairs at various UN and OSCE human rights fora, including the UN Human Rights Commission. Concurrently, as a board member of Georgian Red Cross Society, he has made efforts to raise awareness in humanitarian law at the national level.

In his current capacity as Deputy Minister of Justice since 2012, he has continued on the same path, with his portfolio being expanded to cover a wide range of issues: he represents Georgia and leads interstate litigation before the European Court of Human Rights (ECHR), and directs matters in the execution of ECHR decisions with respect to victims of violations of the European Convention on Human Rights; he represents Georgia in relations with the International Criminal Court in terms of cooperation with the ICC system; he leads the efforts of the Inter-agency Humanitarian Commission (IHL) of Georgia to further develop the national legal framework of international humanitarian law, particularly in relation to missing persons in times of armed conflict, and puts in place relevant instruments to combat and prevent sexual and gender-based violence during and after armed conflict, and promotes the protection of IDP women from sexual, domestic and gender-based violence.

He extensively dealt with issues of international relations, and international law and human rights in 2005-2007, including matters of international justice as a foreign affairs and international legal adviser to the Prime Minister of Georgia.

Other relevant experience at the Ministry of Justice of Georgia includes the drafting of, and serving as a Government Rapporteur before the Parliament of Georgia on, the draft law of the National Red Cross, as well as a set of draft laws on administrative legal proceedings on compensation, and the reopening of civil and criminal law cases pursuant to decisions of UN Human Rights Treaty bodies in 2016, which also merit mention.

As a co-chair of the Inter-agency Commission on Gender Equality, Violence against Women and Domestic Violence, his efforts are directed at coordinating inter-agency work to draft and meet commitments under the action plans on gender equality, violence against women and domestic violence, and UN Security Council resolution 1325 on women, peace and security. His track-record also includes drafting the Human Rights Strategy of Georgia (2014-2020); efforts to prepare guidelines for law enforcement agencies on human trafficking issues, with a focus on the identification of THB victims, the treatment of women and child victims, including providing/offering needs-based assistance to the victims in the framework of the Inter-agency Council against Human Trafficking.

At the same time, he has remained in active leadership roles with international organizations and bodies throughout his career: he served as a Vice-Chairman of the Special Committee on Charter of the United Nations, New York (2001); Vice-Chairman of the 19th meeting of the States Parties to the International Convention on the Elimination of all Forms of Racial Discrimination, New York (2002); and President of the 7th session of the Assembly of Parties of the International Anti-corruption Academy (IACA), Vienna (2019). In a national capacity, he served as a head/deputy head of the Georgian delegations at the 16th, 17th, and

18th sessions of the Assembly of State Parties to the Rome Statute, New York, The Hague (2017, 2018, 2019).

Similarly, his efforts as a member of the Council of Europe Gender Equality Commission (GEC) since 2014 have focused on multiple discrimination against women and domestic violence.

Importantly, as a current Board Member of the Trust Fund for Victims, he is involved in governing the Trust Fund for Victims (TFV) in implementing its mandate with respect to reparations and assistance to victims and their families in ICC situation countries. This entails working on filings with the Court, prepared by the TFV Secretariat.

His career presents a suitable blend of academic and work-based experience. He has more than 11 years of academic and research experience relevant to the ICC. Mr. Lordkipanidze has taught courses or pursued research relevant to the ICC and its practice at some of the world's leading academic institutions and universities: in 2002, he carried out a research project on problems of definition of the crime of Aggression in the context of the Preparatory Commission for the International Criminal Court at the Max Planck Institute for Foreign and International Criminal Law, Freiburg, Germany; he conducted a research project on deficient acts of international institutions in international law, including UN and ICC cross-cutting practices, as a Fulbright visiting scholar at Columbia University Law School, New York. Furthermore, his work as an adjunct-professor at Columbia University School of International and Public Affairs (SIPA) focused on women's rights, gender mainstreaming, and the IDP's political participation, also merits mention.

As a professor in international law he has extensively taught international law, international treaty law, and the practice of international organizations with respect to Georgia, and international human rights law with strong components of international courts, at the Georgian-American University, Caucasus School of Law, and Sokhumi University in Tbilisi.

Given Mr Lordkipanidze's experience and knowledge, Georgia is confident in proposing his candidature for high-judicial office at the International Criminal Court.

d) Requirement of excellent knowledge of and fluency in at least one of the working languages of the Court (art 36(3)(c))

Mr. Lordkipanidze's excellent command of English is demonstrated by the two master degrees in law from English speaking countries (United Kingdom, United States) as well as his extensive 29 years of professional and academic experience in an English language environment.

e) Indication of nomination for List A or List B

Mr. Lordkipanidze is nominated under List B under article 36, paragraph 5, of the Statute, given his established competence in relevant areas of international law, such as international humanitarian law and the law of human rights, and his extensive experience in a professional capacity relevant to the judicial work of the Court.

f) Information relating to article 36, paragraph 8(a) (i) to (iii) of the Statute

For the purposes of article 36, paragraph 8(a)(i) to (iii) of the Statute, Mr. Lordkipanidze will represent a civil law system (also known as a continental or Romano-Germanic legal system), although he is at ease with common law, as his two master's degrees come from case-law countries, and he has experience of working in academia in UK and US. He is a male candidate nominated from the Eastern European Regional Group.

g) ‘Legal expertise on specific issues, including, but not limited to, violence against women or children’ (art 36(8)(b))

As a co-chair of the Inter-agency Gender Commission, Mr. Lordkipanidze contributes and coordinates inter-agency efforts to draft and meet commitments under the action plans on gender equality, violence against women, and domestic violence, and UN Security Council resolution 1325 on women, peace and security. His track-record also includes drafting the Human Rights Strategy of Georgia (2014-2020), with a strong element of women’s rights, gender equality and the fight against violence against women, as a co-chair of the Inter-agency Council; coordinating inter-agency efforts in the preparation of guidelines for law enforcement agencies on human trafficking issues, with a focus on the identification of THB victims, the treatment of women and child victims, and providing/offering needs-based assistance to victims in the framework of the Inter-agency Council against Human Trafficking; leading efforts in the Inter-agency Humanitarian Commission (IHL) of Georgia to further develop the legal framework on missing persons in times of armed conflict, putting in place relevant instruments to combat and prevent sexual and gender-based violence during and after armed conflict, protecting IDP women from sexual, domestic and gender-based violence, and ensuring their access to medical, psychological and legal assistance services.

Likewise, his efforts as a member of Council of Europe Gender Equality Commission (GEC) since 2014 have focused on multiple discrimination against women and domestic violence.

Furthermore, his work as adjunct-professor at Columbia University School of International and Public Affairs (SIPA) has focused on women’s rights, gender mainstreaming, and the IDP’s political participation.

h) Nationality under which the candidate is nominated (art 36(7))

Mr. Lordkipanidze holds citizenship of Georgia, does not possess nationality of any other State, and is nominated by Georgia.

i) Indication of the nomination procedure under article 36, paragraph 4(a)(i) or paragraph 4(a)(ii), and the elements of that procedure (National selection process)

The national selection process was conducted in full compliance with article 36 of the Rome Statute and the Procedure for the Nomination and Election of Judges, the Prosecutor and Deputy Prosecutors of the International Criminal Court (ICC-ASP/3/Res.6, as amended by ICC-ASP/18/Res.4, 6 December 2019). Furthermore, the best practices of national selection processes were taken into account.

Article 36, paragraph 4, of the Rome Statute requires that nominations of candidates for election to the Court shall be made either: (i) by the procedure for the nomination of candidates for appointment to the highest judicial offices in the State in question; or (ii) by the procedure provided for the nomination of candidates for the International Court of Justice in the Statute of that Court.

Since Georgia does not have designated members of the Permanent Court of Arbitration, a prerequisite for applying the procedure provided for the nomination of candidates for the International Court of Justice in the Statute of that Court, Georgia has chosen to apply “the procedure for the nomination of candidates for appointment to the highest judicial offices in the State in question” under article 36(4)(a)(i).

To this end, on 30 January 2020, the Government of Georgia adopted Ordinance №59 on the Procedure for the Nomination of Candidates for Election of Judges of the International Criminal Court 2020 (hereinafter the ‘Selection Procedure’) having incorporated the procedure and criteria determined for the nomination of candidates to the Constitutional Court and Supreme Court of Georgia. Ordinance №59 was officially published and became publicly available on the Legislative Herald of Georgia (www.matsne.gov.ge). By adopting

this Ordinance, Georgia introduced a legal framework with clearly defined procedures and criteria for the nomination of judicial candidates to the ICC, in order to ensure open, transparent and merit-based processes at the national level.

The Selection Procedure is fully consistent with articles 36(3) and 36(4) of the Rome Statute. Specifically, under Article 2 of the Selection Procedure, Georgia established minimum requirements for national selection for both ‘List A’ and ‘List B’ applicants:

Article 2. A candidate for judge to be nominated from Georgia for election to The Hague Court shall be a legally capable citizen of Georgia of high moral principles and professional reputation, who has attained the age of 35, is fluent in one of the working languages of The Hague Court (the English or French languages) and meets the requirements determined by paragraphs (a) (Category A) or (b) (Category B) of this Article:

a) Category A:

- a.a) holds an academic degree of Master of Laws, where the degree programme covered criminal law or international criminal law;
- a.b) has not less than 10 years experience working as a judge, prosecutor and/or lawyer in the area of criminal law or in a similar position in the area of criminal procedure;
- a.c) has a thorough knowledge of the Rome Statute and the relevant case law;

b) Category B:

- b.a) holds an academic degree of Master of Laws, where the degree programme covered public international law, especially international human rights law and international humanitarian law;
- b.b) has not less than 10 years experience working with international courts, or international organizations and international courts, on issues of international criminal law, international humanitarian law and international human rights law;
- b.c) has a thorough knowledge of the Rome Statute and the relevant case law, as well as public international law in the areas of international humanitarian law and international human rights law.

On 3 February 2020, in accordance with the Selection Procedure, LEPL Training Centre of Justice (TCJ) took necessary measures to publicly disseminate the call for candidates through its own webpage (www.tcj.gov.ge), its social media page on Facebook, and widely used job portals in Georgia (www.jobs.ge, www.hr.gov.ge). In addition, letters were sent to the Constitutional Court of Georgia, the High Council of Justice of Georgia, the Supreme Court of Georgia, the Prosecutor’s Office of Georgia, the Georgian Bar Association, and the Georgian Association of Mediators. The information was also conveyed to the non-governmental organization Georgian Young Lawyers’ Association (GYLA), and the Chair of the Georgian Coalition for the International Criminal Court (GCICC) with the aim of dissemination among the non-governmental member organizations of the GCICC and other interested non-governmental organizations. Information about the public call was also circulated among universities teaching law programmes (29 law schools in total).

On 6 February 2020, the authorized representatives of these organizations were provided with detailed information about the vacancy by telephone communication.

On 11 February 2020, an information meeting was held to further discuss the details of the Selection Procedure. Representatives of the Prosecutor’s Office of Georgia, the High Council of Justice of Georgia, and the non-governmental organizations Georgian Young Lawyers’ Association (GYLA) and Human Rights Centre, all attended.

The call for the vacancy was open from 3 to 13 February 2020. During this period, nine applicants submitted applications for the vacancy. After assessing their applications in terms of the qualifications required under article 2 of the Selection Procedure, two applications were let pass to the next stage. One of the successful applicants was advised by the Training Centre of Justice to correct an error contained in his submitted documents within three days, as permitted by the Selection Procedure. The applicant, however, failed to do so,

subsequently informing the Training Centre of Justice that he did not intend to pursue the application any further.

Due to the small number of qualified applications, the deadline was extended until 20 February 2020 and the relevant information was conveyed to all organizations on 14 February 2020.

On 20 February 2020, the Training Centre of Justice administered a six-hour written examination in English for the remaining candidate who fully met the requirements. The test consisted of three theoretical and three practical questions prepared by **engaged international experts** on a *pro bono* basis: the **open questions were prepared by Ekaterina Trendafilova, former judge of the International Criminal Court, and the case-based/situational questions were prepared by Herman von Hebel, former Registrar of the International Criminal Court.**¹ On the same day, the completed exam paper without the candidate's identification details was sent to those experts.

On 20 February 2020, within the extended deadline, one more application was submitted to the Training Centre of Justice. Due to an error in the application, the applicant was granted three days to correct it. The applicant agreed to partially correct the error and asked for a test to be administered in March in the foreign country of the applicant's residence. The request of the applicant was granted, and authorization was given to take the exam on 25 or 26 February in the diplomatic representation of Georgia in the respective country. However, the applicant officially requested to discontinue the application due to insufficient time to prepare for the exam.

Consequently, the exam paper of one applicant was evaluated by the engaged international experts. Since Mr. Lordkipanidze successfully passed the examination required by the Selection Procedure, the Training Centre of Justice (TCJ) submitted his documents for consideration to the Government of Georgia.

According to articles 1(3) and 4(6) of the Selection Procedure, the Government of Georgia submitted Mr. Lordkipanidze's candidature to the Parliament of Georgia, for assessment of the candidate's qualifications under article 36 of the Rome Statute, and for its approval.

Mr. Lordkipanidze was heard before the Judicial Committee of the Parliament of Georgia, where he answered questions from the members of the Parliament. To ensure transparency, publicity and security to the maximum extent possible, for a public audience in the circumstances of the coronavirus threat, the hearing was broadcast live on television and internet, and was open to questions for any interested person online.

The candidature of Mr. Lordkipanidze was approved by the Judicial Committee of the Parliament of Georgia, and subsequently by a 3/5 majority of the Parliament of Georgia (these votes are sufficient to elect both Constitutional Court and Supreme Court Judges in Georgia), without any abstentions or objections (91 votes in favour, including opposition and 0 against). Therefore, Mr. Lordkipanidze enjoys high degree of legitimacy as a candidate.

In summary, Georgia's national selection process was conducted in a manner which ensured the widest dissemination of the call for applicants among all interested parties, including the national judiciary, the legal profession, academia, and civil society. Georgia developed and established stringent procedures and criteria for the selection of candidates for ICC judicial elections, engaged former ICC officials on a *pro bono* basis to assess the competence of candidates by written examination, in order to ensure a transparent and merit-based selection process.

¹ The identities of the engaged international experts are revealed with their consent.

j) Commitment to take up full-time service

Mr. Lordkipanidze is committed to take up full-time service when the Court's workload so requires.

Curriculum vitae**Personal data**

Family name: Lordkipanidze
 First name: Gocha
 Gender: Male
 Date of birth: 3 February 1964
 Nationality: Georgian
 Regional criteria: Eastern Europe
 Marital status: Married
 List A / List B: List B
 Languages: Mother tongue: Georgian
 English: (written) Advanced;(oral) Advanced
 French: (written) Basic; (oral) Basic
 Russian: (written) Advanced; (oral) Advanced

Educational qualifications

09/2011–09/2013: Fordham Law School, New York, USA.
 S.J.D. Candidate and Doctoral Fellow.
 Dissertation proposal: "Subsequent Conduct of international Organization: Theory and Practice."
 09/2003–06/2004: Harvard Law School, Cambridge, USA.
 LLM in International Legal Studies (focus: international law, international human rights law, international humanitarian law).
 10/1994–09/1995: University of Essex, Colchester, UK.
 LLM in International Human Rights Law.
 10/1985–09/1991: Sokhumi Branch of Tbilisi State University, Georgia.
 Diploma-Specialist in Legal Studies Lawyer.

Professional experience

12/2018–
 present Trust Fund for Victims, International Criminal Court
 Member of the Board of Directors from Eastern Europe
 Relevant experience under List B

As a member of the Board, involved in governing the Trust Fund for Victims (TFV) with two main mandates: to implement Court-ordered reparations to victims in a convicted case; and to provide assistance to victims and their families in ICC situation countries. In this capacity,

involved, inter alia, in working on filings with the Court prepared by the TFV Secretariat.

10/2019 –

present The Venice Commission of the Council of Europe (European Commission for Democracy through Law)
Substitute Member
Relevant Experience under List B
Participate in the implementation of the mandate of the Commission in sharing the standards and best practices adopted in the countries of the Council of Europe, and in neighbouring countries, including providing states with legal advice on draft legislation or legislation already in force.

11/2012–

present Ministry of Justice of Georgia
Deputy Minister of Justice of Georgia
Relevant experience under List B.
Supervise Department of State Representation in international courts, the International Public Law Department, the Department on International Arbitration, the European Union Law Department, and the Analytical Department. Coordinate international relations of the Ministry of Justice, including with international organizations (ICC, Council of Europe, EU, OSCE, UN).
Represent Georgia in relations with the International Criminal Court;
Lead litigation and represent Georgia in major cases before the European Court of Human Rights;
As a co-chair of the National Interagency Commission on Gender Equality, Violence against Women and Domestic Violence, contribute to and coordinate interagency efforts in drafting and meeting commitments under the action plans on gender equality, violence against women and domestic violence and UN Security Council resolution N1325 on women, peace and security;
Led drafting of the first Human Rights Strategy of Georgia (2014-2020) as a co-chair of Interagency Working Group;
Direct the work of the Secretariat of Interagency Council against Human Trafficking mandated to deal with the children living and working in the streets; coordinate interagency efforts in elaboration of guidelines for law enforcement agencies on human trafficking issues with focus on the identification of THB victims, treatment of women and child victims, providing/offering needs-based assistance to the victims;
Coordinate and lead efforts of Interagency Humanitarian Commission (IHL) to further develop the national legal framework of international humanitarian law;
Contributed to drafting and served as a Government rapporteur before the Parliament of Georgia on the Law of National Red Cross that included components of International Humanitarian Law;
Contributed to drafting and served as a Government rapporteur before the Parliament of Georgia on the set of Law of Administrative Legal Proceedings on the compensation and reopening of civil and criminal law cases on the basis of decisions of the UN Human Rights Treaty bodies.

10/2014–

present Gender Equality Commission of the Council of Europe Member
Relevant experience under List B
Involved in the Commission's efforts to help in mainstreaming gender equality into all Council of Europe policies and providing advice, guidance and support to other Council of Europe bodies and to member states.

- 10/2012–
present Georgian-American University, Tbilisi
Professor
Relevant experience under List B
Taught bachelor and postgraduate courses in public international law, the practice of international institutions, including components on international courts, and international treaty law.
- 10/2018 –
present Sokhumi University, Tbilisi
Lecturer
Relevant experience under List B
Taught bachelor and postgraduate courses in public international law, including international courts and tribunals, and international treaty law.
- 02/2013 –
present Caucasus School of Law, Tbilisi
Lecturer
Relevant experience under List B
Taught bachelor and postgraduate courses in public international law, including international courts and tribunals, international human rights law, European (EU) law and international treaty law.
- 09/2009 –
06/2013 Columbia University School of International and Public Affairs, New York
Adjunct Professor, Academic Professor, Academic Adviser
Relevant experience under List B
Taught a postgraduate course “Human Rights in Post-Communist Eurasia”, led workshops on trafficking and domestic violence in Georgia, gender mainstreaming in education in Georgia, promoting IDP’s and women voices in post-conflict Georgia.
- 09/2007 –
08/2008 Columbia University Law School, New York
Fullbright Visiting Scholar
Pursued research into deficient acts of international institutions in international law, including cross-cutting UN and ICC practices and their legal effects
- 04/2005 –
08/2007 Government of Georgia
Foreign Affairs and International Law Adviser to Prime Minister of Georgia
Relevant experience under List B
Advised Prime-Minister of Georgia on foreign affairs, international law and human rights, including matters of international justice, advised on legal, political and humanitarian law aspects of conflict resolution in the Abkhazia and Tskhinvali regions of Georgia.

- 07/2004 –
- 04/2005 Ministry of Foreign Affairs of Georgia
Adviser in the Minister’s Secretariat, then Ambassador-at-Large
Relevant experience under List B
Advised on special matters of international organizations, international law, international human rights law, international humanitarian law and international justice.
- 04/1999 –
- 08/2003 Permanent Mission of Georgia to United Nations
Counsellor, Senior Counsellor and then Acting Deputy Permanent Representative
Relevant experience under List B
Served as a legal counsellor on international law, international human rights law, international humanitarian law; represented Georgia in the Third (human rights), Sixth (legal) Committees and Preparatory Commission for the International Criminal Court (1999-2002), UN Special Committee on Charter, Peacekeeping Committee.
- 02/1992 –
- 04/1999 Ministry of Foreign Affairs of Georgia
Second Secretary, Division of International Organizations; Deputy Head, then Head of UN Division
Relevant experience under List B
Worked on Georgia’s relations with international organizations (UN, Council of Europe, CSCE/OSCE, European Communities (EC)) and disarmament issues;
Coordinated Georgia’s relations with UN system, including rule of law and human rights, advised on legal, political and humanitarian law aspects of conflict resolution in the UN context;
Served as a focal point of the Georgian negotiating team in the negotiations of the Rome Statute, advised on and drafted Georgia’s position papers in this process, drafted the mandate of the Georgian delegation for negotiation of the Rome Statute, proposed and advocated Georgia’s joining of Like-minded Group of States, participated in negotiations leading to adoption of Rome Statute in 1998;
Worked on Georgia’s relations with the International Criminal Tribunal for the former Yugoslavia and International Criminal Tribunal for Rwanda, in particular, contributed to putting in place cooperation arrangements with those two tribunals created for the prosecution of persons responsible for serious violations of international humanitarian law set out in the Decree of President of Georgia of January 6, 1997;

Drafted reports to UN Human Rights treaty-based bodies.

Other professional activities

- 12/2019 Participated as the Deputy Head of the Georgian delegation in the 18th session of the Assembly of States Parties to the Rome Statute of the ICC, The Hague
- 2-10/2019 Served as President of the seventh session of the Assembly of Parties of the International Anti-corruption Academy (IACA), Vienna
- 12/2018 Participated as the head of the Georgian delegation in the 17th Session of the Assembly of States Parties to the Rome Statute of the ICC, The Hague

- 12/2017 Participated as the head of the Georgian delegation in the 16th Session of the Assembly of States Parties to the Rome Statute of the ICC, New York
- 01/2002 Served as a Vice-Chairman of the 22nd meeting of the States Parties to the International Convention on the Elimination of all Forms of Racial Discrimination, United Nations, New York
- 11-12/2002 Pursued research on problems of definition of the crime of Aggression in the context of the Preparatory Commission for the International Criminal Court, Max Planck Institute for Foreign and International Criminal Law, Freiburg, Germany
- 09/1999 Served as a Vice-Chairman of the 19th meeting of the States Parties to the International Covenant on Civil and Political Rights, New York
- 1993 Pursued research on Euroatlantic Community of Democracies and Georgia, British Institute of International and Comparative Law (BIICL), London

Most relevant publications

European Security Identity and the South Caucasus, Longo, Geistlinger, Lordkipanidze, Nasibov, Vienna 207, Neuer Wissenschaft Verlag GmbH 2008

Segmentation and Integration in the Foreign Policy of Georgia in Problems of Federalism, B. Coppeters, D.Darchiashvili and N. Akaba, Vrije University, Brussels, 2000

1373 (2001) Resolution, Human Rights Obligations of Georgia and International human Rights Law/Tbilisi 2002.

Scope of Reservations' Acceptance to Human Rights Treaties, International Law Journal of Tbilisi State university, 1998

Some Reflections on the Scope of the UN Security Council's Acquiescence, Journal of International Law, young Lawyers Association 1998.

Some Reflections on the Issue of State Succession with respect to Georgia, Journal of International Law, Tbilisi State University, 1998

Most relevant seminars

10/2018: Co-organized (together with the ICC) and delivered a keynote speech at the High-Level Seminar on Cooperation in Eastern Europe "Opportunities for Cooperation and Exchange of Experience at 20 Years of the Rome Statute", Tbilisi, Georgia.

07/2018: Delivered a statement at the High-Level Symposium "Enduring Value of the Rome Statute to Humanity" organized by the ICC for the Commemoration of the 20th anniversary of the adoption of the Rome Statute, The Hague.

Awards and honours

2007-2008 J. William Fulbright Foreign Scholarship, USA

1993-1994 NATO Research Fellowship

Personal interests

Reading, painting, skiing

11. MASSART, Laurence (Belgium)

[Original: French]

Note verbale

The Permanent Representation of the Kingdom of Belgium to the international institutions in The Hague presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court (hereafter the ICC) and, referring to its Note Verbale reference ICC-ASP/19/SP/01 of 20 December 2019, has the honour to put forward the nomination, submitted by the Belgian government, of Ms Laurence Massart for the role of judge at the ICC at the elections taking place during the 19th session of the Assembly of States Parties, due to be held in New York from 07 to 17 December 2020.

In accordance with articles 36(3)(b)(i) and 36(5) of the Rome Statute, Belgium would like to nominate Ms Massart for list A.

As stated in her appended curriculum vitae and covering letter, Ms Massart has over twenty-five years of experience in the judiciary and has established competence in criminal law and procedure.

The extensive experience acquired by Ms Massart in delivering judgments and directing criminal trials – many of which included international aspects – would be a significant asset for the ICC. In addition, in her role as President of the Brussels Court of Appeal since 2019, Judge Massart has developed a global view of the organizational issues and strategic challenges a large court faces.

Ms Massart is a French speaker and has a good knowledge of English.

In accordance with article 36(4)(a)(i) of the Rome Statute, the candidate was nominated by Royal Decree following the selection process provided for by the law of 29 March 2004 on cooperation with the International Criminal Court and the international criminal tribunals.

Statement of qualifications

I have the honour of being Belgium's candidate for a judge's position at the International Criminal Court. With regard to article 36, paragraph 4, a), i) of the Rome Statute, my nomination by Belgium was made pursuant to the selection procedure provided for by article 42 of the Act of 29 March 2004 on cooperation with the International Criminal Court and the International Criminal Tribunals.

As a human rights believer with a passion for geopolitical issues, having a solid experience and recognized competence in criminal law and criminal procedure, and also having presided over criminal trials with international implications and working in a multidisciplinary and multicultural team, I reckon that I match with the desired profile and the conditions imposed. Thus,

1. Be a person of high moral consideration, known for his impartiality and integrity (article 36 §3 a of the Rome Statute)

I am honourably known in my country and have never been condemned by the authorities of my country or by foreign institutions. I enjoy a reputation as an impartial judge and have integrity. Notwithstanding the media and/or societal pressures, the political and/or financial stakes and the importance of the decision to be taken on the future of men and women, I always have judged to administer justice with a keen concern for a fair trial and the rights of the defence, having heard the civil parties with consideration and humanity and the representative of society with attention. I have taken courageous decisions, whether to acquit,

to dismiss the charges for procedural irregularities or to impose high sentences or alternatives to imprisonment. I am an independent and human person with structure in my work and rigorous. I am deeply attached to the universal values of our Humanity.

2. *Be a person possessing the qualifications required in my State for appointment to the highest judicial offices (article 36 § 3 a of the Rome Statute)*

I am the first president of the Brussels Court of Appeal, the most important in the country. I am one of the High Magistrates of the Kingdom of Belgium, and according to protocol, in the seated magistracy, the second seated magistrate after the first president of the Court of Cassation.

3. *Have recognized competence in criminal law and procedure and the necessary experience of criminal proceedings as a judge, prosecutor, advocate or in any other similar capacity (article 36 § 3 b of the Rome Statute)*

Joined the judgeship in 1997, after a career at the bar that has begun in 1989, I turned to criminal law and criminal procedure, which I have been practicing for almost 25 years as a judge. I have risen through all levels of jurisdiction and have gauged the criminal courtrooms from the tribunal to the Court of Appeal; from the position of judge to that of first president of a court of appeal; both in Brussels and in the provinces. I have presided over Assize Courts where the most serious blood crimes were judged, Financial Criminal Law Chambers, Common Criminal Law Chambers and Indictments Chambers. I was fortunate to be entrusted with large-scale criminal trials with significant international implications. I can quote:

- the first case of universal jurisdiction in the context of the genocide in Rwanda, known as the "4 de Butare";
- the murder of the human rights representative of the Kosovo Albanians in the context of the war in the former Yugoslavia - the case of V. V., B. S. and A. D. (file transmitted by Mrs. Carla Del Ponte to Belgium);
- the so-called "Jewish Museum of Belgium" terrorism case;
- the so-called "Schneider" case, where the destination of the money from the mines in the Republic of Congo was at the heart of the dispute;
- the so-called Citibank case in which the effects of the American subprime crisis were at stake;
- the numerous crimes of murdering women and inhuman treatment of children;
- cases of international arms traffickers for which the United States was also prosecuting, cases involving major drug traffickers and, even more, the repatriation of "dirty" money and the financing of illicit activities in Belgium and elsewhere in the world;
- I also participated in the appeal trial of the Ghislenghien (...)

As the first president, I organized and I am currently organizing the subsequent trials relating to the Rwanda genocide, the Brussels bombings (...).

At the same time, I have given numerous training courses in criminal matters and participated in studies and professional meetings in these matters.

Thus, I have more than 20 years of work as a judge in all areas of criminal law and criminal procedure. I have extensive experience in judging and conducting criminal trials and have expertise in criminal law and criminal procedure.

4. *Knowledge and fluency in at least one working language of the ICC (article 36 § 3 c of the Rome Statute)*

French is my native language.

I learned the English language at the age of 12 and have reached a level where I can plead in English and obtain a first prize in pleading (see CV). Currently, my passive knowledge is very good. My active knowledge needs a refresher which can be done quickly.

I am almost immersed in Dutch in Brussels and am learning this language.

I also have some knowledge of Spanish.

5. *Listing (article 36, § 5, of the Rome Statute)*

I choose List A (specialist in criminal law and procedure).

6. *Openness to the world (article 36 § 8 a (i) and (ii) of the Rome Statute)*

For the purposes of article 36, paragraph 8, a), i) and ii), of the Rome Statute, I will represent the civil law system and the Western Europe and Other Regional Group.

I have always been passionate about international and human rights issues. Therefore, after graduating from university with great distinction, I obtained the maximum mark of 20/20 for the course on Human Rights and Fundamental Freedoms taught by Professors Russen Ergec and Pierre Mertens at the “Université Libre de Bruxelles”. At the end of my law degree (currently master's degree in law), I pursued my studies in European law at the Institute of European Studies where I obtained the special degree (currently master's degree) with great distinction.

I set up a team of students to participate in an international Law moot Court at the European Institute in Florence, Italy, where we won first prize. In addition, I also won the individual award for the best litigator in French and English. I went on a traineeship for one year (2 X 6 months) in the Legal Service of the Commission of the European Union where I worked in French and English in various fields including the international relations of the European Union.

At the same time, I joined the Brussels Bar at the law firm of Liedekerke, Wolters, Waelbroeck and Kirkpatrick, where I worked exclusively for Michel Waelbroeck's European and international law unit in French and English.

Open to the world, I take part in a discussion forum for judges from all over the world who speak French and we exchange our legal cultures. In that respect, I am in contact with colleagues from Africa, Asia, America and Europe. I also defend the values of efficient and equal justice for all in a democratic society, in particular through an association of judges.

Brussels is a cosmopolitan city and the Court of Appeal of Brussels, which I am head, is composed of magistrates from the North and South of the country. Throughout my career, I have demonstrated my ability to work in a multidisciplinary team with people whose working languages, cultures and customs are not the same. I have integrated, forged links and built projects with all of them. I am reliable, trustworthy and resistant to stress regarding workload, media and pressure. I appreciate the Other in his or her diversity.

7. *Equitable representation of men and women (article 36 § 8 a (iii) of the Rome Statute)*

I specify being female. Indeed my first name Laurence is feminine in French but can be confusing in English where the first name Lawrence is masculine.

8. *Implications of matters relating to violence against women and children (article 36 § 8 b of the Rome Statute)*

I have judged many blood crimes, including violence against women and inhumane treatment of children.

I have taken an interest in the fate of children, particularly children who have experienced traumatic events and their consequences on their psychological state, including attachment disorders. I am a member of ASBL “Pétales”, a non-profit organization specializing in this type of behaviour. I have also been an expert at the Higher Council for Adoption, more particularly on intercountry adoption.

The fate of women is close to my heart and, in particular, the violence that is committed against them throughout the world. I worked as a volunteer for the non-profit organization Infor-famille, which helped women victims of violence. As a member of Rolling Douche, I am also attentive to providing a little hygiene to the disadvantaged populations in my country.

9. To have the nationality of a State party to the Rome Statute of the International Criminal Court (article 36 § 7 of the Rome Statute)

I am a Belgian citizen.

I am committed to being available to take up full-time service when the Court’s workload so requires.

I am aware of the stakes and the expectations placed on the members of the International Criminal Court, which is fighting impunity for atrocious crimes wherever they are committed. In my career, I would like to be part of this drop of hope for effective justice on an international scale, where the place of the human being and the universal values that bring us together are a priority.

It would be an honour to be welcomed into its midst to, and to the extent that I can, contribute my work force, my experience and my optimistic and realistic temperament.

Curriculum vitae

Personal data

Family name: Massart
 First name: Laurence
 Gender: Female
 Date of birth: 16 February 1965
 Nationality: Belgium
 Regional criteria: Western Europe and other States
 Marital status: Widow
 List A / List B: List A
 Languages: Mother tongue: French
 English: (written) Intermediate; (oral) Intermediate
 Dutch: (written) Intermediate; (oral) Beginner
 Spanish: (written) Beginner; (oral) Beginner

Educational qualifications

07/1989 Brussels Institute of European Law (Institut d’Études européennes, Bruxelles)

- Specialized master's degree in European Law (licence spéciale en droit européen) – Great distinction
- 07/1988 Free University of Brussels (Université Libre de Bruxelles (U.L.B.)
Master in Law (Licence en droit) – Great distinction
- 07/1985 Free University of Brussels (Université Libre de Bruxelles (U.L.B.)
Bachelor in Law (Candidature en droit) – great distinction

Professional experience

- 04/2019 Belgian State, Judiciary
First President of the Court of Appeal of Brussels
Manage the largest court of appeal in Belgium in terms of number of people. Master proceedings both in the criminal sector (investigative, correctional and criminal chambers) and in the other sectors of the Court (civil, business, tax, market, family and youth).
Lead the only Court of appeal composed of two linguistic roles, two cultures that are situated on the border between Northern Europe (Dutch-speaking) and Southern Europe (French-speaking). Has, therefore, developed qualities of Listening, understanding differences, conciliation, arbitration, sharing ideas and values.
Working in multidisciplinary and multicultural teams
- 2012-2019 Belgian State, Judiciary
President of the Criminal Court of Brussels and Brabant wallon
Presided over some 30 special criminal courts which try the most serious crimes, including, in particular, the murder and killing of women and children, inhuman treatment and torture of minors.
In addition, presided over the terrorist trial known as the "Jewish Museum of Belgium".
Presided over the trial of the assassination of the President of the Kosovo Albanian Human Rights League in the context of the conflict with the Serbs in the context of the war in ex-Yugoslavia (file transmitted by Mrs. Carla Del Ponte to Belgium).
Participated in 2001 in the first trial of universal jurisdiction in the context of the genocide in Rwanda, known as the "4 de Butare" trial.
- 2007-2011 Belgian State, Judiciary
Judge, Court of Appeal of Bruxelles
presided, in addition to the trials (see above), over voluminous criminal trials involving fraud, financial offences of an international nature such as money laundering, financing of terrorism, trafficking in arms and narcotics products as well as the consequences of the subprime crisis in the so-called "Citibank" case
- 2014 - 2019 Belgian State, Judiciary
Assistant to the President of the Court of Appeal
Advised and assisted the First President on the options to be taken in the direction of the Brussels Court of Appeal.
- 2007-2011 Belgian State, Judiciary
Judge, Court of Appeal of Mons

- worked with correctionnal matters in cases involving violence against women, children and other intentional assault cases.
Also participated in the trial of the « Ghislenghien disaster »
- 2005 -
2007 Belgian State, Judiciary
Vice-President, Court of First instance of Brussels
Co-managed the criminal section and in charge of the referendaries
- 2000-
2007 Belgian State, Judiciary
Judge, Court of First instance of Brussels
Presided over numerous international financial criminal law trials, including the so-called « Schneider » trial, as well as financial trial involving complex international schemes to finance illicit activities
- 1997-
2000 Belgian State, Judiciary
Judicial trainee, Court of First instance of Charleroi
- 1990 and
1999 European Union
Trainee at the Legal service of the Commission of the EU (2X6 months)
- 1995-
1997 Self-employed
Deputy judge, Court of First instance of Charleroi
- 1991-
1997 Self-employed
Lawyer, Bar of Charleroi
- 1989-
1991 Self-employed
Lawyer, French speaking Bar of Brussels
Worked at the Michel Waelbroeck's Office in European Law and International Law

Other professional activities

- 2011- .. Deputy Chairperson of the appeal board of the Institute of Accountants and Tax Advisers
- 2011-2018 Deputy Chairperson of the appeal committee of the Institute of Company Auditors
- 2006 – 2010 Expert at the Higher Council for Adoption, in charge of the issue of international adoptions
- 1996-2006 Member of the Editorial Board of the Regional Law Review
- 1996 – 1997 Debt mediator at the CPAS of Aiseau-Presles
- 1994-2002 President of the scientific commission of the Young Bar Association of Charleroi
- 1993 – 1997 Volunteer lawyer with the non-profit organization Infor-Famille, which helps women in difficulty.
- 1993 – 1995 Lecturer in law, Haute Ecole Provinciale de Charleroi
- 1989 – 1993 Editorial secretary of the Cahiers de droit européen (European Law Papers)

Most relevant publications

- 2010 : *Le délai raisonnable : réaction d'un magistrat assis ; lenteur, célérité et chronophobie : la valse à trois temps*, in *Les Droits de l'Homme et l'efficacité de la Justice*, proceedings of the colloquim organized by the ASM on 10 décembre 2009, Larcier 2010, pages 267 et seq. ;
- 2002 : *Rôle du juge correctionnel en matière de coups et blessures volontaires ayant entraîné une incapacité permanente*, note under a judgment of the Court of Appeal of Liège, *Revue Régionale de droit*, 2002, pages 118 et seq. ;
- 1996 : *Le créancier d'aliments*, in *Le surendettement civil*, Formation permanente CUP, 1996, Vol. I, pages 367 et seq. ;
- 1990 : *La responsabilité des administrateurs de sociétés*, in collaboration with Michel Forges, current President of the French Bar Association of Brussels, in *DAOR*, 1990.

Competitions and certified trainings

- 2019: certification as a *leading magistrate evaluator*;
- 2011: certification as president of a criminal court;
- 2007: certification for correctional judges able to sit in the protection of the youth;
- 2005: management certification for non-executive judges;
- 2000: certification as an investigating judge;
- 1991: Boels prize, prize for the best pleader among the trainee lawyers of the Brussels Bar;
- 1989: first individual prize for the best pleader and first team prize for the best pleading in French and English at the Law moot court, organized at the European Institute in Florence, Italy.

Training courses, professional meetings and participation in studies

- January 2020 : meeting of Algerian magistrates within the framework of an exchange on alternative methods of conflict resolution;
- December 2019: training given to magistrates to obtain the certificate of access to the function of president of the criminal court, (the interrogation of the accused, the hearing of experts and witnesses, the discretionary power of the president and the direction of debates), training organized by the Judicial Training Institute;
- December 2019 and February 2020 : training given to judicial police officers on the technical expectations of the judge in the constitution of a criminal case, the conduct of a criminal investigation and the testimony of the police officer before the criminal courts;
- November 2019: participate in a European comparaison program on the profession of judge in relation to the evolution of our societies, financed by the European Union, in collaboration between the Universities of Liège, Belgium and Lorraine in France ;
- September 2019: participate in a Canadian research project on "Thinking Human Rights and Sentencing Scales in the West", co-directed by the Universities of Ottawa and Sao Paulo;
- September 2019: Participate in the project *The Art of Justice*, Meta-Morphosis Editions, 2019;
- September 2019: Meeting with Taiwanese judges on the establishment of a criminal court;
- October 19, 2018: Training for judges to obtain the certificate of access to the office of president of the criminal court, (the interrogation of the accused, the hearing of experts and witnesses, the discretionary power of the president and the direction of the debates), training organized by the Judicial Training Institute;
- 20 June 2018: recording of a capsule for the website "Questions Justice" on the procedure in the criminal court;
- 7 February 2018: recording of an interview for "View" on RTBF about the conduct of a criminal trial;

- December 14 and 15, 2017: Grounds of sentences in the Criminal Court, an international conference organized by the Universities of Lyon and Saint-Etienne, in collaboration with the Ecole Nationale de la Magistrature, in Lyon, France;
- October 2014: organize a debate on the future of the Poelaert building, in the presence of the presidents of the Court of Cassation, the Court of Appeal of Brussels, the French Court of First Instance of Brussels, the President of the Bar, political leaders, as well as the Federal Public Service Justice and the Régie des bâtiments;
- June 2012: hearing as an expert magistrate by the Justice Committee of the House of Representatives of the Parliament on draft laws on nullity;
- 17 November 2008: "The incriminations of corruption", intervention at the SPF Justice in the framework of the GRECO evaluation;
- 2 October 2008: led a workshop on the conduct of a correctional trial, on the more specific theme: "Is it appropriate to judge crimes according to the laws and customs applicable in the field of corrections?" organized by the Superior Council of Justice;
- 23 June 2008: Money laundering, intervention within the framework of the action plan for reinforced administrative cooperation Belgium-Morocco, FPS Justice;
- 5 July 2007: intervention on the theme "External influences and ethics - relations between the seated judiciary and the press", meeting organized by the High Council of Justice;
- 30 May 2007: intervention in the framework of the "exchange of professional experience in the conduct of a criminal court hearing", training course organized by the High Council of Justice in the field of criminal procedure;
- Participate in the elaboration of training programmes for magistrates in criminal law and criminal procedure as well as in economic and financial criminal law, for the High Council of Justice;
- 1998: intervention on "The Transparency of Community Acts", colloquium organized by the Lodz Bar Association, Poland;

Some training received

- November 2019 and February 2020: *youth* protection and *family* law ;
- October 2019: cyber-terrorism, international conference in English and French;
- October 2019: the government of judges: an accusation, a virtue and a critical analysis, reflection of international researchers on the place of Justice in a society;
- April 12 and 13, 2018: The judicial response to terrorism in the light of the EU Charter of Fundamental Rights, European conference, organized by the ENM and the IFJ in French and English, in collaboration with the EU, Paris, France ;
- 6 and 27 February 2018: Compensation for damages, training course co-organized by Larcier and UCL ;
- October 6 and 20, 2017: The Pot-Pourri Law II, one year later, colloquium on the evolution of criminal law, organized by Larcier and UCL ;
- 3 October 2017: Quality justice: at what price?;
- 27 April 2017: Artificial intelligence: what justice for tomorrow?;
- January 31, 2017: The drafting of a management plan;
- April 28, 2016: The Potpourri Law II, a symposium on changes in criminal law, organized by the UCL;
- 12 February 2016: What future for the High Council of Justice, colloquium organized by the ASM;
- 23 and 24 October 2008: International Adoption, ENM, Paris, France

Membership of professional associations and societies

- 2014 - ... : member (and administrator in 2014) of the ASM, an association of magistrates from all jurisdictions who defend a justice system accessible to all, efficient and respectful of citizens' rights.

2010-...: participate in an Internet discussion forum of judges from around the world who speak French, called Jugenet, at the initiative of a Canadian judge.

1998 -... : Member of the Centre for the application of Community law in criminal and financial matters

1997 - ... : Honorary lawyer

Awards and honours

Officer of the Order of Leopold

Personal interests

Member of the Rolling douche ASBL whose social object is to give access to showers to people in precarious situations;

Member of the ASBL Pétales whose social purpose is to give a voice to people with attachment disorders and their parents;

Exchanges between friends, theatre, cinema and all kinds of music.

12. MILANDOU, Prosper (Republic of the Congo)

[Original: French]

Note verbale

In accordance with notes verbales dated 20 December 2019 and 31 March 2020, I have the honour to transmit herewith the nomination of Mr **Prosper MILANDOU**, a judge and examining magistrate of the Eighth Chamber of the High Court of Brazzaville, for the post of judge of the International Criminal Court.

Statement of qualifications

The present document was prepared in accordance with article 36, paragraph 4(a)(ii) of the Rome Statute of the International Criminal Court (the Statute), and paragraph 6 of resolution ICC-ASP/3/Res.6, which recommend that such a detailed document be prepared. This document contains the items indicated on page 2 of the note verbale of 20 December 2019.

1) Qualities required under article 36, paragraph 3 of the Statute

a) Qualities required under article 36, paragraph 3(a)

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

Organic law No. 29-2018 of 7 August 2018 on the organization, composition and functioning of the High Council of the Judiciary (in the Republic of the Congo), under its article 8(3), lists the following criteria for the nomination of judges [TRANSLATION]:

- impartiality;
- technical skills and qualifications;
- probity and moral integrity;
- professionalism;
- seniority in the profession;
- professional experience;
- a deep sense of patriotism and strong belief in the duties of the State.

Article 10, paragraph 1 of above law also provides, as a condition to be nominated to the highest judicial offices, not to have been subject to disciplinary sanctions in the ten years prior to the proposal.

This organic law mirrors and completes the provisions of articles 8 and 10 of organic law No. 22-2008 of 26 July 2008 on the organization, composition and functioning of the High Council of the Judiciary (in the Republic of the Congo).

The various criteria listed under article 8 above are freely assessed by the High Council of the Judiciary, the First Vice-President of which is the Minister of Justice. Having been regularly appointed to various positions in the judiciary, Mr Milandou has fulfilled and continues to fulfil these criteria. It should also be emphasized that he has never been subject to any disciplinary procedure, disciplinary sanction or legal proceedings.

In other words, the qualities required under article 36, paragraph 3(a) of the Statute have been assessed domestically, and Mr Milandou possesses them all.

b) Qualities required under article 36, paragraph 3(b)

Article 36, paragraph 3(b) of the Statute provides that every candidate for election to the Court shall:

- (i) Have established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings; or
- (ii) Have established competence in relevant areas of international law such as international humanitarian law and the law of human rights, and extensive experience in a professional legal capacity which is of relevance to the judicial work of the Court.

Mr Milandou was appointed judge of the High Court of Impfondo by decree No. 2013–194 dated 17 May 2013 on the appointment of judges to domestic courts. He was a judge of the Criminal Division of the High Court and in that capacity, he heard cases of serious offences.

By order of the President of this Court, dated 24 July 2013, he was appointed children’s judge and examined cases involving minors and tried certain cases alone, in accordance with the code of criminal procedure. The children’s judge is the president of the juvenile Court. It is in that capacity that he heard the cases involving minors.

By decree No. 2014–237 of 21 May 2014 on the nomination of judges in domestic courts and tribunals, Mr Milandou was appointed examining magistrate of the Second Chamber of the High Court of Impfondo. During the four years that he spent in that position, in addition to examining cases, he broadened his experience of criminal trials, criminal law and criminal procedure in other ways: by once again serving the Criminal Division of the High Court, whenever one of the judges was unavailable; as acting Public Prosecutor, whenever the latter and his deputies were away from the judicial division; and as acting President of the Court, at times when the latter was not available. As a result of the large number of criminal cases that he heard and referred to the Court of Appeal of Ouesso, a criminal session was held in Impfondo for the first time in 2018.

By decree No. 2018–104 of 14 March 2018 on the appointment of high court judges, Mr Milandou was appointed examining magistrate of the Eighth Chamber of the High Court of Brazzaville. The 2018 statistics show that out of the eleven examining magistrates of the Brazzaville High Court, he issued the most closing orders in 2018. The large number of decisions he issued demonstrate his skills in the area of criminal law and criminal procedure.

The preliminary examination is one stage of criminal trials. Mr Milandou has seven years’ experience with criminal law, criminal procedure and criminal trials. As a judge and examining magistrate, he exclusively deals with criminal matters. Thus, his many different functions have provided him with remarkable skills and solid experience in criminal matters (criminal law, criminal procedure and criminal trials).

c) Qualities required under article 36, paragraph 3(c)

Article 36, paragraph 3(c) of the Statute provides that every candidate for election to the Court shall have an excellent knowledge of and be fluent in at least one of the working languages of the Court.

Article 50, paragraph 2 of the Statute provides that “the working languages of the Court shall be English and French”.

The official language of the Republic of the Congo is French. Mr Milandou learnt to write and speak French at school as of age five. All his studies were in French. From 2006 to 2010, he taught French in several private high schools in Pointe-Noire and Brazzaville. French is the working language of the Republic of the Congo.

Thus, Mr Milandou has an excellent knowledge of and is fluent in French, which he writes and speaks perfectly.

2) List chosen by the candidate

In accordance with paragraph 5 of article 36 of the Statute, Mr Milandou is being nominated for **list A** which contains the names of candidates with the skills described under

paragraph 3(b)(i), and in particular qualifications and experience in criminal matters (criminal law, criminal procedure, criminal trials).

3) Information contained in article 36, paragraph 8(a) of the Statute

The States Parties, in the selection of judges, take into account the need, within the membership of the Court, for:

i) The representation of the principal legal systems of the world

The Republic of the Congo applies the Romano Germanic legal system, in which judges sit in the examining phase, in criminal divisions and in courts of appeal, whilst in criminal courts, there is a judge and a jury;

ii) Equitable geographical representation

The nomination of Mr Milandou falls under the region of African States;

iii) A fair representation of female and male judges

Mr Milandou is a man.

4) Expertise

In regard to article 36, paragraph 8(b) of the Statute, Mr Milandou does not have any particular legal expertise. He examines all criminal cases submitted to him, in accordance with the code of criminal procedure.

5) Nationality

Under article 36, paragraph 7 of the Statute, Mr Milandou is **Congolese from the Republic of the Congo**. He does not have any other nationality.

6) Nominations of candidates

Under article 36, paragraph 4(a), nominations of candidates for election to the Court may be made by any State Party to this Statute, and shall be made either:

- i) By the procedure for the nomination of candidates for appointment to the highest judicial offices in the State in question; or
- ii) By the procedure provided for the nomination of candidates for the International Court of Justice in the Statute of that Court.

Domestically, nominations may be proposed by the Minister of Justice (First Vice-President of the High Council of the Judiciary), First President of the Supreme Court (Second Vice-President of the High Council of the Judiciary), Public Prosecutor attached to the Supreme Court, and other ex-officio members.

The nomination of Mr Milandou is submitted according to the method provided under article 36, paragraph 4(a)(i) of the Statute.

7) Commitment

Mr Milandou commits to be fully available to take up full-time service as a judge when the Court's workload so requires.

Curriculum vitae

Personal data

Family name: Milandou
 First name: Prosper
 Gender: Male
 Date of birth: 12 February 1978
 Nationality: Congolese
 Regional criteria: Africa

Marital status: Married
 List A / List B: List A
 Languages: Mother tongue: Lari
 English: (written) Basic; (oral) Basic
 French: (written) Advanced; (oral) Advanced
 Spanish: (written) Basic; (oral) Basic
 Lingala: (written) Intermediate; (oral) Intermediate
 Kituba: (written) Intermediate; (oral) Intermediate

Educational qualifications

11/2010–01/2013: National School of Administration and Magistracy (Republic of the Congo).
 Diploma from the National School of Administration and Magistracy.
 2000–2001: Marien Ngouabi University Law School (Republic of the Congo).
 Master's degree in Law, majoring in public law.
 1999–2000: Marien Ngouabi University Law School (Republic of the Congo).
 Bachelors's degree in Law, majoring in public law.
 1998–1999: Marien Ngouabi University Law School (Republic of the Congo).
 Two - year undergraduate diploma.
 1995–1996: Lycée Pierre Savorvorgnan De Brazza.
 Baccalaureate A4.

Professional experience

03/2018-present: The Congolese State.
 Examining magistrate of the Eighth Chamber of the High Court of Brazzaville.
 Article 36, paragraph 3(b)(i) of the Rome Statute provides that every candidate on list A shall have established competence in criminal law and procedure, and the necessary relevant experience, whether as a judge or in other similar capacity, in criminal proceedings. The preparatory examination is one phase of criminal trials. I have seven years of criminal trial experience. As a judge and examining magistrate, I deal exclusively with criminal law and procedure. The 2018 statistics show that out of the eleven examining magistrates of the Brazzaville High Court, I issued the most closing orders. The number of decisions I issued demonstrate my competence in this area.
 05/2014-03/2018: The Congolese State.
 Examining magistrate of the Second Chamber of the High Court of Impfondo.
 I would add that in addition to the above, during the four years that I spent as an examining magistrate of the High Court of Impfondo, in addition to examining cases, I broadened my experience in criminal trials, criminal law and criminal procedure in other ways: by once again serving the Criminal Division whenever one of the judges was unavailable; as acting Public Prosecutor, whenever the latter and his deputies were away from the judicial division; and as acting President of the Court, whenever the President was not available. As a result of the criminal cases that I heard

and referred to the Court of Appeal of Ouessou, a criminal session was held for the first time in Impfondo in 2018.

06/2013–05/2014: The Congolese State.

Judge and children's judge at the Impfondo High Court.

In 2013 I was appointed judge of the Impfondo High Court, by a decree adopted by the High Council of the Judiciary. As a judge, I served the Criminal Division and in that capacity, I heard criminal cases. Also in 2013, by order of the President of the Court, I was appointed children's judge. In that capacity, I examined cases concerning minors for one year and heard a number of cases alone, in accordance with the code of criminal procedure. The children's judge is the president of the juvenile Court. It was in that capacity that I heard the cases involving minors. Thus, my various functions have enabled me to acquire extensive experience in criminal matters (criminal law, criminal procedure, criminal trials).

Other professional activities

Teaching: during that period, I taught French, law and so on in private schools. Admittedly, I did not teach criminal law or criminal procedure, but my professional qualities, such as dedication to work, honesty, diligence, and so on earned me such trust among my employers and inspectors that in very little time I was appointed Director of Studies and Member of the Board of Inspection Management of Colleges of General Education in Pointe-Noire 1. In other words, my competence and experience in criminal matters and professionalism, such as dedication to work, honesty, diligence etc. have so far brought good results.

Most relevant publications

Thesis entitled: "Les moyens d'information du magistrat instructeur au Congo, ENAM, 2012".

Most relevant seminars

- From 5 to 9 August 2019: Seminar to pre-assess the Congolese facility to fight money-laundering and the financing of terrorism.
- From 25 to 29 November 2019: Awareness-raising and training seminar on the fight against money-laundering and the financing of terrorism

Personal interests

In December 2001, the last month of my master's degree, three colleagues and I were selected to participate in the May 2002 international criminal law competition in Montreal. To that end, we drafted two submissions (one for the prosecution, and one for the defence). Although the Congolese team was faced with a major obstacle in participating in the competition, I took great interest in the work. Afterwards, my interest in the International Criminal Court grew to the point that I applied several times to participate in the internship programme and more, but in vain. My search for perfection, my desire to shoulder ever greater responsibilities, and my love for rendering justice impartially, expeditiously and with integrity, have led me to apply for a position of judge of the International Criminal Court.

Other relevant facts

I commit to being fully available to take up full-time service as a judge when the Court's workload so requires.

13. PERALTA DISTÉFANO, Ariela (Uruguay)

[Original: Spanish]

Note verbale

The Embassy of the Oriental Republic of Uruguay to the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and has the honor to inform that the Government of the Oriental Republic of Uruguay has decided to present the candidacy of Dr. Ariela Peralta Distéfano as a judge of the International Criminal Court (ICC), for List B (article 36.3.b. ii. of the Statute) in the elections that will take place during the 19th session of the Assembly of States Parties to the Rome Statute, to be held in New York, from December 7 to 17, 2020.

Dr. Ariela Peralta has a recognized track record of more than 33 years of professional experience as a lawyer specialized in International Humanitarian Law and human rights and as Head of national and regional institutions and programs, both of civil society, State (as NHRI or “ombudsperson”) and inter-governmental organizations, aimed at strengthening national mechanisms for the protection of human rights, including the administration of justice. In line with the principles and purposes of the Rome Statute, Ms. Peralta has made a concrete contribution to strengthening the rule of law and to the memory, truth, justice and reparation of victims of human rights violations. In Uruguay, among other things, she litigated, at the national level, even on a pro bono basis, representing vulnerable groups, such as those deprived of liberty and former political prisoners or juvenile offenders, and in the Inter-American system, in a case in which the judgment led to the revision of the expiration law to be able to resume national criminal proceedings in cases of State terrorism, and as an academic, she participated in the historical investigation of enforced disappearances occurred from the 1970s to the early 1980s, as well as training in human rights and Criminal Law at University level and to parliamentarians and prosecutors. In the Western Hemisphere, she litigated before the Inter-American Court of Human Rights emblematic cases of high complexity, which contributed to establish jurisprudence on issues regarding massacres, extrajudicial executions, political rights, military jurisdiction, impunity, forced disappearances, the right to a life free of gender violence, children's rights; all of them essential to reverse situations of structural violence.

Dr. Ariela Peralta has represented victims of violence in times of peace and armed conflict, from different countries, with different cultures, including women who have suffered forced sterilization, rape and other forms of sexual violence, kidnapping of children and children born in captivity during regimes of oppression and civil wars, displaced population, children arbitrarily detained, etc.-

Taking into account the aforementioned, this Embassy affirms that Dr. Peralta fully complies with the requirements of article 36, paragraph 3, subparagraphs a), b) and c) of the Rome Statute, as stated in the government declaration of competences, in accordance with article 36, paragraph 4, subparagraph a), accompanied by her Curriculum Vitae.

In that sense, she is nominated for a position of judge under list B (there is one vacancy), for the Latin American and Caribbean region (two vacancies), and for the legal system of civil-continental law; also understanding that her election will contribute to a more adequate gender balance in the Court (a vacancy for a female judge).

Finally, it is worth noting that the national nomination process, in accordance with the law on cooperation with the International Criminal Court, No. 18.026, articles 73 to 75, involves the participation of multiple actors; in this case, civil society, the Legislative Power (General Assembly) and the Executive Power; which ratifies the independence of the candidate proposed for such high position.

Statement of qualifications

The Government of the Oriental Republic of Uruguay presents, for the consideration of the States Parties to the Rome Statute of the International Criminal Court, the candidacy of Dr. Ariela Peralta Distéfano, for the election as a judge of the International Criminal Court for the period 2021-2030. The elections will take place during the nineteenth session of the Assembly of States Parties, scheduled to be held in New York, from December 7 to 17, 2020. The following declaration is made in accordance with article 36, paragraph 4 (a) of the Rome Statute of the International Criminal Court and resolution of the Assembly of States Parties ICC-ASP/3/Res.6 and its annexes, as well as resolution ICC-ASP/18/Res.4 on nomination and election of ICC judges.

Dr. Ariela Peralta meets the requirements of article 36, paragraph 3 (a), (b), and (c) of the Rome Statute. Ms. Peralta is nominated for inclusion in List B, pursuant to article 36 paragraph 3 (b), (ii), and article 36, paragraph 5².

Dr. Peralta is well regarded as a person of the highest moral consideration, impartiality and integrity, a lawyer, who meets the conditions required for the exercise of the highest judicial functions and who is fluent in the English language. All this is demonstrated by her vast experience as a lawyer specialized in international humanitarian law and the law of human rights, and her professional commitment with the principles and objectives of the Rome Statute, shown at the national, Inter-American and international levels.

She is currently the Executive Secretary of the Institute of Public Policies on Human Rights (IPPDH) of the MERCOSUR; position approved by the States Parties to the MECOSUR: Argentina, Brazil, Paraguay and Uruguay.

In her 33 years of professional experience as a lawyer, Dr. Peralta held positions that define her as an extremely suitable candidate. She was a litigator of complex cases at the domestic (criminal) and international (Inter-American) levels. She also directed institutions aimed at the strengthening of mechanisms of human rights protection at the Western Hemisphere.

Her performance as a domestic litigator in the criminal area deserves to be highlighted, when - in the first years of her professional life - she led the departments of civil and political rights of organizations dedicated to the representation of victims of violations of human rights, in a difficult period for the country, during the democratic transition in Uruguay.

Dr. Ariela Peralta later became the Deputy Director of the non-governmental organization, Center for Justice and International Law (CEJIL), based in Washington D.C.; the most well-known organization leader in strategic litigation of human rights cases before the Inter-American Commission and the Inter-American Court of Human Rights (IACHR). In that capacity, she litigated highly complex emblematic cases, which involved a deep knowledge of international human rights law, humanitarian law and criminal law of the countries of North America, Latin America and the Caribbean. These cases contributed to “avantgarde” jurisprudence of the Inter-American Court of Human Rights, regarding massacres, extrajudicial executions, political rights, military jurisdiction, impunity, enforced disappearances, the right to a life free of gender violence, the rights of children and adolescents; all relevant issues to reverse situations of structural violence in the Western Hemisphere. Of particular relevance -as an example- is the Gelman vs. Uruguay case and the judgment of February 2010. The Court held, with respect to reparations, that the State of Uruguay, among other things, should carry out a public act of acknowledgment of responsibility to the victims Juan and Macarena Gelman. The public act was conducted by the former President, José Mujica, and it took place at the Congress. The judgment issued by the Court led to the overturning of the so-called “Impunity Law” (Expiration) and the subsequent enactment of Law 18.831 (2011), which restored the full exercise of criminal

² Shall “(ii) Have established competence in relevant areas of international law such as international humanitarian law and the law of human rights, and extensive experience in a professional legal capacity which is of relevance to the judicial work of the Court;”

prosecution for crimes committed as State terrorism, during a dictatorship until the 1st of March 1985.

As Director and later President of the Uruguayan National Human Rights Institution and Ombudsperson Office (NHRI), during the first institutional mandate, Mrs. Ariela Peralta played a key role in shaping the institutional structure and designing and implementing the strategic plan for the first five years. While she was directing the Institution, she personally addressed complaints of human rights violations, documented the cases, issued informed recommendations and did the follow-up of compliance by the different State agencies. In addition, she wrote extensive legal reports on the harmonization of domestic legislation in accordance with the international human rights obligations applicable to Uruguay, and issued comprehensive reports to the human rights treaty bodies and to the special procedures of the United Nations Human Rights Council, as well as presented the annual report on the human rights situation before the national Congress. The NHRI in Uruguay also functions as the National Preventive Mechanism of Torture (NPM, according to the UN/ OPCAT), supervising the conditions of deprivation of liberty.

Mrs. Peralta has also worked as a parliamentary consultant on issues of human rights and legislative harmonization, and as a consultant for Foundations and International Organizations (intergovernmental, such as the OAS based in Washington D.C., and non-governmental organizations, such as the Association for the Prevention of Torture -APT- based in Geneva or CEJIL based in Washington D.C.), having been a consultant for the Inter-American Commission on Human Rights' strategic plans. In addition, she was designated member of "The Mandela Dialogues – Dialoguing Memory Work", of the Nelson Mandela Foundation Centre of Memory, and a designated member of the Latin American Network on Prevention of Genocide and Mass Atrocities of the Auschwitz Institute for Peace and Reconciliation, among others.

In recent years, Mrs. Peralta has been a consultant to the Organization of American States (OAS) on matters related to the International Criminal Court. Likewise, she has worked as an academic at the prestigious Latin American Faculty of Social Sciences (FLACSO).

Her specialized academic training, experience and committed service show her vast competence in the practical application of international human rights law and international humanitarian law to complex situations, such as those addressed by the International Criminal Court. In particular, her role as litigator and Ombudsperson show her outstanding experience in criminal proceedings under different legal systems in the Western Hemisphere. Mrs. Ariela Peralta represented victims of violence in times of war and peace, representing, among others, women who have suffered forced sterilization, rape and other forms of sexual violence, torture, kidnapping of children born in captivity during regimes of oppression and civil wars, displaced persons, children and adolescents arbitrarily detained, victims of domestic violence and other forms of violence.

She has an extensive and well-known experience at the head of national and regional institutions, an established competence to address complex scenarios in diverse cultures, as well as vast experience at the head of collegiate bodies. In her leadership positions in State and non-governmental, national and regional institutions, she was able to build the necessary bridges of communication between States, civil society, victims and other key actors, demonstrating sensitivity and commitment with human rights and, at the same time, the necessary balance or weighting skills in a constructive dialogue with State's authorities.

Nominated as a candidate for the election as a judge of the ICC, Mrs. Ariela Peralta not only has the support of the Executive Power of Uruguay, but also the Legislative Power and civil society human rights organizations. This, by virtue of the national nomination system, established by the Cooperation Law with the International Criminal Court (No. 18.026), where different actors can nominate candidates, having to be endorsed by the legislative General Assembly, for the formalization of the candidacy through diplomatic channels. It is noteworthy that the current Administration, which took office on March 1, 2020, and the new legislature, which took office on February 15, 2020, endorsed the

nomination of Dr. Peralta, backed by civil society, based on the endorsement given in 2017. At that time, Mrs. Peralta was nominated by the then Government of Uruguay, receiving unanimity of support from the entire political spectrum, at a session of the General Assembly on March 14, 2017³ It is important to highlight that prior to this, in 2012, Dr. Peralta had received the support, by the required special majorities, in the General Assembly of the Uruguayan Parliament, when she was elected member of the first Directing Council of the National Human Rights Institution and Ombudsperson Office (collective “ombudsperson” of Uruguay, NHRI); which she later presided until 2017.

Based on the importance of this position, the Uruguayan Law of Cooperation with the International Criminal Court (Law Nr. 18.026 - articles 73 to 75-) establishes that to be nominated as a candidate for judge or Prosecutor of the ICC, the candidate must comply with the same requirements as to be appointed judge of the Supreme Court of Justice (highest judicial offices), as well as being endorsed by the General Assembly (Senate and House of Representatives). On March 14, 2017, she was unanimously voted by the legislators present at the General Assembly session of the Uruguayan Congress (one hundred and four members of the Senate and House of Representatives; parliamentarians from different political parties).

Her competence was already assessed independently in 2017, by the Advisory Committee on Nominations of Judges, which concluded that Ms. Peralta was particularly well qualified for appointment as judge of the International Court. The Committee noted that Mrs. Peralta had exceptional expertise and established competence in international law, including international humanitarian law and the law of human rights; as stated in the Report of the Advisory Committee on Nominations of Judges of the International Criminal Court (document ICC-ASP/16/7).

Dr. Peralta is a native Spanish speaker and has excellent knowledge of the English language, being fluent in reading, speaking and writing; an issue that was also favorably noted in the Report of the Advisory Committee on Nominations of Judges of the International Criminal Court, after being interviewed, according to document ICC-ASP/16/7.

Dr. Peralta is of Uruguayan nationality and she is presented under that nationality. She also has Italian citizenship. The candidate is nominated for inclusion in List B, pursuant to article 36, paragraph 5, of the Rome Statute, and commits to be available to take up full time service when the Court’s workload so requires.

Her nomination also addresses the need for an equitable geographical representation, in this case of GRULAC (there are two vacancies available; since of the total of 18 judges, only one judge will continue to serve in 2021 for this region and for List A).

Moreover, her nomination contributes to the representation of the principal legal systems of the world, since she was educated and litigated criminal cases as an attorney under the continental legal system; however, she studied and worked extensively in countries that apply the common law legal system.

The nomination of a competent woman is consistent with the commitment of promoting a gender balance of the Court.

Uruguay believes that the qualifications of Dr. Ariela Peralta will contribute to the advancement of the principles and values of the Rome Statute.

Thus, the Oriental Republic of Uruguay, with conviction and responsibility, presents the candidacy of Dr. Ariela Peralta, as a Uruguayan citizen with the knowledge, experience and commitment needed to assume the responsibilities of judge of the International Criminal Court.

³ <https://parlamento.gub.uy/noticiasyeventos/noticias/node/86870> ;
<https://parlamento.gub.uy/noticiasyeventos/noticias/node/86871>

Curriculum vitae

Personal data

Family name: Peralta Distefano
 First name: Ariela
 Gender: Female
 Date of birth: 20 July 1962
 Nationality: Uruguayan
 Second
 Nationality: Italian
 Regional criteria: GRULAC
 Marital status: Married
 List A / List B: List B
 Languages: Mother tongue: Spanish
 English: (written) Advanced; (oral) Advanced
 French: (written) Basic; (oral) Basic
 Italian: (written) Basic; (oral) Intermediate
 Portuguese:(written) Basic; (oral) Basic

Educational qualifications

08/2004 –
 06/2005: American University, Washington College of Law, Washington D.C., USA.
 Master of Law in International Legal Studies with a special focus on the International protection of human rights.

08/2004 –
 06/2005: American University, Washington College of Law, Washington D.C., USA.
 Transitional Justice and Human Rights Accountability (Hubert H. Humphrey Fellowship Program)

03/1985 –
 05/1990: University of the Republic (UDELAR), Law School, Montevideo, Uruguay.
 Public Notary.

03/1980 –
 05/1987: University of the Republic (UDELAR), Law School, Montevideo, Uruguay.
 Juris Doctor.

03/1980-
 06/1985: University of the Republic (UDELAR), Law School, Montevideo, Uruguay.
 Procurator.

Professional experience

02/2020-present: Institute of Public Policies on Human Rights (IPPDH) of Mercosur. Executive Secretary.

The Executive Secretary represents the Institute and is responsible for carrying out the tasks assigned to it and for its technical, administrative, financial and patrimonial management. The Executive Secretary is a national of a State Party and is designated by the Common Market Group (GMC) at the proposal of the Meeting of High-Level Authorities on Human Rights (RAADH). I was elected by the GMC to direct the IPPDH. The GMC is currently composed of the following full members: Argentina, Brazil, Paraguay and Uruguay. - The objective of the IPPDH is to contribute to strengthening the rule of law in States Parties by designing and monitoring public policies on human rights, with a view to consolidating human rights as a fundamental axis of the identity and development of Mercosur. My duties consist in cooperating with States with a view to a more effective protection of human rights, in line with national constitutions and with international instruments adopted. My institutional leadership must include technical assistance for States to enhance the training of public officials in the area of human rights. I must also prepare coordinated programmes to address the situation faced by the most vulnerable populations (migrants, migrant children, victims of gender violence, the afro-descendant population, victims of human trafficking and the elderly) and the rights of migrant workers and their families, and to preserve the memory and truth about crimes committed during dictatorships of the recent past. I also conduct studies and research and organize courses at the request of the Meeting of High-Level Authorities on Human Rights and Foreign Affairs Ministries of Mercosur. In carrying out my duties, I attend high-level meetings on the implementation of policies to protect rights with the State authorities of Argentina, Brazil, Paraguay and Uruguay, as well as with officials at the regional, national and local levels. This post requires a thorough knowledge of the situation of populations whose rights have been violated to be able to design specific protection mechanisms. It also requires extensive knowledge of the domestic law of Mercosur countries and of countries in the region in order to harmonize these with international standards. I am responsible for coordinating actions in the context of the regional human rights protection system (the Inter-American system) and with national and local human rights institutions, State Prosecutors' Offices, the judicial branch, civil society and the academic world.

06/2016 –
2017:

National Human Rights Institution and Ombudsperson Office (INDDHH), Uruguay.

President.

The President is charged with representing the INDDHH at the domestic and international level and with overseeing the implementation of institutional mandates. The INDDHH is an autonomous body of the State which is charged with the defence, promotion and full protection of human rights. As the highest authority on human rights at the level of the State, the office includes holding meetings with the highest government authorities, a task which requires very good negotiating and diplomatic skills. During my Presidency, the headquarters of the INDDHH were inaugurated in a former clandestine detention centre that was used during the military dictatorship (1973-1985). These institutional headquarters were then turned into a first memorial. The Presidency is responsible for fully meeting the demands of civil society.

In the context of its broad mandate, the INDDHH is responsible for adapting regulations and institutional practices to international human rights obligations and standards, drafting reports on the human rights situation at the level of the country, department or area, recognising and investigating alleged human rights violations, issuing recommendations to the agencies it oversees on the violations investigated, issuing opinions on bills and widely disseminating information on human rights and human rights education. It also acts as the National Preventive Mechanism for the prevention of torture, in accordance with the provisions of the Optional Protocol to the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

06/2012 –
06/2017:

National Human Rights Institution and Ombudsperson Office (INDDHH), Uruguay.

Director, Board of Directors.

As a member of the first Board of Directors of the INDDHH, I was responsible for receiving petitions concerning human rights violations, investigating the alleged violations and issuing recommendations to the State on substantiated violations. In each case I had to document information, question witnesses, inspect entities and files and compare testimonies. I had to apply domestic legislation to each recommendation and also consider international human rights standards. Recommendations had to contain general and specific points on how to end to the violation, modify legislation or implement corrective mechanisms, as well as recommendations as to victims' reparations. Once it was issued, each recommendation required a follow-up with the State agencies concerned to monitor its effective implementation. The role is similar to that of a judge with quasijudicial functions, and requires far reaching knowledge of international human rights law and national criminal and civil law. My duties included investigating specific and/or regional human rights situations and writing chapters of the annual human rights report submitted to Congress. I submitted reports for each cycle of the Universal Periodic Review and to the human rights treaty bodies and special procedures of the Human Rights Council, and personally attended sessions thereof. I participated in and spoke at countless forums and seminars at regional and global level and conducted on-site research and survey visits. I also exchanged experiences with other Ombudspersons of the Ibero-American region. The INDDHH is the National Preventive Mechanism for the prevention of torture. In the exercise of this mandate, I visited detention centres and prisons, held interviews with detainees and officials and prepared the relevant reports. - This was the institution's first mandate, and as a member of the Board of 4 Directors I was responsible for founding the institution, preparing its strategic plan, its areas of work, hiring staff, supervising staff and the operation of the Institution, and preparing its the budget to ensure that funds were correctly allocated.

02/2006–05/2012: Center for Justice and International Law (CEJIL), Washington D.C., USA.

Deputy Director.

The Deputy Executive Director directs all areas of the Organization's work. In that capacity I was responsible for supervising the work of four offices in Latin America, their financial and human resources and the appropriate use thereof. The Executive Director and the Deputy Director are responsible for deciding strategic litigation before the Inter-American Court of Human Rights and Commission on Human Rights. CEJIL, together with 400 associated North American, Latin American and Caribbean organizations, represents over 10'000 victims and

beneficiaries of protection measures in over 300 cases (and precautionary and provisional measures) before the Inter-American Commission on Human Rights (IACHR) and the Inter-American Court of Human Rights. The objective of strategic litigation is to provide reparations to the victims of the case, and, through rulings, to force structural changes in State practices, public policies and domestic legislation in order to prevent future violations. The litigation of a case and the outcomes thereof have a marked impact on patterns of human rights violations and on situations involving invisible violations not only in the respondent State, but also in the region. Furthermore, the standards of protection developed in judgments are relevant to many other cases in other international protection systems. CEJIL frequently intervenes before government officials, OAS political bodies, the IACHR and the Inter-American Court to advocate for greater transparency, dialogue, accessibility and effectiveness of the bodies of the Inter-American System. As Deputy Executive Director, I was in charge of all the above.

As Deputy Director I was responsible for the legal representation of multiple cases and thematic hearings before the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, leading the litigation of cases of enormous complexity linking international human rights law, international humanitarian law and national legal frameworks throughout the Americas and the Caribbean. Litigating a case before the Inter-American Court of Human Rights is a long process that requires a sophisticated legal strategy. It calls for detailed knowledge of both the domestic legal framework and of the international judicial process. In order to successfully litigate a case, I had to know the local context of the place where the events occurred and question victims and witnesses multiple times. It also involved working with experts and witnesses within the litigation strategy. The cases must be documented to furnish robust supporting evidence. I had to write all the submissions in the proceedings and participate in the hearings. International litigation taught me to produce refined legal argumentation. To present a case before the Court, victims, witnesses and experts had to be examined, and I had to respond to the opposite party and present oral arguments. The cases I litigated are complex, they have a substantial national impact and take place in very sensitive contexts. I had to carry out investigative work and on-site visits to the scene, and have detailed knowledge of certain aspects of domestic and comparative law and international procedure, as well as of national, comparative and international jurisprudence.

I litigated cases related to children born in captivity under regimes of oppression and during civil wars, on the right to recover identity, enforced disappearances, massacres, the murder of human rights defenders, the violation of the freedom of expression, political killings, situations of people subjected to torture or other forms of violation of personal integrity, extrajudicial executions, gender violence, access to the right to education, the violation of the rights of migrants and to stateless persons.

06/2005 –
02/2006:

Office of the United Nations High Commissioner for Human Rights (OHCHR).

National Consultant on Human Rights and Legislative Policy. Montevideo, Uruguay.

The United Nations Development Programme (UNDP) and the Office of the

United Nations High Commissioner for Human Rights (OHCHR) carried out a project to provide technical assistance to the Uruguayan Congress

(URU/04/010). The general objective of the project was to assist it in enhancing its capacity to respond effectively to the challenges of a modern Congress, thereby strengthening its role in the promotion and protection of human rights. The following objectives were prepared under my responsibility:

- (1) Strengthening the constitutional role of the Chamber of Representatives and Senators;
- (2) Enhancing the administrative management and human resources capacity of Congress; and
- (3) Strengthening the Assembly's control functions and its relations with Uruguayan society. The work was carried out remotely from January 2005 to June 2005

02/2004–08/2004: Association for the Prevention of Torture (APT).

Programme Officer for the Americas, Geneva, Switzerland.

My role, in coordination with States, was to lead a campaign in the Americas for the ratification and implementation of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) and implementation of the National Preventive Mechanisms for the prevention of torture (NPM).

07/1994-01/2004 Peace and Justice Service (SERPAJ-URUGUAY).

Director of the Program for the Promotion and Defense of Civil and Political Rights

Between 1994 and 2004 I directed the Program for the Defense of Civil and Political Rights of Serpaj, the largest domestic non-governmental human rights organization. I received petitions and complaints concerning human rights violations and provided legal representation to petitioners before national criminal courts. I organized and conducted litigation and represented the organization on such matters in contacts with the media. I was also responsible for preparing reports intended for the treaty bodies on the human rights situation in the country.

I also had two other main duties: visiting, monitoring and reporting on detention centers for adults and minors, and preparing (writing and editing) the Annual Report on Human Rights, a reference publication consulted by academics, students, media workers, activists and governmental and foreign authorities.

07/1998-07/2002: Peace and Justice Latin America Service (SERPAJ-AL).

I was responsible for the strategic planning and supervision of all Latin American offices, working as an advisor with Adolfo Perez Esquivel, Nobel Peace Prize Laureate, as well for preparing national and continental campaigns for the promotion and protection of human rights and non-violent actions.

SERPAJ Latin America has consultative status with the UN in the United Nations Educational, Scientific and Cultural Organization (UNESCO) and with the United Nations Economic and Social Council (ECOSOC).

Other professional activities

2018-2019: Legal advisor, Organization of American States (OAS), Washington D.C., USA, on relations with the International Criminal Court

2018: Advisor on domestic legislative reforms relating to the media, freedom of expression and access to information, Office of the Special Rapporteur

- for Freedom of Expression, Inter-American Commission on Human Rights.
- 2018: Advisor on the consular treatment and protection of non-nationals, Auschwitz Institute, Genocide and Mass Atrocities Prevention, Washington D.C., USA
- 2014 –
- 2017: Academic Director, Post Graduate Degree: “Human Rights, Democracy and the Rule of Law”, Latin American Faculty of Social Sciences (FLACSO), Uruguay
- 2014 – present: Member, Latin America Network for the Prevention of Genocide and Mass Atrocities, Auschwitz Institute for Peace and Reconciliation
- 2014 – present: Strategic Advisor, campaign to promote gender parity in international tribunals and bodies (GQUAL)
- 2014 – present: Member of the group of experts, Mandela Dialogue Memory Work, the Nelson Mandela Foundation Centre of Memory

Most relevant publications

“Complicidad Económica y Derecho Uruguayo” [Economic Complicity and Uruguayan Law] (co-authored), in *El Negocio del Terrorismo de Estado, Los Cómplices Económicos de la Dictadura Uruguaya*, Bohoslavsky, J. P. (Coordinator), Editorial Sudamericana, Montevideo, Uruguay, 2016.

“Capítulo Uruguay” [Uruguay Chapter] in *Federación Iberoamericana de Ombudsman, XIII Informe sobre Derechos Humanos, Transparencia e Información pública*, Escobar G. (Director), Trama Editorial, Madrid, Spain, 2015.

“Derechos Humanos y Política en el Ciclo Electoral” [Human Rights and Politics in the Electoral Cycle] in *Políticas en Tiempos de Mujica III a un Año de las Elecciones Nacionales*, Instituto de Ciencias Políticas de la Facultad de Ciencias Sociales, Estuario Editoras, Montevideo, Uruguay, 2014.

“Contribuciones a una Política Anti-Tortura en Uruguay” [Contributions to an Anti-Torture Policy in Uruguay] (coauthored), in *Próximos pasos hacia una política penitenciaria de derechos humanos en Uruguay, Ensayos de Seguimiento a las Recomendaciones de 2009 y 2012 de la Relatoría de Naciones Unidas contra la Tortura*, Center 7 for Human Rights and Humanitarian Law, Anti-Torture Initiative, American University (WCL), Washington D.C., USA, 2014.

“La Sentencia de la Corte Interamericana en el Caso Gelman vs. Uruguay” [The Inter-American Court Ruling in the Gelman vs Uruguay Case] (co-authored) in *Derechos Humanos en el Uruguay, Informe 2011*, Montevideo, Uruguay SERPAJ, 2011

“El Caso Gelman y los Desafíos a la Ley de Caducidad” [The Gelman Case and the Challenges of the Expiration Law] in *Luchas Contra la Impunidad, Uruguay 1985-2011*, Ediciones Trilce, Montevideo, Uruguay, 2011.

“Promoting Safeguards through Detention Visits”, *Human Rights Brief Volume 18, Issue 4*, Spring 2011, Special Edition, Washington D.C., USA, 2011.

Torture in International Law-A guide to Jurisprudence (Reviewer), Center for Justice and International Law and the Association for the Prevention of Torture, Geneva, Switzerland, 2008. Spanish edition: FolioUno SA.

“Truth, Justice & Reparation. The Rights of Victims in the Peace and Justice Process in Colombia, with a Focus on Female Victims and in Medellín”, report from a Mission in Colombia (co-authored), Swedish Foundation for Human Rights, 2007.

“Investigación Histórica sobre Detenidos Desaparecidos, en cumplimiento del Artículo 4 de la Ley No. 15.848, solicitada por la Presidencia de la República” [Historical Investigation of

enforced disappearances in compliance with Article 4, Law No. 15.848, requested by the Presidency of Uruguay] (co-authored), Rico, A. (Coordinator), Montevideo, Uruguay, 2007.

“Estándares de Derechos Humanos Relativos a la Justicia (No Impunidad y Proporcionalidad)” [Human Rights Standards in Justice (No Impunity and Proportionality)] in *Desaparición forzada, política criminal y procesos restaurativos, Dilemas y desafíos de la verdad, la justicia y la reparación en el contexto colombiano*, Fundación Social & al., Bogotá, Colombia, 2006.

“Estudio sobre Armonización Legislativa Conforme a los Tratados de Derechos Humanos Ratificados por Uruguay u Otras Normas Legales con Fuerza vinculante” [Studies on Legislative Harmonization in Accordance with the Human Rights Treaties Ratified by Uruguay and Other Legal Norms with Binding Force] (manuscript evaluator), Office of the United Nations High Commissioner for Human Rights and the United Nations Development Program, Montevideo, Uruguay, 2006.

Most relevant seminars

Member of the Group of Experts responsible for preparing the Inter-American Commission on Human Rights Strategic plan 2017 – 2020.

"United Nations body strengthening: what strategy ahead on the 2020 review?", Geneva, Switzerland, May 2017.

“Conferencia sobre la lucha contra la impunidad de crímenes complejos. Experiencias de la Corte Penal Internacional y de Argentina” [Conference on the fight against impunity for complex crimes. The experiences of the International Criminal Court and of Argentina], Ministry of Foreign Affairs, International Trade and Worship, Buenos Aires, Argentina, April 2017.

“Seminario sobre el Sistema de Justicia creado por el Estatuto de Roma de la Corte Penal Internacional” [Seminar on the Judicial System created by the Rome Statute of the International Criminal Court], Ministry of Justice and Human Rights of Argentina and Parliamentarians for Global Action, House of Representatives, Buenos Aires, December 2016.

“Seminario Parlamentario: Apoyo a la Corte Penal Internacional: dile No a la impunidad de los crímenes internacionales y Sí a la reparación para las víctimas” [Parliamentary Seminar: Supporting the International Criminal Court. Say no to impunity for international crimes and yes to victims redress], Senate of Uruguay and 8 Parliamentarians for Global Action, Montevideo, Uruguay, September 2016.

Raphael Lemkin Seminar on Genocide and Mass Atrocities Prevention, Latin America Network, The Auschwitz Institute for Peace and Reconciliation, Santiago de Chile, Chile, May 2015.

Raphael Lemkin Seminar on Genocide and Mass Atrocities Prevention, Latin America Network, The Auschwitz Institute for Peace and Reconciliation, Oswiecim, Poland, October 2014.

Mandela Dialogue Memory Work -Dialogue 3, Phnom Penh, Cambodia, July 2014.

Mandela Dialogue Memory Work-Dialogue 2, Berlin, Germany, March 2014.

Mandela Dialogue Memory Work-Dialogue 1, Eschborn and Johannesburg, South Africa, November 2013

Presentations upon special invitations (the most prominent ones)

“Construcción de espacios de participación y diálogo entre los Estados y Sociedad Civil para la protección de los derechos humanos” [Creating spaces for the participation of and dialogue between States and Civil Society for the protection of human rights], III Foro del Sistema Interamericano de Derechos Humanos, Quito, Ecuador, November 2019.

“PRESENCIA DEL PASADO, URGENCIAS DEL PRESENTE, Los pasados autoritarios y totalitarios y los desafíos de las democracias contemporáneas” [PRESENCE OF THE PAST, URGENCY OF THE PRESENT, authoritarian and totalitarian pasts and the challenges of

contemporary democracies], CONFERENCIA INTERNACIONAL UNESCO, Buenos Aires, Argentina, June 2019.

“La ratificación e internalización de los tratados internacionales de derechos humanos en la legislación nacional, desafíos y oportunidades en la región” [The ratification and implementation of international human rights treaty bodies at the domestic level, challenges and opportunities in the region], Regional Seminar for Latin American Members of Parliamentary Commissions of Human Rights, organized by the OHCHR Regional Office for South America, School of Government, House of Representatives, Legislative Branch, Colonia del Sacramento, Uruguay, April 6-7, 2017.

“El pensamiento de Hannah Arendt” [the Hannah Ardent Legacy], Public National Library, Montevideo, Uruguay, March 30, 2017.

“Jornada de reflexión sobre convivencia ciudadana” [Reflexions on the coexistence of citizens in society], House of Representatives and the INDDHH, Montevideo, Uruguay, 7 March 2017.

“Hacia la Paridad de Género en la Representación Internacional” [Towards Gender Parity in International Representation], XIIIth Regional Conference on Women in Latin America and the Caribbean of the Economic Commission for Latin America and the Caribbean, Montevideo, Uruguay, 27 October, 2016.

“El Sistema Universal y el Sistema Inter-Americano de Protección de los Derechos Humanos” [The United Nations Human Rights System and Inter-American Human Rights System], Office of the State Prosecutor, Training Centre, Montevideo, Uruguay, 27 October 2016.

“Los Desafíos en Torno a una Agenda de Prevención que articule esfuerzos Institucionales” [the challenges of a prevention agenda that articulates Inter-Institutional efforts], Course on international and regional early warning mechanisms and public policies for the prevention of mass atrocities, Universidad Externado de Colombia and the Auschwitz Institute for Peace and Reconciliation, in collaboration with the United Nations Special Adviser on the prevention of genocide, Bogota, Colombia, 14-17 September 2016.

“The Mandela Rules”, the New International Rules on Human Rights and Prisons called the Mandela Rules, Chamber of Senators, Legislative Power, Montevideo, Uruguay, 23 June 2016.

“Concentración de Medios y Leyes de Comunicación Audiovisual en la Región” [Concentration of Media Ownership and Audiovisual Media Laws in the Region], Annual conference of the Organization of News Ombudsmen (ONO) and the IVth Ibero-American Seminar of News Ombudspersons/Ouvidorias, Buenos Aires, Argentina, April 2016.

“La Dimensión Sustancial del Estado de Derecho” [The Substantial Dimension of the Rule of Law], Law School, Universidad de la República, Montevideo, Uruguay, April 2016.

“Atrocidades Masivas y Violaciones a los Derechos Humanos en Latino América en los 70s y 80s” [Atrocities and Human Rights Violations in Latin America in the 70s and 80s], Texas Christian University, Discovering Global Citizenship, Fort Worth, Texas, USA, March 2016.

“Hacia Nuevas Defensorías. El Desafío de la Implementación, la Permanencia y la Incidencia” [Towards New Organizations of News Ombudsmen. The Challenge of Implementation, Permanence and Impact], Congreso Latinoamericano de Defensorías de las Audiencias, Cartagena de Indias, Colombia, 23-25 November 2015.

“Diálogo sobre instituciones públicas en derechos humanos en el MERCOSUR” [Dialogue on Human Rights Public Institutions in the MERCOSUR], Institute of Public Policies on Human Rights (IPPDH), Mercosur, and the Embassy of the Federative Republic of Brazil in Argentina, Buenos Aires, Argentina, 25 September 2015.

“Posibilidades de las Defensorías del Pueblo para Avanzar en el Cumplimiento de las Decisiones de los Órganos del Sistema Inter-americano: la Experiencia Uruguaya” [Possibilities for the Ombudsman’s Offices to Advance in the Implementation of the Decisions of the InterAmerican System: The Uruguayan Experience], in La implementación de las decisiones de los órganos del Sistema Interamericano y la Administración de Justicia:

Sinergias, Tensiones y Posibilidades, international seminar, Centre for Justice and International Law, San José de Costa Rica, Costa Rica, 24-25 November 2014.

“Derecho a una Vida Libre de Violencia. Una ley Integral, Contribuye al Goce de ese Derecho?, Género y Autonomía: El ejercicio de los Derechos” [A Life Free of Violence. Does a Comprehensive Law Contribute to the Enjoyment of That Right?], Law School, University of the Republic, Montevideo, Uruguay, December 2013.

“La Cadena Pro Bono: Comunidad Legal & Acceso a la Justicia” [The Pro Bono Chain: The Legal Community and the Access to Justice], International Seminar: “Profesión Legal & Pro Bono: Fortaleciendo el Acceso a la Justicia” [the Legal Profession, Pro Bono: Strengthening Access to Justice], Foundation Pro Bono Chile and Cyrus Vance Center, New York Bar Association, Santiago de Chile, Chile, April, 2011.

Promoting Safeguards through Detention Visits, Promoting collaboration. Meeting of experts on the conditions of detention world-wide, American University, Washington College of Law & the Association for the Prevention of Torture, Washington D.C., USA, March 2011.

“La Relación de la Unión Europea con los Mecanismos de Derechos Humanos Regionales” [The Relationship of the European Union with Regional Human Rights’ Mechanisms], Human Rights Instruments and the Lisbon Treaty, the state of play and the path ahead, 12th Forum of Non-Governmental Human Rights Organizations of the European Union, Brussels, Belgium, July 2010.

“Litigio del Caso Gelman vs. Uruguay” [The Gelman v. Uruguay Case] in Primeras Jornadas de Políticas Públicas de Derechos Humanos: Memoria, Justicia, Reparación, University of the Republic, School of Psychology, Montevideo, Uruguay, June 2010.

Four “case studies” of the Inter-American System to promote gender litigation in Africa, INTERIGHTS, Dar esSalam, Tanzania, 2010.

“Monitoreo Democrático” [Democratic Monitoring], in El Rol del Monitoreo Democrático en el Combate a la Corrupción, La Experiencia Peruana, World Bank, Washington D.C., USA, November 2007.

“Marcos Legales” [Legal Frameworks], in El marco Legal para los Procesos de Desmovilización en Colombia, Latin American Committee of the Sweden Congress, Stockholm, Sweden, May, 2007.

Membership of profesional associations and societies

APPOINTED MEMBER

Designated member, Honorary Academic Advisory Council of the Institute of Public Policies on Human Rights 10 (IPPDH) of Mercosur, 2015-2020

Member, Genocide and Mass Atrocities Prevention, Latin America Network, The Auschwitz Institute for Peace and Reconciliation (AIPR), 2014-Present

GQUAL-Strategic Advisor, A Campaign to promote gender parity in international tribunals and bodies, 2014- Present

Designated Member, The GIZ Global Leadership Academy and the Nelson Mandela Foundation Centre of Memory, 2013-Present

PROFESSIONAL MEMBERSHIPS

Hubert H. Humphrey Fellowship, Fulbright Commission, 2004-Present

National Association of Notaries, 1990-Present

Awards and honours

Fellowship, Hubert H. Humphrey-Fulbright, administered by the International Education Institute in cooperation with the network of Universities in the USA with the support of the

Department of State of the United States of America, American University, Washington College of Law, Washington D.C., USA, 2004-2005

Certificate of successful completion of academic studies and professional development, Law School, Washington College of Law, American University, Hubert H. Humphrey Programme, Washington D.C., USA, 2004-2005 (Fellowship).

Reward following the presentation of theoretical research on the human rights of women, co-sponsored by the Centre for Justice and International Law and the Inter-American Institute of Human Rights, Washington D.C., USA (2002).

Full scholarships awarded by the Inter-American Institute of Human Rights, Academy of International Law in The Hague and the International Service for Human Rights.

Personal interests

Reading (non-fiction), history and politics, cinema, swimming and spending time with friends

Other relevant facts

Some of the cases litigated before the Inter-American Court of Human Rights:

I/A Court H.R., Case of Rodríguez Vera et al. (The Disappeared from the Palace of Justice) v. Colombia. Preliminary Objections, Merits, Reparations and Costs, Judgment November 14, 2014. Series C No. 287.

I/A Court H.R., Case of Uzcátegui et al. v. Venezuela. Merits and reparations. Judgment September 3, 2012. Series C No. 249.

I/A Court H.R., Case of Gonzalez Medina and family v. Dominican Republic. Preliminary Objections, Merits, Reparations and Costs, Judgment February 27, 2012. Series C No. 240.

I/A Court H.R., Case of the Barrios Family v. Venezuela. Merits, Reparations and Costs. Judgment November 24, 2011. Series C No. 237.

I/A Court H.R., Case Gelman v. Uruguay. Merits and Reparations. Judgment February 24, 2011 Series C No. 221.

I/A Court H.R., Case of Gomes Lund et al. ("Guerrilha do Araguaia") v. Brazil. Preliminary Objections, Merits, 11 Reparations, and Costs. Judgment November 24, 2010. Series C No. 219.

I/A Court H.R., Case of Anzualdo-Castro v. Peru. Preliminary Objection, Merits, Reparations and costs. Judgment September 22, 2009. Series C No. 202.

I/A Court H.R., Case of the Rochela Massacre v. Colombia. Merits, Reparations and Costs. Judgment May 11, 2007. Series C No. 163.

I/A Court H.R., Case of La Cantuta v. Peru. Merits, Reparations and Costs. Judgment November 29, 2006. Series C No. 162.

Particularly noteworthy was the Gelman v. Uruguay case, which ordered the Uruguayan State to make a public declaration recognizing victims Juan and Macarena Gelman and to review the Law on the Expiration of the Punitive Claims of the State.

14. SALVADOR CRESPO, Íñigo Francisco Alberto (Ecuador)

[Original: Spanish]

Note verbale

The Embassy of the Republic of Ecuador to the Kingdom of the Netherlands presents its compliments to the Honourable Secretariat of the Assembly of States Parties of the Rome Statute of the International Criminal Court and, with reference to the latter's Note No. ICC-ASP/19/SP/01 of 20 December 2019, has the honour to inform that the Government of the Republic of Ecuador has decided to present the nomination of doctor Íñigo Salvador Crespo as a candidate for election as a judge of the International Criminal Court under List B, to be elected during the nineteenth session of the Assembly of States Parties in New York, from 7 to 17 December 2020.

Doctor Salvador Crespo enjoys the highest moral character and is reputed in the Republic of Ecuador for his integrity and impartiality throughout his professional and academic career as a diplomat, international official, free-practicing lawyer, professor, university dean and currently Attorney General of the State. The candidate holds recognized competence in relevant matters of public international law, particularly international humanitarian law and international criminal law.

The Embassy of the Republic of Ecuador has the honour to attach to this note the curriculum vitae of the candidate and a statement prepared in accordance with the requirements set forth in paragraphs 3, 4 and 8 of article 36 of the Rome Statute and paragraph 6 of resolution ICC-ASP/3/Res.6. The candidature of doctor Salvador Crespo has been endorsed by the members of the Ecuadorian National Group to the Permanent Court of Arbitration, in conformity with the procedure provided for the nomination of candidates for the International Court of Justice in the Statute of that Court.

Statement of qualifications

Statement in the necessary detail specifying how the candidate Dr Íñigo Salvador Crespo fulfils the requirements stipulated in article 36, paragraphs 3, 4 and 8 of the Rome Statute, and paragraph 6(g) of resolution ICC-ASP/3/Res.6.

On article 36, paragraph 3(a) of the Rome Statute

Dr Íñigo Salvador Crespo is a person of the highest moral character, renown in the Republic of Ecuador for his professional and academic impartiality and integrity as a diplomat, international official, attorney in private practice, professor and university dean. Since 31 July 2018, upon his appointment by the Council for Public Participation and Social Control, he has served as State Attorney General, a post for which the Constitution of the Republic of Ecuador requires the following:

Article 236. The Council for Public Participation and Social Control shall appoint the State Attorney General from a shortlist of candidates submitted by the Office of the President of the Republic. The shortlist shall apply the criteria of speciality and merit, and shall be subject to public scrutiny and to the right of citizens to appeal. The candidate must meet the same requirements as members of the Constitutional Court.

Article 433. To be appointed, a member of the Constitutional Court must: 1. Be an Ecuadorian national and in possession of political rights. 2. Hold a university law degree which is legally recognized in the country. 3. Have practiced with particular integrity the profession of attorney, judge or university law professor for a minimum of ten years. 4. Manifest integrity and ethics. 5. Not belong or have belonged, over the past ten years, to the executive board of any political party or movement.

On article 36, paragraph 3(b)(i) of the Rome Statute

Since his appointment as State Attorney General, Dr Salvador has participated as the legislatively mandated special prosecutor in numerous criminal trials in which the State was a victim of the crime prosecuted, in close collaboration with the Office of the State Prosecutor, which conducts the public prosecution. To do so requires comprehensive knowledge of the Criminal Code (in force until August 2014) and Comprehensive Organic Criminal Code (in force as of August 2014) –which includes both substantive criminal rules and procedural rules– and the ability to apply them.

Dr Salvador has also represented the Ecuadorian State in petitions against the Republic of Ecuador before the Inter-American Commission on Human Rights and at trials before the Inter-American Court of Human Rights, which calls for a thorough knowledge of the regulations and jurisprudence of the Inter-American Human Rights System.

On article 36, paragraph 3(b)(ii) of the Rome Statute

Dr Íñigo Salvador obtained his title Doctor of Jurisprudence at the Catholic University of Ecuador, having researched, drafted and defended a thesis on “Delitos contra la paz y seguridad de la humanidad” [Crimes against the peace and security of humanity], which was awarded the highest grade available and subsequently published by the Documentation Centre of the Catholic University of Ecuador under the title “Derecho Internacional Penal. Estudios en perspectiva” [International Criminal Law. Studies in perspective]. He later completed postgraduate studies in International Law.

He has held a chair in Public International Law at the Catholic University of Ecuador for over 20 years. Whilst it was directed by Dr Íñigo Salvador, the Research Centre for International Law of the Catholic University of Ecuador, under the terms of an academic cooperation agreement with the International Committee of the Red Cross (ICRC), added courses in international criminal law and the international law of armed conflicts to the syllabus of the Faculty of Jurisprudence, of which he was in charge for a number of semesters. He also taught international criminal law and international humanitarian law at training events organized by the ICRC in Ecuador and in other countries.

Dr Salvador was the Ecuadorian member of the legal team that represented the Ecuadorian State before the International Court of Justice in the Aerial Herbicide Spraying case (Ecuador v. Colombia), which began in 2008 and was settled amicably by agreement in 2013. Other members of the same team were professors Pierre-Marie Dupuy, Philippe Sands, Alan Boyle and attorney Paul Reichler and his team from the law firm Foley Hoag.

Dr Salvador has published many articles in specialised journals and has lectured at events on international law, international criminal law, international humanitarian law, and so on.

Dr Salvador was an attorney in private practice until July 2018.

On article 36, paragraph 3(c) of the Rome Statute

Dr Íñigo Salvador’s mother tongue is Spanish. He can read, write and speak fluent English and read and speak fluent French.

On article 36, paragraph 5 of the Rome Statute (with reference to article 36, paragraph 3(b)(i) and (ii))

Dr Íñigo Salvador is being nominated for inclusion in List B based on his established competence in relevant areas of international law (in particular international humanitarian law and international criminal law), acquired through his academic training and subsequent teaching and practice as an attorney.

However, given that since his appointment as State Attorney General, Dr Salvador has been legislatively mandated, in representation of the State, as the special prosecutor in many criminal cases under Ecuador's domestic jurisdiction and in various petitions against the Republic of Ecuador before the Inter-American Commission on Human Rights and in trials before the Inter-American Court of Human Rights, he also has the profile required for list A.

On article 36, paragraph 8(b) of the Rome Statute

Dr Íñigo Salvador does not have any of the specializations stipulated in the provision above.

On article 36, paragraph 4(a) of the Rome Statute

Dr Íñigo Salvador's nomination was firmly endorsed by the members of the Ecuadorian National Group to the Permanent Court of Arbitration, Dr Carlos Estarellas Velásquez, Dr José María Pérez Nelson, Dr Diana Salazar Méndez and Dr Gonzalo Salvador Holguín; thus it complies with the provisions of article 4 of the Statute of the International Court of Justice and with article 36, paragraph 4(a)(ii) of the Rome Statute: "Nominations of candidates for election to the Court may be made by any State Party to this Statute, and shall be made either: (...) (ii) By the procedure provided for the nomination of candidates for the International Court of Justice in the Statute of that Court".

However, in so far as Dr Íñigo Salvador was appointed State Attorney General by the Council for Public Participation and Social Control, having fulfilled all the requirements of articles 120, 236 and 433 of the Constitution of the Republic, which, for this post, provide for conditions equivalent to those required for appointment as a judge of the Constitutional Court, the highest court of justice in the country, his nomination also meets the requirements of article 36, paragraph 4(i)(a) of the Rome Statute: "Nominations of candidates for election to the Court may be made by any State Party to this Statute, and shall be made either: i) By the procedure for the nomination of candidates for appointment to the highest judicial offices in the State in question; ...".

The above constitutional articles provide as follows [TRANSLATION]:

Article 120. The National Assembly shall have the following attributions and duties, in addition to those provided for by law:

(...)

11. To swear into office the highest authority of the Office of the State Attorney General, the Office of the Comptroller General, the Office of the State Prosecutor, the Office of the Human Rights Ombudsman, the Office of the Attorney for the Defence of the People, Supervisory bodies and members of the National Electoral Council, the Judiciary Council and the Council for Public Participation and Social Control.

Article 236. The Council for Public Participation and Social Control shall appoint the State Attorney General from a shortlist of candidates submitted by the Office of the President of the Republic. The shortlist shall apply the criteria of speciality and merit, and shall be subject to public scrutiny and to the right of citizens to appeal. The candidate must meet the same requirements as members of the Constitutional Court.

Article 433. To be appointed, a member of the Constitutional Court must: 1. Be an Ecuadorian national and in possession of political rights. 2. Hold a university law degree which is legally recognized in the country. 3. Have practiced with particular integrity the profession of attorney, judge or university law professor for a minimum of ten years. 4. Manifest integrity and ethics. 5. Not belong or have belonged, over the past ten years, to the executive board of any political party or movement.

On paragraph 6 (g) of resolution ICC-ASP/3/Res.6

Dr Íñigo Salvador is committed to being available to take up full-time service when the International Criminal Court's workload so requires.

Curriculum vitae**Personal data**

Family name: Salvador Crespo
 First name: Íñigo Francisco Alberto
 Gender: Male
 Date of birth: 23 October 1960
 Nationality: Ecuadorian
 Regional criteria: GRULAC
 Marital status: Married
 List A / List B: List B
 Languages: Mother tongue: Spanish
 English: (written) Advanced;(oral) Advanced
 French: (written) Intermediate; (oral) Intermediate
 Italian: (written) Basic; (oral) Basic

Educational qualifications

2010 Universidad Andina Simón Bolívar, Quito
 Master's in international Relations, specialization in international negotiations and conflict management (equivalence of GIIS degree, below)

1990 – 1994 The Graduate Institute of International Studies, Geneva
 Master's Degree (*Diplôme d'Études Supérieures*) in International Relations, specialization in International Law

1985 – 1987 Pontifical Catholic University of Ecuador, Quito
 Doctor in Law

1979 – 1985 Pontifical Catholic University of Ecuador, Quito
 License in Juridical Sciences

Specialization Studies

01/1985 – 05/1985 Fondazione di Ricerche e Studi Internazionali (International Research and Studies Foundation), Florence, Italy
 International relations specialization course.
 Concentration on European Communities' legal structure (European Union now)

07/2013 International Institute of Humanitarian Law, San Remo, Italy
 XIII International Humanitarian Law Summer Course, San Remo, Geneva

08/2010 Geneva Academy, Academy of International Humanitarian Law and Human Rights

Advanced workshop on International Humanitarian Law for
University Professors

Professional experience

07/2018 – present Procuraduría General del Estado (Office of the State Attorney-General)

State Attorney-General

Highest authority at the State Attorney-General's Office. The State Attorney-General appears in representation of the State of Ecuador and its agencies before domestic courts in matters constitutional, criminal (private prosecution), administrative, labour and civil, as well as before international tribunals, both general and of Human Rights, arbitration tribunals and foreign courts; provides legal counsel and issues legal binding opinions to government agencies, regarding the general interpretation and application of the law; keeps legal control of acts and contracts of government agencies.

12/2015 – 07/2018 Law firm ARS BONI & AEQUI, Quito

Managing Partner

Mr Salvador dealt with International Law cases, in particular in the field of judicial settlement of conflicts between States before international tribunals and arbitration. Intellectual property (patents, trademarks and copyright). Oil and mining. Torts (mainly arising of airplane accidents): claims and compensation negotiations. Environmental Law. Andean Community Law. General advice on relations with the Ecuadorian Public Administration. General management of the law firm. Independent arbitrator.

08/2007 – 11/2015 Law firm of Peñaherrera Ponce & Salvador, Quito.

Partner, August 2007-November 2015. Managing Partner, January 2010 – January 2012

Mr Salvador dealt with International Law and Intellectual Property cases. Mr Salvador was the only Ecuadorian lawyer in the legal team that advised the Government of Ecuador in the "Case concerning Aerial Herbicide Spraying (Ecuador v. Colombia)" brought before the International Court of Justice in 2008 (settled in 2013). Member of the tribunal who selected de members of the Intellectual Property Committee of the Ecuadorian Institute of Intellectual Property (IEPI), 2014.

07/1997 – 07/2007 Law firm of Crespo Abogados, Quito.

Managing Partner. August 1998-July 2007.

Mr Salvador dealt with cases in the fields of International Law, Intellectual Property Law, etc. General management of the law firm activities.

03/1997 – 07/1997 National Program for the Reform of the Judiciary (Programa Nacional de

Apoyo a la Reforma de la Administración de Justicia) (ProJusticia), Quito
Executive Director.

Direction and management of the Coordination Unit in charge of the execution of the Integral Plan for the Reform of the Judiciary in Ecuador, funded by the World Bank, Inter-American Development Bank, USAID and UNICEF, for USD 17 million.

09/1996 – 03/1997 Fundación Futuro Latinoamericano (FFLA), Quito

Director

Mr Salvador designed and supervised the execution of projects funded by international multilateral organizations and private donors, with a view to the adoption of public policies in fields related to sustainable development and socio-environmental conflict management in Latin America. Mr Salvador was also in charge of the general management of the organization, which included other two professionals and up to six administrative assistants.

07/1992 – 08/1996 United Nations Security Council, United Nations Compensation Commission (UNCC), Geneva

Legal Officer, Head "A" Claims Unit (Departure from Iraq or Kuwait)

Mr Salvador led a team consisting of other three lawyers and not less than ten para-legal assistants, consultants and clerks in the process of examining more than 900,000 claims that were submitted to UNCC by individuals seeking compensation for their forced departure from Iraq or Kuwait as a result of Iraq's invasion in 1990-1991. Interpreting and applying the relevant Security Council resolutions and other legal texts. Designing and implementing innovative mass claims processing techniques (including computerized matching, sampling, etc.) which involve a wide use of computer resources, thus allowing for the approval of close to 800,000 claims worth approximately 2.9 billion dollars. Drafting reports presenting these results for approval to a Panel of Commissioners (arbitrators), presided over by the late José María Ruda, former President of the International Court of Justice (ICJ).

01/1988 – 06/1992 Permanent Mission of Ecuador to the United Nations Office, Geneva

Second Secretary. First Secretary. Counsellor

Mr Salvador contributed to the formulation of national positions concerning issues dealt with by various international organizations (inter alia UNCC, ILO, UNCTAD, WHO); participating as Ecuadorian delegate in meetings of those organizations, many of which involved sensitive negotiations resulting in the adoption of legal instruments, and drafting reports on those meetings to the Ministry of Foreign Affairs. Spokesman on commodity issues for the Latin American Group at UNCTAD (1991). Rapporteur of the Trade and Development Board, UNCTAD's executive body (1991-1992).

12/1982 - 12/1987 Ministry of Foreign Affairs, Quito

Third Secretary. Second Secretary

Various responsibilities, many of which involved legal issues, at several departments of the Ministry of Foreign Affairs (inter alia United Nations Department, Treaties Department, International Conferences Department and Department of National Sovereignty).

10/1980 – 11/1982 Supreme Court of Justice, Quito

Assistant to the Secretary of the 3rd Chamber.

Under the supervision of the Justices, writing draft judgments and interlocutory orders on civil and criminal issues. Processing of lawsuits and keeping of judgment records.

Other professional activities

05/2018 - present: Member of the Inter-American Juridical Committee, one of the principal organs of the Organization of American States (OAS); elected by the Permanent Council. The Committee serves the Organization as an advisory body on juridical matters to promote the progressive development and codification of international law and to study the possibility of standardizing legislation across the countries of the hemisphere.

Most relevant publications

- *Derecho internacional penal. Estudios en perspectiva* (International Criminal Law. Studies in perspective), Centro de Publicaciones de la Pontificia Universidad Católica del Ecuador, Quito, 1ª edición 2004, 1ª reimpresión 2006, 467 pp.
- “*La Facultad de Jurisprudencia de la PUCE y el Derecho Internacional Humanitario*” (The Law School of the Pontifical Catholic University of Ecuador and the study of International Humanitarian Law), en AA.VV., *Derecho Internacional Humanitario. Ayer y hoy*, Comité Internacional de la Cruz Roja y Centro de Publicaciones PUCE, 2018, Quito, págs. 23 a 34.
- “Making good for forced exodus: compensation for departure from Iraq or Kuwait – Claims of individuals: A Claims”, en Christopher Gibson et al. (eds.), *War Reparations and the Un Compensation Commission. Designing Compensation After Upheaval*, Oxford, Oxford University Press, 2015, págs. 221-241.
- “*El Ecuador y la doctrina del margen de apreciación en el Sistema Interamericano de Derechos Humanos*” (Ecuador and the appreciation margin doctrine in the Human Rights Inter-American System), en Paola Andrea Acosta Alvarado y Manuel Núñez Poblete (coords.), *El margen de apreciación en el Sistema Interamericano de Derechos Humanos: proyecciones regionales y nacionales*, Universidad Nacional Autónoma de México, 2012, págs. 239-270.
- “*El Derecho Internacional en la Constitución ecuatoriana de 2008: lo bueno, lo malo y lo feo*” (International Law in the Ecuadorian Constitution of 2008: the Good, the Bad and the Ugly), (en coautoría con María Fernanda Álvarez Alcívar), en *Estudios de Derecho Internacional. Libro Homenaje al profesor Hugo Llanos Mansilla*, Abeledo Perrot-Thompson Reuters, Santiago de Chile, 2012, vol. II, págs. 875-899.
- “*Aplicación del principio del ‘uti possidetis juris’ al conflicto territorial ecuatoriano-peruano a la luz de la jurisprudencia de la Corte Internacional de Justicia*” (Application of the Uti Possidetis Juris principle to the Ecuador-Peru territorial conflict in light of the ICJ jurisprudence), en *Libro de amigos de Jorge Salvador Lara*, Pontificia Universidad Católica del Ecuador, Quito, 2005.
- “*Tendencias en los litigios entre Estados de Iberoamérica ante la Corte Internacional de Justicia*” (Trends in litigation before the ICJ amongst Iberian American countries), en *Anuario del Instituto Hispano-Luso-Americano de Derecho Internacional (IHLADI)*, vol.19, Madrid, Tecnos, 2009, págs. 216-236.
- “*Dictamen de los Países Garantes = Laudo Arbitral. Una ecuación con más de una incógnita*” (Opinion by Guarantor Countries = Arbitration Award. An equation with more than one unknown), en *Revista de la Pontificia Universidad Católica del Ecuador*, Quito, No. 79, septiembre 2006.
- “*De Nuremberg a Roma. El largo periplo de la Corte Penal Internacional*” (From Nuremberg to Rome. The ICC’s long journey), en RFJ. *Revista de la Facultad de Jurisprudencia*, Pontificia Universidad Católica del Ecuador, No. 1, marzo 1999, págs. 213-244.

- "*Delitos contra la humanidad: el apartheid*" (Crimes against humanity: Apartheid), en Revista de la Asociación de Funcionarios del Servicio Exterior Ecuatoriano, No. 17, Quito, 1989.
- "*Delitos contra la humanidad: el genocidio*" (Crimes against humanity: Genocide), en Revista de la Asociación de Funcionarios del Servicio Exterior Ecuatoriano, No. 15, Quito, 1988.
- "*Delitos contra la humanidad*" (Crimes against Humanity), en Revista de la Asociación de Funcionarios del Servicio Exterior Ecuatoriano, No. 13, Quito, 1988.

Relevant academic activity

Pontifical Catholic University of Ecuador

Law School

- Dean, April 2016 – July 2018. Dean Salvador was a Member of the Expert Committee appointed by the Judiciary Council of Ecuador for the partial renewal of the National Court of Justice, 2017.
- Director, International Law Research Centre (CIDI). April 2008-April 2016.
- Lecturer, "Institutions of Public International Law". March 2001 to present (on leave).
- Lecturer, "Introduction to the Theory of Law". August 2014 to present (on leave).
- Lecturer, "International Criminal Law". March 2006 to present (on leave).
- Lecturer, "International Law of Armed Conflict", 2013 to present (on leave).

Ministry of Foreign Affairs,

Diplomatic Academy "Antonio J. Quevedo"

- Visiting lecturer: "Judicial settlement of international conflicts", April 1998; "Workshop on International Arbitration", August 2000; "International Criminal Law: Principles and Institutions", January 2003; "Trends in Latin American Litigation before the International Court of Justice", December 2007.

International Committee of the Red Cross

- Instructor, International Humanitarian Law Course, Universidad Inca Garcilaso de la Vega, Lima, 2014.
- Instructor, International Humanitarian Law Course "Marshall Andrés de Santa Cruz", La Paz, 2015,
- Instructor, several editions of the International Humanitarian Law Course "Marshall Antonio José de Sucre", Quito

Membership of professional associations and societies

Hispanic-Portuguese-American Institute of International Law, Miembro, 2008. Member of the Board of Directors, 2012-2016.

Personal interests

Author of the historical thriller *Miércoles Santo. Un caso de Nuño Olmos* (2013) (Holy Wednesday. A Nuño Olmos case) and of the historical novela *1822. Jóvenes generales* (1822. Young Generals) (to be published). Author of historical essays. Amateur painter. Birdwatcher. Classical music lover.

15. SAMBA, Miatta Maria (Sierra Leone)

[Original: English]

Note verbale

The Permanent Mission of the Republic of Sierra Leone to the United Nations in New York presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court, and has the honour to inform the latter that the Government of the Republic of Sierra Leone, following the decision of the autonomous Judicial and Legal Service Commission of Sierra Leone, has nominated Judge Miatta Maria Samba for election as a Judge of the court in List A, for the term 2021 to 2030. The elections will take place during the Nineteenth Session of the assembly of States Parties in December 2020 in New York

Judge Samba complies fully with the requirements of article 36, paragraph 3, and her competence, outstanding qualifications and experience would make her valuable in advancing the principles, objectives and values of the Rome Statute. Her nomination is also consistent with the commitment of the Republic of Sierra Leone and other States Parties to geographical and gender balance at the Court.

Judge Samba is of high moral character, integrity, and a record of impartiality. She has twenty years of international and domestic experience as a criminal law practitioner and judge. Internationally, she was an Associate Prosecutor at the Special Court of Sierra Leone, and Field Operations Officer for the Office of the Prosecutor of the International Criminal Court in Uganda. Domestically, Judge Samba was Senior Prosecutor at the Anti-Corruption Commission of Sierra Leone, before her appointment as a High Court Judge (the highest court of first instance for criminal cases). For further information on Judge Samba's extensive experience and knowledge in criminal law, international humanitarian law, international human rights law and rules of procedure and evidence, kindly find enclosed her curriculum vitae and statement of qualifications.

Judge Samba is currently a justice of the Court of Appeal of Sierra Leone and a judge of the Residual Special Court for Sierra Leone. She will be available for all nominations related activities, including interviews to be conducted by the Advisory Committee on Nominations (ACN) of Judges and the public roundtable(s). Judge Samba is committed to make herself available for bilateral engagements with States Parties in New York prior to the ACN interviews.

Statement of qualifications

This statement is made pursuant to article 36, paragraph 4 (a) of the Statute of the International Criminal Court.

The Government of Sierra Leone, following the decision of the autonomous Judicial and Legal Service Commission of Sierra Leone, has decided to nominate Judge Miatta Maria Samba for election as a Judge of the International Criminal Court for the term 2021 to 2030. The elections will take place during the Nineteenth Session of the Assembly of States Parties in December 2020 in New York.

1. Judge Miatta Samba fulfils the requirements in article 36 paragraphs 3 (a)(b) and (c) of the Rome Statute in that:
 - a) She is a distinguished jurist of high moral character, integrity, and has a record of impartiality and sound judgement. Judge Samba has over 20 years of international and domestic experience as a criminal law practitioner and judge. As a Judge of the Court of Appeals in the judiciary of Sierra Leone, Judge Samba possesses 5 years judicial experience and 15 years court experience as an advocate of the Superior Courts of Judicature. She is eminently qualified for the highest judicial office in Sierra Leone.

- b) Judge Samba has demonstrated superior competence in criminal law and procedure, having dealt with complex criminal cases at national level as a Senior Prosecutor at the Anti-Corruption Commission of Sierra Leone between 2010 and 2015 before her appointment as a High Court Judge (the highest court of first instance for criminal cases). As a High Court Judge and of the Court of Appeals since February 2019, Judge Samba hears and determines complex criminal cases, particularly having to do with corruption, theft and sexual violence, among other criminal offences.
 - c) Equally pertinent, Judge Samba's work as Associate Prosecutor at the Special Court of Sierra Leone demonstrated very high levels of professionalism as well as solid competence in criminal law, humanitarian law, international human rights law and rules of procedure and evidence. In that position, from October 2002 to October 2006, Judge Samba investigated, managed and prosecuted war crimes, crimes against humanity and other serious violations of the international law under the jurisdiction of the Special Court for Sierra Leone. On the basis of this experience, Justice Samba was recently appointed as a Judge of the Residual Special Court for Sierra Leone, the successor of the Special Court for Sierra Leone, which was established by Agreement between the Government of Sierra Leone and the United Nations.
 - d) Judge Samba possesses valuable experience dealing with the African regional instrument, the African Charter on Human and Peoples' Rights, including filing, on behalf of the Institute for Human Rights and Development in Africa and Campaign for Good Governance, two international non-governmental organizations based in the Gambia and Sierra Leone respectively, two Communications with the African Commission of Human and Peoples' Rights on the treatment of refugees and discrimination.
 - e) Judge Samba has rendered ground-breaking judgments relating to sexual violence against children in the domestic courts in Sierra Leone, significantly contributing to ensuring accountability for sexual and gender-based violence in Sierra Leone. Between 1999 and 2015 before she was appointed a Judge of the High Court of Sierra Leone, Judge Samba represented, on a pro-bono basis, victims of sexual offences, particularly cases involving minors, in the domestic courts in Sierra Leone.
 - f) Judge Samba is the Chair for the Legal Aid Board in Sierra Leone. The Board regulates the provision of legal representation for indigent persons in conflict with the law, including women and children all over Sierra Leone.
 - g) Judge Samba had her primary and higher education in the English language, the official language of Sierra Leone – and a working language of the Court. She has excellent command, both written and spoken, of the English Language; she worked in the English language at national and international levels at the Special Court for Sierra Leone and as Field Operations Officer for the International Criminal Court's Office of the Prosecutor in Uganda, dealing with witnesses and victims for the Office of the Prosecutor between October 2006 and October 2010. She is also a criminal law lecturer at the University of Sierra Leone and teaches in the English language.
2. Judge Samba is nominated for inclusion in List A, pursuant to Article 36 paragraph 5 of the Rome Statute. Her nomination was approved in accordance with the procedure established in Article 36 paragraph 4(a)(i) of the Rome Statute.
 3. Judge Samba is from the African region, with a common law background. The Government of Sierra Leone strongly believes that electing an outstanding African female Judge of her standing, experience and record will greatly advance the diversity, geographical representation and gender balance of the Court.
 4. Judge Samba's curriculum vitae shows that she has unique first hand legal experience in dealing with victims of war crimes and crimes against humanity, particularly victims of sexual and gender based crimes; the protection of witnesses, remedies of victims of violations of human rights, as seen from her experience as Witness Management

Coordinator and Investigator at the Special Court for Sierra Leone and her duties as Field Operations Officer for the Office of the Prosecutor in Uganda, in addition to protecting the rights of victims and witnesses; as a lead investigator of atrocities committed against Sierra Leonean refugees during the civil war in Sierra Leone.

5. Judge Samba is of a very strong moral character, possesses great intellectual and professional integrity, and is highly competent in criminal law and procedure, international criminal law and procedure, international humanitarian law and international human rights law. Her record shows her as a dedicated jurist who believes in the timely dispensation of justice. Sierra Leone is confident that she will help advance the objective of the Court for integrity, competence and independence.

Curriculum vitae

Personal data

Family name: Samba
 First name: Miatta Maria
 Gender: Female
 Date of birth: 3 October 1971
 Nationality: Sierra Leonean
 Regional criteria: Africa
 Marital status: Married
 List A / List B: List A
 Languages: Mother tongue: English
 French: (written) Basic; (oral) Basic

Educational qualifications

01/2013–01/2014: Centre for Energy, Petroleum and Mining Law and Policy, University of Dundee, Scotland, United Kingdom.
 Master of Laws (LL.M) in Petroleum Law and Policy (with Distinction).
 01/2001–12/2001: Centre for Human Rights, University of Pretoria, Pretoria, South Africa.
 Masters of laws (LL.M) in human Rights and Democratisation in Africa..
 09/1998–07/1999: Sierra Leone Law School, Freetown, Sierra Leone.
 Degree of Utter Barrister (BL), (Second Class Upper).
 10/1993–07/1998: Fourah Bay College, University of Sierra Leone, Freetown, Sierra Leone.
 Bachelor of Laws (LL.B), with Honours (Second Class).
 10/1992–07/1998: Fourah Bay College, Sierra Leone Law School, Freetown, Sierra Leone.
 Bachelor of Arts (BA), (First Division).

Professional experience

01/2020-present: Residual Special Court for Sierra Leone (RSCSL).
 Judge.
 The Residual Special Court for Sierra Leone is established by an agreement between the Government of Sierra Leone and the United Nations with a mandate to carry out the functions of the Special Court for Sierra Leone which had jurisdiction to try those who bore the greatest responsibility for atrocity crimes committed in Sierra Leone. The RSCSL

carries out residual judicial functions including supervising enforcement of sentences; review convictions and early releases and acquittals and conduct contempt of court proceedings.

08/2015-present: Judiciary of the Republic of Sierra Leone.

Judge of the High Court, and from 2019 Justice of the Court of Appeal.

The High Court is the first instance court of Superior Judicature in Sierra Leone, and has jurisdiction to try both civil and criminal matters, including sexual offences, fraud and other serious and complex felonies. The Court of Appeal is part of the courts of Superior Judicature in Sierra Leone, and have jurisdiction to hear and determine appeals from any judgement or decree or order of the High Court on both criminal and civil matters. As part of a panel (3) or a sole judge, I hear and determine complex and serious criminal law appeals including corrupt acts, fraud, murder and sexual offences. Further, as part of a panel, have heard and determine Supreme Court (the constitutional and final court of appeal in and for Sierra Leone) cases, upon request by the Chief Justice of the Republic of Sierra Leone.

10/2010–06/2015: The Anti-Corruption Commission of Sierra Leone.

Prosecutor.

Lead the prosecution of a sitting Mayor of Freetown in the State vs Herbert Akieremi George-Williams and Others (2012) for misappropriation of public funds; prosecuted Presidential appointee/head of government agency of the Attitudinal and BEhavioural Change also for misappropriation of public funds, abuse of office in the matter of the State vs Philip Conteh, Lansana Zanto Kamara and ALieu Badara LKamara among other cases.

10/2010–06/2015: International Criminal Court.

Field Operations Officer.

Office of the Prosecutor Field Office in Uganda. Worked on the Uganda Situation, managed and maintained data base on prosecution witnesses mostly in Northern Uganda; conducted risk assessments, liaised with critical stake holders and community heads; and provided assistance to investigators from the Office of the Prosecutor on field missions to Kenya, Tanzania and Uganda.

10/2002–10/2010: The Special Court for Sierra Leone (SCSL).

Associate Trial Attorney.

In the capacity as Associate Trial Attorney, provided prosecutorial assistance, acted as Witness Management Coordinator and Investigator. As part of the prosecution team in the State vs Hinga Norman, ALieu Kondowa and Moinina Fofana, I analyzed and assessed prosecution witness statements, led and re-examined witnesses in court. As witness Management Coordinator, prepared list of all prosecution witnesses on the Witness Management Database; managed and maintained al prosecution witnesses in and outside Sierra Leone for prosecutionofthe Civil Defence force (CDF), Armed Forces Revolutionary Council (AFRC) and Revolutionary United Front (RUF) indictees; maintained contacts with all prosecution witnesses; performed risk assessment and advised on possible relocation when necessary. Investigated and liaised with third parties in the investigation of alleged war crimes and crimes against humanity committed during the civil war in Sierra Leone in the CDF, AFRC and RUF cases at the SCSL.

Other professional activities

- 01/2020-present: Chairperson, Legal Aid board of Sierra Leone, established by an Act of Parliament in 2012 with the responsibility to provide free legal aid services for the poor including legal representation, advise assistance, legal and community based outreach, and alternative dispute resolution.
- 06/2017: Lecturer-criminal law at the University of Sierra Leone
- 10/2003-06/2006: Lecturer-contract law at the University of Sierra Leone
- 05/2002: Human Rights advocacy-consulted for Campaign for Good Governance: drafted and lifted communication with the African Commission on Human and Peoples' Rights for violations of Sierra Leonean refugees in Guinea, and filed communication with the African Commission for Human and Peoples' Rights in respect of our findings.
- 01/2002: Human Rights Advocacy. Institute for Human Rights and Development-Gambia: led a team of investigators in the investigation of alleged refugee rights violations of Sierra Leonean refugees in Guinea, and filed communication with the African Commission for human and Peoples' Rights in respect of our findings.
- 11/1999-08/2015: Pioneered and provided human rights pro-bono services for the organization-Legal Access through Women Yearning for Equality Rights and Social Justice (L.A.W.Y.E.R.S.)-established in February 1997, in the height of the civil conflict in Sierra Leone, with the objective of using the law to protect and promote the rights of women and girls in Sierra Leone. L.A.W.Y.E.R.S. provide legal advice and court representation for free to women and girls on a range of matters including sexual and domestic violence.

Most relevant publications

"An Analysis of Human Rights Treaties Applicable in Sierra Leone" (unpublished, Justice Sector Development Programme, 2007);

"Commentary on Human Rights Treaties Signed and/or Ratified by Sierra Leone" (unpublished, Justice Sector Development Programme, 2006);

Most relevant seminars

"The Crucial Role of International Criminal Justice in Achieving Sustainable Development Goal 16" (International Day for Justice side-event presentation, United Nations, New York, 17 July 2019);

"Sexual and Gender Based Violence in our Community-the Role of L.A.W.Y.E.R.S in Curbing Impunity and Ensuring Justice for Victims, Freetown, 1 October 2015;

"The Anti-corruption Act 2008 and the United Nations Convention against Corruption" Sierra Leone Armed Forces Training presentation, Benguema Military Barracks, 18 September 2012;

"Prosecuting the Use of Child Soldiers and Violence Against Women", Office of the Prosecutor; Special Court for Sierra Leone; 26 April 2006;

"Child Recruitment- A War Crime"- (14th Annual Human Rights Conference, Johannesburg, 9 September 2005;

"Women's Rights under International and Regional Instruments" (Campaign for Good Governance for human Rights Training Workshop for Field Officers, Freetown, 5 May 2004;

“The Special Court for Sierra Leone: Issues of Impunity, Accountability and Deterrence”
(Campaign for Good Governance Freetown, July 2002.

Membership of professional associations and societies

- International Association of Female Judges
- Commonwealth Magistrates and Judges
- Member of DEFLOSACS Company-a charitable organization in Sierra Leone

Awards and honours

The Source Newspaper (Sierra Leone) 2019 Award for diligent Service

Personal interests

Performing arts and literature.

16. SIFUENTES, Mônica Jacqueline (Brazil)

[Original: English]

Note verbale

The Embassy of the Federative Republic of Brazil presents its compliments to the Secretariat of the Assembly of States Parties and, with reference to note verbales ICC-ASP/19/SP/01 and ICC-ASP/19/SP/20, has the honor to convey hereby the nomination of Dr. Mônica Jacqueline Sifuentes for a post of judge at the International Criminal Court (ICC), List A, in the elections to be held during the nineteenth session of the Assembly of States Parties to the Rome Statute (New York, 7-17 December).

Dr. Sifuentes is a Federal Judge at the Regional Federal Tribunal (First Region) of Brazil, and has both extensive judicial experience and expertise in relevant areas of international law. Dr. Sifuentes 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 Brazil. She meets all the conditions of high moral character, impartiality, integrity, experience and seniority required in Brazil for the appointment to the highest judicial offices, in accordance with article 36(3)(a) of the Rome Statute.

Dr. Mônica Jacqueline Sifuentes has 28 years of judicial experience. In her work as a Federal Judge, she routinely analyses the most serious and complex criminal cases, including cases of federal political crimes. Due to her experience as a criminal judge, Dr. Mônica Jacqueline Sifuentes is being nominated for inclusion in List A, meant for candidates with established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings.

The Embassy has the further honor to highlight that, in addition to her experience as a Federal Judge, Dr. Mônica Jacqueline Sifuentes also has extensive international experience, acquired by judging cases of international drug trafficking and crimes covered by international treaties or conventions, especially those related to human rights issues. Dr. Sifuentes has developed particular expertise in cases involving international traffic in persons, especially those related to trafficking in women. Dr. Mônica Jacqueline Sifuentes has also been acting for more than 13 years as the Liaison Judge in Brazil for the Hague Convention on the Civil Aspects of International Child Abduction. In such role, she has helped the resolution of international disputes concerning the international abduction of children and has answered many consultations from foreign judges about the operations of the Brazilian judicial system, its laws and procedures.

Due to her recognized competence in both criminal law and in relevant areas of international law, Dr. Mônica Jacqueline Sifuentes meets the highest standards established in article 36 of the Rome Statute, thus qualifying her to stand for a seat in the International Criminal Court in the elections to be held during the nineteenth session of the Assembly of States Parties. A more detailed account of her background can be found in the supporting documents (curriculum vitae and statement of qualifications) attached herewith, which have been prepared in accordance with the requirements of resolution ICC-ASP/3/Res.6.

Statement of qualifications

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

The Federative Republic of Brazil has decided to nominate Judge Mônica Jacqueline Sifuentes for one of the six vacancies available for a post of judge at the International

Criminal Court (ICC), with a view to the elections which are to be held at the nineteenth session of the Assembly of States Parties to the Rome Statute in New York, from 7 to 17 December 2020.

The curriculum vitae of Judge Mônica Jacqueline Sifuentes is attached in the format requested by the Secretariat of the Assembly of States Parties.

(a) On the necessary detail of how the candidate fulfils each of the requirements of article 36, paragraph 3(a), (b) and (c) of the Statute, in accordance with article 36, paragraph 4(a) of the Statute

Judge Mônica Jacqueline Sifuentes 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 Brazil. She meets all the conditions of high moral character, impartiality, integrity, experience and seniority required in Brazil for appointment to the highest judicial offices, in accordance with article 36(3)(a) of the Rome Statute.

Judge Sifuentes has the necessary aptitude and is very well qualified to sit as a judge of the International Criminal Court, having extensive judicial experience and expertise in the field of international criminal justice.

It is important to note that after concluding the public Federal University, she was awarded the prize given to the best student and who had achieved the best grades and behavior during the course. She was also classified at the first place on the State Judge contest.

She now has 28 years of judicial experience and started her career as a judge in a small city of the State of Minas Gerais.

In her work as a Federal Judge at the Court of Appeals, she routinely analyses the most serious and complex criminal cases, including cases of federal political crimes and criminal offenses committed against the assets, services or an interest of the Federal Union, international trafficking in drugs, weapons and persons, crimes covered by an international treaty or convention, cases regarding human rights, crimes against the organization of labor and, in the cases determined by law, those against the financial system and the economic and financial order.

As a member of the 2nd Section of Appeals, at the Federal Court, she has the initial jurisdiction (trial) over crimes committed by authorities with jurisdictional prerogative, like City Mayors and State Representatives, both in regular crimes and in impeachable offenses.

Ms. Sifuentes is a native speaker of Portuguese, fluent in English and has an intermediate to advanced level of Spanish.

(b) On whether the candidate is being nominated for inclusion in list A or list B for the purposes of article 36, paragraph 5 of the Statute

Due to her experience as a criminal judge, Judge Sifuentes is being nominated for inclusion in List A, covering candidates with established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings.

(c) Information relating article 36, paragraph 8(a)(i) to (iii), of the Rome Statute

For the purposes of article 36, paragraph 8(a)(i) to (iii), of the Rome Statute, Judge Sifuentes will (i) represent the civil law system, (ii) is from Brazil, a country from the Latin American and Caribbean group of States (GRULAC), and (iii) is a female candidate.

Judge Sifuentes is suitable to be elected as a judge of the Court at the nineteenth session of the Assembly of States Parties to the Rome Statute, given that in these elections, the minimum voting requirements provide that at least one female judge, at least one candidate from list A and at least two candidates from the group of Latin American and Caribbean States must be elected.

(d) On whether the candidate has any expertise under article 36, paragraph 8(b), of the Statute

In her current work, Judge Sifuentes has developed a qualified expertise to try cases involving international traffic in persons, especially related to women traffic, which skilled her to provide training to judges, prosecutors and lawyers in this area.

Besides her work as a criminal judge, she has also been acting for more than 13 years as the Liaison Judge in Brazil for the Hague Convention on the Civil Aspects of International Child Abduction. In such role, she has helped the resolution of international disputes concerning the international abduction of children (1980 Convention) and has answered many consultations from foreign judges about the operation of the Brazilian judicial system, its laws, and procedures.

(e) On the nationality under which the candidate is being nominated for the purposes of article 36, paragraph 7 of the Statute, where a candidate is a national of two or more States

Judge Sifuentes is a Brazilian national and does not have the nationality of any other State.

(f) On whether the nomination is made under article 36, paragraph 4(a)(i) or paragraph 4(a)(ii), and on the necessary detail of the elements of that procedure

Ms Sifuentes is nominated under article 36, paragraph 4(a)(i) of the Rome Statute, in accordance with the requirements for any nomination for appointment to the highest judicial office in Brazil, namely Justices of the Supreme Court of Justice. The candidate fully meets such requirements as set out in article 101 of the Constitution of the Federative Republic of Brazil.

(g) Commitment to take-up full-time service

Judge Sifuentes is committed to being available to take up full-time service when the Court's workload so requires.

Curriculum vitae

Personal data

Family name: Sifuentes
 First name: Monica Jacqueline
 Gender: Female
 Date of birth: 28 December 1964
 Nationality: Brazilian
 Regional criteria: GRULAC
 Marital status: Divorced
 List A / List B: List A
 Languages: Mother tongue: Portuguese
 English: (written) Advanced; (oral) Advanced

French: (written) Basic; (oral) Basic

Spanish: (written) Advanced; (oral) Intermediate

Educational qualifications

08/2016–06/2017: American University, Washington College of Law/Washington DC, USA.

Specialisation(post-graduate-degree-course) in Combat and Prevention of International Trafficking in Persons - Trafficking in Persons, Policy and Prevention.

08/1998–07/2003: Law School of the Federal University of Minas Gerais, Brazil, thesis presented on July 3, 2003, with the title "Normative Judicial Act", diploma issued on March 4, 2004, validated by the Board of Graduate Studies of the Federal University of Minas Gerais on October 18, 2004, and registered in the Ministry of Education and Culture on October 21, 2004.

Doctor of Constitutional Law (Ph.D in Law).

08/1990–11/2000: Law School of the Federal University of Minas Gerais, Brazil, dissertation presented on November 24, 2000, under the title "Access to Elementary School in Brazil", diploma issued on November 08, 2001. Master of Laws and Economics (LL.M), with Honours.

03/1983–12/1987: Law School of the Federal University of Minas Gerais, Brazil, Bachelor of Laws (LL.B), with Honours.

Professional experience

08/2012-2020: Federal Regional Court of Appeals - 1st Circuit - Brasilia/BRAZIL.

Judge at The Federal Regional Court of Appeals. Member of the 3rd Chamber, with jurisdiction over federal political crimes and criminal offenses committed against the assets, services or an interest of the Union or of its autonomous agencies or public companies, international trafficking in drugs, weapons and persons, crimes covered by an international treaty or convention; cases regarding human rights; crimes against the organization of labour and, in the cases determined by law, those against the financial system and the economic and financial order; cases of misconduct in public office, and expropriations; Chair of the 2nd Section of Appeals, with jurisdiction over crimes committed by authorities with jurisdictional prerogative, like City Mayors and State Representatives in regular crimes and in impeachable offenses, except those falling under the jurisdiction of Electoral Courts.

03/2010-08/2012: Federal Regional Court of Appeals - 1st Circuit - Brasilia/Brazil.

Judge at The Federal Regional Court of Appeals. Member of the 2nd Chamber, with jurisdiction over cases related to public servants and social security law.

05/2001–03/2010: Brazilian Federal Justice.

Federal Judge.

Presiding Judge of the 3rd Court in the Federal District, Brasilia/Brazil, with jurisdiction over cases in which the Union, an autonomous government agency or a federal public company have an interest and cases between a foreign state or international organization and a municipality or a person domiciled or residing in the country.

06/1998–09/2000: Brazilian Federal Justice.

Federal Judge

Presiding Judge of the 4th Court in Belo Horizonte, Minas Gerais/Brazil, specialized in federal criminal cases, from June 1998 to September 2000

11/1995–06/1998: Brazilian Federal Justice.

Federal Judge.

Presiding Judge of the Single Court of the Judiciary Subsection of Juiz de Fora, State of Minas Gerais/ Brazil, with civil and criminal federal jurisdiction over more than 40 municipalities of the Minas Gerais State

06/1993–11/1995: Brazilian Federal Justice.

Federal Judge.

Deputy and Presiding Judge of the Single Court of the Judiciary Subsection of Ilhéus, State of Bahia/ Brazil, with civil and criminal federal jurisdiction over more than 30 municipalities in the South of the Bahia State.

04/1992–05/1993: State Court of Justice - State of Minas Gerais/Brazil. Substitute State Judge.

Substitute Judge of the State Court of Minas Gerais, top scorer in the civil service entrance examination of 1991, presiding over the districts of Sabará and Contagem. During such period, served as Electoral Judge in the District of Sabará-MG.

04/1988–03/1992: State Court of Justice - State of Minas Gerais/Brazil. Legal Assistant.

Working at an Appeals Judge Chamber, preparing moynutes of court judgements.

Other professional activities

10/2006-

2020: Since October 2006, she has been acted as Liaison Judge in Brazil for the Hague Convention on the Civil Aspects of International Child Abduction and Hague Conventions, by appointment of the Presidency of the Federal Supreme Court, according to GP Letter N. 668, 14 October 2006, submitted to the Secretary General of the Permanent Bureau, Hague, The Netherlands. In such role, she has assisted in the resolution of international disputes concerning the international abduction of children (1980 Convention), as focal point for judges to contact the Brazilian and foreign judicial authorities and the Permanent Office of the Hague Conference. She has also answered consultations from foreign judges on the functioning of the Brazilian legal system and on international abduction cases under way in Brazilian courts, to speed up processing times under the 1980 Convention.

08/2010-

2020: Contact Point in Brazil for IBERRED - The Ibero-American International Legal Cooperation Network, composed by the Central Authorities and contact points from the Ministry of Justice, Public Prosecution Service and the Judiciary of 22-member states of the Ibero-American International Legal Cooperation Network. Her goal is to optimize instruments of judicial cooperation in civil and criminal matters and to strengthen cooperation between countries.

08/2008-

2020: Brazilian representative at The International Hague Network of Judges (IHNJ) to strengthen ties and create judicial cooperation mechanisms to act in the resolution of international cases involving the Conventions of the Hague Conference on Private International Law.

12/2019-

2020: Coordinator of the Commission of Federal Judges concerning the implementation of the Hague Convention on the Civil Aspects of International Child Abduction, established by the Presidency of the Superior Court of Justice (STJ) under the Federal Council of Justice, to conduct studies and drawing up resolutions, manuals and seminars and procedural accompaniment of the Child Abductions cases in Brazil.

01/2014-

2015: Vice-Chair of the Permanent Commission on International Abduction of Children, established by the Office of Human Rights of the Presidency of the Republic, created by Ordinance N. 34, 28 January 2014, which drafted the bill for regulation of the 1980 Hague Convention.

06/2014-

2020: Representative of the Federal Regional Court of Appeals - 1st Circuit - at the National Forum of the Judiciary for Monitoring and Implementation of Demands Related to Trafficking in Persons - FONATRAPE, established by CNJ Resolution N. 197, 16 June 2014

Member of the Permanent Study Group on the Hague Convention on the Civil Aspects of International Child Abduction established under the International Office of the Federal Supreme Court in 2006, to conduct studies and drawing up activities for implementation of such International Convention in Brazil.

Coordinator and Member of the Permanent Study Group on the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, of November 2007, an interinstitutional group established under the International Office of the Federal Supreme Court, to conduct studies and preparing plans for implementation of such International Convention in Brazil.

Member of the Working Group on the 2007 Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance and on the Protocol for Law of Interest for Support Obligations, instituted by Interministerial Ordinance N. 500, 23 March 2012, jointly issued by the Minister of Justice and Minister of Foreign Affairs.

Member of the Working Group on International Legal Cooperation in Civil and Criminal Matters, appointed by the Chair of the National Council of Justice, Ordinance N. 190, 24 October 2013.

Coordinator of the International Judicial Cooperation Subgroup for the Convention on Abolishing the Requirement of Legalisation for Foreign Public Documents, appointed by Chair of the National Council of Justice (CNJ), Ordinance N. 169, 23 September 2013.

Coordinator of the International Judicial Cooperation Subgroup for the Convention on the Civil Aspects of International Child Abduction, appointed by the Chair of the National Council of Justice (CNJ), Ordinance N. 169, 23 September 2013.

Vice-Chair of the Permanent Commission on International Abduction of Children, established by the Office of Human Rights of the Presidency of the

Republic, created by Ordinance N. 34, 28 January 2014, which drafted the bill for regulation of the 1980 Hague Convention.

Course instructor and lecturer in international events:

International Congress on Education Law - Lisbon / Portugal - October 14-15, 2005, at the Lisbon Law School, in Portugal, promoted by the Portuguese Association of Education Law, with the lecture: Education right – responsibility for quality education: international perspectives.

Equality of Opportunities in Education - a challenge for education law and education policy in Europe - Potsdam/Germany - May 11-12, 2007, promoted by the Brandenburg Ministry of Education, Youth and Sports and the Federal Ministry of Science and Education of Germany, in a partnership with the European Association of Education Law and Educational Policy - ELA (Ministry of Education, Youth and Sports of Brandenburg, and the Federal Ministry of Education and Research, in conjunction with the European Association for Education Law and Policy (ELA)). She delivered a lecture on the following topic: Solutions to Tackle the Challenges of Guaranteeing de facto Educational Equality – International Perspective.

Joint EU-HCCH Conference on Direct Judicial Communications - Brussels, Belgium - January 15-16, 2009 at the Center Albert Borschette, Brussels, hosted by the European Commission and the Permanent Office of The Hague Conference on Private International Law, attended the Meeting as a guest and Brazilian delegate, delivering the lecture on: Dividing the Brazilian territory in two and the Permanent Working Group about the 1980 Hague Convention, in the panel: Offices and Mechanisms to facilitate Judicial Communications.

International Symposium on Child Abductions on December 4, 2009 at the Federal Foreign Office in Berlin, Germany, on the topic: “The Brazilian Bill about the regulation of the 1980 Convention”.

International Judicial Conference on Cross-Border Family Relocation, in Washington DC, March 23-25, 2010, jointly organized by the Hague Conference on Private International Law and the International Center for Missing and Exploited Children, with the support of the US Department of State, delivering the lecture on: The Inter-American Convention and its relevance to the issue of relocation.

Inter-American Meeting of the International Hague Network Judges and Central Authorities on International Child Abduction, in Mexico City, February 23-25, 2011, on the title: “The Brazilian Working Group on 1980 Hague Convention”.

Meeting of the Points of Contact and Liaison of the IberRed on the Civil Aspects of International Child Abduction and their Return, December 15-17, 2014, in Cartagena de Indias-Colombia, with the lecture: “Brazilian numbers regarding the international child abduction”.

Conference of the Hague Convention Network Judges commemorating the 20th anniversary of the International Hague Network of Judges, October 24-26, 2018, in Miami, Florida, in the panel: “Direct Judicial Communications”.

Member of the Discussion Board at the Fifth Annual Conference of Brazilian Judges on Artificial Intelligence (AI) and the Law, at the American University, Washington College of Law, sponsored by AJUFE - Association of Federal Judges and the Institute of Law and Citizenship, March 7-8, 2019, Washington DC.

Course instructor or lecturer in Brazil / International Cooperation:

1st International Seminar on International Child Abduction - December 4-5, 2006, at the Conference Hall of the Ministry of Justice, in Brasilia, promoted by the Special Office of Human Rights and the Office of the Federal Attorney (AGU), on the topic: The obligation to return the child to the country of habitual residence and the best interests of the child.

The Hague Convention on Child Abduction: New Trends, Practical Application and Controversies - Rio de Janeiro - Offered by the TRF 2nd Circuit School of Judges - EMARF - Rio de Janeiro, on August 13, 2008, at the Cultural Center of the Federal Justice in Rio de Janeiro-RJ, on the topic: Permanent Group of Studies on the 1980 Hague Convention.

1st Seminar on Judicial Cooperation on International Recovery of Child Support: The new Hague Convention - August 22, 2008, at the Conference Hall of the Office of the Federal Attorney, in Brasilia, promoted by the National Office of Justice, as a member of the discussion panel on the Main Aspects of the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, along with the Secretary-General of The Hague Conference on Private International Law, Dr. Hans Van Loon.

TRF 4th Circuit School of Judges - EMAGIS - Chair of the Course on International Judicial Cooperation, sponsored by the TRF 4th Circuit School of Judges, March 21-22, 2013, in Porto Alegre-RS.

Speaker at the Brazilian Jurisdiction and International Cooperation Seminar, held at the Ministry of Justice, October 23, 2013, in Brasília-Federal District, on the topic: "Role of the Liaison Judge and direct communications in the Hague Convention".

Advanced Study Program: Parental alienation and civil aspects of the international child abduction - Speaker - upon invitation from the TRF 2nd Circuit School of Judges (EMARF), March 14, 2014, in Rio de Janeiro-RJ.

Seminar on International Child Abduction - Lecturer - upon invitation from the TRF 4th Circuit School of Judges - EMAGIS, April 28-29, 2014, in Florianopolis-SC.

Seminar on The Role of Psychology in the Cases of International Child Abduction in the Light of the 1980 Hague Convention, promoted by the Office of Human Rights of the Presidency of the Republic, May 30, 2014, in Brasília-Federal District.

4th Grotius Workshop on International Cooperation Across the Borders, July 29-31, 2014, in Foz do Iguacu-PR.

Lecturer in the Training Course on Trafficking in Persons for Operators of the Justice System, held at the Ministry of Justice, November 3-7, 2014, in Brasília-Federal District.

Speaker at the International Symposium on the Fight Against Trafficking in Persons, held by the National Council of Justice (CNJ) in a partnership with the Regional Labor Court of the 7th Circuit (TRT/CE), April 16-17, 2015, in Fortaleza-CE.

Lecturer at the International Judicial Cooperation Course for Members and Servants of the Office of the Federal Attorney in Bahia and the State Public Prosecution Service, sponsored by the State Prosecution Service of Bahia, on May 29, 2015, in Salvador-BA.

Seminar on Trafficking in Persons- Integrated Command and Control Center, Rio de Janeiro, May 6, 2016, Friday, from 3:45 pm to 4:45 pm.

Speaker at the International Seminar: Brazilian Law and the Hague Convention on the Civil Aspects of International Child Abduction, School of Federal Judges, EMAG, November 30, 2017, São Paulo-SP.

Instructor in the course "The Influence of International Law on the Exercise of Jurisdictional Function in Federal Justice", offered by the TRF 2nd Circuit School of Judges - EMARF, on the topic: "The Protection of Family and Children in the Hague Conference", on March 14, 2018, at the Federal Justice Cultural Center in Rio de Janeiro-RJ.

Speaker at the International Child Abduction Event and The 1980 Hague Convention: Challenges for the Brazilian Justice. Topic: Relevant jurisdictional issues concerning the 1980 Hague Convention - "Direct judicial communication under the 1980 Hague Convention." September 26, 2018, EMAG, Sao Paulo-SP.

Lecturer at the International Seminar on Slave Labor and Trafficking in Persons, on the theme Fighting the New Forms of Modern Slavery, February 19-20, 2019, at the School of the Federal Prosecution Service, in Brasília-Federal District.

Instructor in the course Investigation, Conviction and Prosecution of Trafficking in Persons (4 class-hours) under the ATTENTION Brazil Project: Strengthening the capacity of the Brazilian government to address trafficking in persons, by the International Center for Migration Policy Development (ICMPD), April 11-12, 2019, in Boa Vista-RR.

Scientific Organization / Coordination - International Cooperation

International Seminar on Education Law, held by the Center for Judicial Studies, June 23-25, 2004, at the Conference Hall of the Superior Court of Justice, in Brasília-Federal District.

2nd International Seminar on Education Law - Education Law in Latin America and the Development of Nations, sponsored by the Center for Judicial Studies and the European Education Law Association and Policy - ELA, November 3-4, 2005, at the Superior Court of justice.

Seminar on the 1980 Hague Convention on the the Civil Aspects of International Child Abduction, sponsored by the Judicial Studies Center of the

Federal Justice Council of the 1st Circuit, November 3-4, 2014, in Porto Alegre-RS.

Scientific coordinator and organizer of the Seminar on Brazil and the Hague Conference on Private International Law, November 23-24, 2015, at the Federal Justice Council, in Brasília-Federal District.

Most relevant publications

Access to basic education in Brazil: a right to development. Rio de Janeiro: América Jurídica, 2001.

Sumula vinculante - a study on the normative power of the courts. São Paulo: Saraiva, 2005.

Fundamental right to education - the application of constitutional provisions. Porto Alegre: Nuria Fabris, 2009.

SIFUENTES, Monica. A poem for Barbara - the love story that helped build the history of Brazil. Belo Horizonte: Gutenberg, 2015. Historical novel about the Inconfidência Mineira movement.

School of magistrature and training of judges. In: Centro de Estudos Judiciários Escola da Magistratura e Formação do Juiz. Série Monografias do CEJ, volume 1. Brasília: CEJ, 1995.

2. Capítulo de Livro: Seleção e formação de magistrados em Portugal – novo sistema. In: TEIXEIRA, Sálvio de Figueiredo (organizador). O Juiz – seleção e formação do magistrado no mundo contemporâneo. Belo Horizonte: Del Rey Editora, 1999.

3. Capítulo de Livro: O Poder Judiciário no Brasil e em Portugal: reflexões e perspectivas. In: TEIXEIRA, Sálvio de Figueiredo (coordenador). Estudos em homenagem ao Ministro Adhemar Ferreira Maciel. São Paulo: Saraiva, 2001.

4. Capítulo de Livro: Direito da educação e função dos juízes. In: HOMEM, António Pedro Barbas (Org.). Temas de Direito da Educação. Coimbra: Almedina, 2006, v., p. 41-44.

5. Capítulo de Livro: Employment rights of the teachers: civil, political, and social rights. In: RUSSO, Charles J; DEGROOF, Jan. (Org.). Employment rights of the teachers: exploring education law worldwide. New York: Rowman & Littlefield Publishers, Inc., 2009, v., p. 23-33.

6. Capítulo de Livro: Cuestión de fondo acerca de los derechos de custodia. Artículo 16 del Convenio de La Haya. In: Tenorio Godínez, Lázaro; Tagle de Fereyra, Graciela. (Org.). La restitución internacional de la niñez - enfoque iberoamericano doctrinario y jurisprudencial. Iaed.México: Editorial Porrúa, 2011, v. , p. 33-46.

7. Capítulo de Livro: Uso das comunicações judiciais diretas na Convenção da Haia de 1980: nova ferramenta de cooperação jurídica internacional. In: Carvalho Ramos, André de (org.) [e] Araújo, Nadia de (org.). A Conferência da Haia de Direitos Internacionais Privado e seus Impactos na Sociedade - 125 anos (1893-2018). Belo Horizonte: Arraes Editores, 2018, p. 174-185.

8. O Poder Judiciário no Brasil e em Portugal: reflexões e perspectivas. Scientia Iuridica, Braga, Portugal, v. 48, n. 277/279, p. 25-49, 1999; Direito e Cidadania, Cabo Verde, v. 3, n. 8, p. 125-147, 1999.

9. Problemas acerca dos conflitos entre a jurisdição administrativa e judicial no Direito português, Revista da Faculdade de Direito da Universidade de Lisboa, v. 42, p. 313-352, 2001.

24. Seqüestro interparental – a experiência brasileira na aplicação da convenção da Haia de 1980, Lex – Jurisprudência do Supremo Tribunal Federal, Lex Editora S.A., n. 363, Ano 31, março de 2009; Revista do Tribunal Regional Federal da 1ª Região, n. 5, Ano 21, p. 63-66, 2009; Revista Jurídica Consulex, n. 303, Ano XIII, p. 42-45, 2009.

25. Dividing the Brazilian territory in two and the Permanent Working Group. Judges Newsletter, vol. XV, Autumn 2009. Disponível em:
25. Bullying. Revista Jurídica Consulex, Ano XIV, nº 325, p. 28-31, 1º de agosto de 2010.
26. Nem uma Palmadinha?. Revista Jurídica Consulex, Ano XIV, nº 329, p. 11, 1º de outubro de 2010; Revista do Tribunal Regional Federal da 1ª Região, n. 10, Ano 22, p. 55, outubro/2010.
27. Pedido de Restituição x Direito de Guarda – Análise do Artigo 16 da Convenção de Haia de 1980, Lex – Jurisprudência do Supremo Tribunal Federal, Lex Editora S.A., n. 392, agosto de 2011.
30. Cyberbullying a intimidação por meio da rede mundial de computadores. Revista Jurídica Consulex, Ano XVI, nº 367, 1º de maio de 2012, pp. 34-35.
31. Pedido de Restituição x Direito de Guarda – análise do art. 16 da Convenção da Haia de 1980. Revista CEJ, Brasília, Ano XV, p. 57-64, out/dez. 2011.
32. O projeto da conferência da Haia para as comunicações judiciais diretas. Revista CEJ, Brasília, Ano XVI, p. 53-56, maio/ago. 2012.
33. Direct judicial communication in international child maintenance cases - the Brazilian legal system. International Family Law, v. 2, p. 142-145, 2013.

Most relevant seminars

- Attended the XVII Regular Formation Program Portuguese Judges, at the Center of Judicial Studies in Lisbon, from September 1998 to March 1999;
- Attended, upon invitation from the Embassy of the United States of America, the course on protection and prevention of international crimes against the environment - Environmental Enforcement and Prosecution Course, held by the International Law Enforcement Academy San Salvador, April 20-24, 2015, in San Salvador, El Salvador;
- Took part of the national and international admission process, and was one of four Brazilians awarded in 2016 with the scholarship for the Program of Graduate Study and Professional Development, offered by the Hubert H. Humphrey Fellowship Program, and the Fulbright Commission - Fulbright Exchange Activity, and completed the program of studies at the American University - Washington College of Law, with a certificate issued by the Government of the United States of America, from June 2016 to July 2017, Washington DC, USA;
- Specialization in Combat and Prevention of International Trafficking in Persons - Trafficking in Persons, Policy and Prevention, American University, Washington College of Law, 2016-2017, Washington DC/USA;
- International course on mediation and arbitration for judges and prosecutors - International Course on Mediation Skills for Judges and Prosecutors, offered by the American University, Washington College of Law, DC, Paulista School of the Judiciary and Brazilian Prosecution Service Superior School in December 2016, in Washington-DC/USA;
- Course on Antitrust and Economic Crimes Law promoted by the Global Antitrust Institute's (GAI's) Economics Institute for Competition Law Judges, Antonin Scalia Law School, George Mason University, Lisbon, May 26-31, 2019.
- Course on Criminal Evidence and New technologies, promoted by AECID - Spanish Center Cooperation, Training Center of Santa Cruz de La Sierra, Bolivia, October, 07-11, 2019.

Membership of professional associations and societies

International Hague Network of Judges

Brazilian Federal Judges Association

International Family Judges Association/United Kingdom

Awards and honours

Received, at the conclusion of the Bachelor in Law course, in 1987, the prizes “Barão do Rio Branco”, “Raphael Magalhães” and “Cândido Neves”, awarded to the student, respectively, throughout the academic course with the best grades and outstanding performance in all the disciplines, and especially in Civil Law and Civil Procedural Law

07/2011 - Medal of the Peacemaker (Medalha do Pacificador), award created to reward military and civilian, national or foreign, who have rendered outstanding services to the Brazilian Army, raising the prestige of the Institution or developing friendly relations between the Brazilian Army and those of other nations

Civil Order Merit Award, awarded with the commendation, held by the National Defense League, on December 9, 2015, in Brasilia-Federal District

04/2018 - Medal of the Order of Military Merit (Medalha da Ordem do Mérito Militar), award created to reward the military, civilians and institutions, national or foreign, that have rendered relevant services to the Brazilian nation, especially the terrestrial armed forces. It is the highest honorary distinction granted by the Brazilian Army.

Personal interests

Author of the historical thriller: A poem for Barbara - the love story that helped build the history of Brazil. Belo Horizonte: Gutemberg, 2015. Historical novel about the Inconfidência Mineira movement. Reading, writing, cooking, trekking and traveling

Other relevant facts

Member of the Brazilian Delegation for the 5th Meeting of the Special Committee to review the procedural aspects of the 1980 Hague Convention on the Civil Aspects of International Child Abduction, which took place in the Hague, Netherlands, from October 30 to November 9, 2006.

Member of the Brazilian Delegation for the 5th meeting of the Special Committee on the International Recovery of Child Support and Other Forms of Family Maintenance, held in the Hague, Netherlands, May 8-16, 2007.

Member of the Brazilian Delegation for the 21st Diplomatic Session of the Hague Conference on Private International Law, in preparation for adoption of the Convention on the International Recovery of Child Support, held in the Hague, Netherlands, November 5-23, 2007.

Member of the Brazilian Delegation for the Special Committee Meeting of the Hague Conference on Private International Law, to discuss the Apostille, Service Abroad, and International Access to Justice Conventions, held in the Hague, Netherlands, February 2-7, 2009.

Member of the Brazilian Delegation for the 6th Meeting of the Special Committee to review the procedural aspects of the 1980 Hague Conventions on the Civil Aspects of International Child Abduction and 1996 on International Protection of Children, held in the Hague, Netherlands, June 1-10, 2011, and January 25-31, 2012.

Representative of the TRF 1st Circuit at the Latin American Meeting on the International Protection of Children and Recovery of Child Support, invited by the Ministry of Foreign Affairs, December 3-7, 2013, in Santiago de Chile.

Representative as Contact Point for Brazil at the Meeting: Points of Contact and Liaison of IberRedon on the Civil Aspects of International Child Abduction and their Return, in Cartagena de Indias, Colombia, December 15-17, 2014.

Representative as Contact Point for Brazil at the 7th Plenary Meeting of IberRed Contact Points and Liaisons, held in Panama City, Panama, February 22-25, 2015.

Member of the Brazilian Delegation for the 7th Meeting of the Special Committee for the review of the procedural aspects of the 1980 and 1996 Hague Convention, held in the Hague, Netherlands, October 10-17, 2017, upon invitation by the Brazilian Embassy in The Hague, as the Brazilian representative in the drafting group of "recommendations and conclusions" submitted to the Plenary of the Special Committee.

Representative of the TRF 1st Circuit at the Mission for Exchange of Best Practices and Initiatives on Forced Labor in Brazil and Argentina, held in Buenos Aires, Argentina, November 13-15, 2018, promoted by the International Labor Organization in a partnership with the Ministry of Justice of Brazil.

17. SOCK, Raymond Claudius (Gambia)

[Original: English]

Note verbale

The Permanent Mission of the Republic of The Gambia to the United Nations presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court, and with reference to the latter's note ICC-ASP/19/SP/01 of 20th December 2019 concerning the election of judges to the International Criminal Court, has the honour to inform of the Government of The Gambia's decision to present the nomination of Justice Raymond C. Sock as a candidate for the election of judges to the International Criminal Court under List A, which is scheduled to be held during the nineteenth Assembly of States Parties at the United Nations Headquarters in New York, from 7-17 December 2020.

The Permanent Mission of the Republic of The Gambia to the United Nations is pleased to submit, herewith, the required documents as per paragraph 6 of resolution ICC-ASP/3/Res.6, in support of the candidate of Justice Raymond C. Sock, along with his curriculum vitae.

Statement of qualifications

Judges of the Superior Courts of the Gambia are recommended by the Judicial Service Commission (JSC) for appointment by the President, as required under the Constitution. The criteria on which such recommendations are made by the JSC, apart from the academic and professional qualifications, are that persons so recommended are of high moral character, impartiality and integrity and have the requisite years of post-call experience.

Hon. Justice Raymond C. Sock was appointed a Justice of the apex court, the Supreme Court of The Gambia, in 2012, where he currently sits on civil, criminal and constitutional matters. His appointment as a Justice of the Supreme Court was in accordance with the provisions of the Constitution of the Republic of The Gambia, and in fact for a period of seven (7) months he acted as Chief Justice of The Gambia. As a judge of the Supreme Court, Justice Sock has handled many criminal matters on appeal from convictions of treason, murder, conspiracy and sexual offences. The many judgements he has written on such criminal matters clearly confirm his competence on criminal law and procedure.

Prior to joining the Bench in 2012, Hon. Justice Sock spent most of his early professional life in the service of the Government at the Attorney General's Chambers, Ministry of Justice, where he rose through the ranks from a State Counsel to the Attorney General, Minister of Justice (for a brief period). During his service at the Attorney General's Chambers, Justice Sock not only actively prosecuted criminal cases but was also at a later stage, as Solicitor General and Legal Secretary, responsible for the supervision of all counsel at the Chambers, including those in the office of the Director of Public Prosecution.

Although Hon. Justice Sock has been nominated under list A, he has established competence in the law of human rights, as is evident from his curriculum vitae. During the six years he served as the Executive Director of the African Centre for Democracy and Human Rights Studies, Justice Sock built up a wealth of experience in the promotion and protection of human and people's rights in Africa. He is still regarded as a valuable resource person in the area of human rights on the continent.

As a testimony to his moral character, Hon. Justice Sock was appointed, for the year 2018/2019, as the Chairperson of the Judicial Ethics Committee under the Judges (Supplementary Code of Conduct) Act (Act No.4 of 2009). And as a establishment and operation of the African Centre for Democracy and Human Rights Studies in 1989, and the Gambia Law School in 2012. In 2018, Hon. Justice Sock was appointed Chairperson of the Lands Commission established in 2018, which he is assisting to get fully operational in accordance with its statutory mandate.

Hon. Justice Raymond C. Sock is very fluent in both written and spoken English.

Curriculum vitae

Personal data

Family name: Sock
 First name: Raymond Claudius
 Gender: Male
 Date of birth: 5 June 1946
 Nationality: Gambian
 Regional criteria: Africa
 Marital status: Married
 List A / List B: List A
 Languages: Mother tongue:
 English: (written) Excellent; (oral) Excellent

Educational qualifications

03/1980–12/1980: The Australian Legislative Drafting Institute, Canberra, Australia.
 Certificate (with Citation) in Legislative Drafting.
 1975–1978: The Inns of Court School of Law and the Honourable Society of the
 Middle Temple, London.
 Of the Inns of Court School of Law and of the Middle Temple Barrister
 at Law (2:2)
 1968–1970: The Pennsylvania State University, PA.USA.
 M.A. English Literature.
 1965–1968: Lewis and Clark College, Portland, Oregon, USA.
 B.A. (cum Laude) English

Professional experience

2012-present: The Judiciary of The Gambia.
 Justice of the Supreme Court.
 As the apex court, the Supreme Court hears appeals in both civil and
 criminal matters (including treason, murder and rape) and references on
 the constitution of The Gambia.
 06/2013-01/2014: The Judiciary of The Gambia.
 Acting Chief Justice of The Gambia.
 During this brief period, I was a Justice of the Supreme Court, Acting
 Chief Justice, Director General of The Gambia Law School, and a
 member of The CAN (ICC)
 2012-2017: General Legal Council/The Gambia Law School.
 Director General.
 As first Director General, responsible for developing the Barrister-at-Law
 (BL) professional programme and lectured, inter alia, on the law of
 evidence.

- 2012-2017: General Legal Council/The Gambia Law School.
 Director General.
 As first Director General, responsible for developing the Barrister-at-Law (BL) professional programme and lectured, inter alia, on the law of evidence.
- 2012-2015: International Criminal Court (ICC) The Hague.
 Member, Advisory Committee on Nomination of Judges.
 Honoured to have served as a member of the inaugural committee (ACN).
- 02/2009-09/2009: Ministry of Justice.
 Commissioner for Law Revision.
 Prepared the Revised Laws of The Gambia, 2009, consisting of 18 vols. The laws were last revised in 1990.
- 03/2005-09/2005: Government of The Gambia.
 Attorney General and Minister of justice.
 Principal legal adviser to government ministries, responsible for administration of chambers and oversight of allied institutions.
- 2000-2005: Ministry of justice.
 Solicitor General and Legal Secretary.
 Responsible for supervision of all the divisions of the Attorney General's Chambers, including the office of the Director of Public Prosecution (DPP).
- 1995-2000: Sock and Bittaye Legal Practitioners.
 Senior Partner.
 Private practice in civil and criminal cases, including the defence of persons accused of treason.
- 1989-1995: Government of The Gambia.
 Executive Director, African Centre for Democracy and Human Rights Studies (ACDHRS).
 First Executive Director responsible for the establishment and operation of the core programmes of the Centre, a regional institute, and animator in various human rights workshops.
- 1985-1989: Ministry of Justice.
 Solicitor General and Legal Secretary.
 Supervision of all the Divisions of the Attorney General's Chambers, including the Office of the Director of Public Prosecution, and prosecution of civil and criminal cases.
- 1984-1985: Ministry of Justice.
 Registrar General and Curator of Intestate Estates.
 Registration of deeds, businesses and companies, and administration of intestate estates.
- 1983-1984: Ministry of Justice.
 Legal Draftsman, Drafting Division.
 Legislative drafting for all ministries, attending sessions of Parliament, court attendance.

1980–1981: Ministry of Justice.
State Counsel, Drafting Division.
Legislative drafting, court attendance for civil and criminal cases.

Other professional activities

1986: Observer at the First Commonwealth Judicial Conference held in Banjul, the Gambia.

1988: Leader of The Gambian delegation to negotiate and initial the Headquarters Agreement for the African Commission on human and Peoples' Rigghs with the then O.A.U. Secretariat in Addis Ababa, Ethiopia.

24/04/1989

-02/05/1989 Participant in training course on "Developing National Strategies and Mechanisms for the Protection and Promotion of Human Rights in Africa" held in Banjul and sponsored by the United NMations Centre for human Rights.

06/1989: Participant in pilot trainig workshop on "Human Rights Training for commonwealth Public Administrators" sponsored by the human Rights Unit of the Commonwealth Secretariat.

03/07/1989

-04/08/1989: United Nations Human Rights Fellowship Programme tenable at the Centre for human Rights, United Nations Office at Geneva and The International Institute for human Rights in Strasbourg, France.

08/07/1991-

12/07/1991: Observer at the United Nations Seminar on International Human Rights Standards and the Administration of Justice, co-sponsored by the African Commission on Human and People's Rights in Cairo Egypt.

1990-1994: Observer at the open sessions of the African Commission on Human and People's Rights and participant/organizer of workshops on NGO Participation in the work of the African Commission.

29/11/1991-

02/12/1991: Resource Person at the Arab-African Seminar on Penal Justice and Penitentiary Reform, tunis, Tunisia, during which I deliver a paper on "the Conditions of Prisons in Africa".

06/1993: Participant at the United NationsWorld Conference on Human Rights, Vienna, Austria, as Executive Director of the African Centre for Democracy and human Rights Studies.

11/1993: Participant at the fifth ICJ/African Centre (ACDHRS) workshop on NGO Participation in the African Commission during which I delivered a paper entitled "a case for the Creation of an African Court of human and People's Right".

01/1994: Participant at meeting of group of African Experts to draft the Protocol for the Establishment of an African Court of Human and People's Rights, ICJ Office, Geneva.

11/1994: Participant at meeting of group of African Regional Conference on Women, Dakar, Senegal.

06/1995: Resource person at a training course on the Protection of human Rights for Senior Military Officers from African Countries organized by the African Centre for Democracy and human Rights Studies, Banjul, the Gambia.

- 05/1998: Member of a four – man international delegation to Liberia under the International Commission of jurist (ICJ) fact-finding mission on the Judiciary in Liberia following the civil war.
- 1998-2005: First Executive Chairman of the Board of the Institute for human Rights and Development in Africa (IHRDA), a Pan African human rights organization based in Banjul, the Gambia, the seat of the African Commission on human and People’s Rights. The Institute works to strengthen human rights protection in Africa Through, inter allia, providing pro bono legal counsel and conducting training.
- 01/2000: Participant in ECOWAS-IRCR Seminar on the International Criminal Court in Abidjan, Côte d’Ivoire.
- 01/04/2001-
- 07/04/2001: Leader of a Gambian delegation to Accra, Ghana, to observe the activities of the Ghana National Children’s Commission, under the auspices of UNICEF.
- 02/11/2007-
- 03/11/2007: Representative of the African Centre for Democracy and Human Rights studies at “A Strategic Meeting on NGO’s Participation in the Human Rights Council; 2006-2007 evaluation; and planning for 2008,” Sao Paulo, Brazil, organized by Connectas Human Rights in partnership with the International Service for human Rights (ISFR)
- 23/04/2021-
- 24/04/2012: Participant at a Colloquium on the Establishment of a National Human Rights Institution in Compliance with the Paris Principles, sponsored by the Commonwealth Secretariat Banjul, The Gambia. A National Human Rights Commission was established in 2018.

Most relevant publications

- 2018: Resource person in a workshop on Women’s Rights in Africa organized by the Institute for human Rights and Development in Africa (IHRDA) for Judges and Magistrates.
- 20/03/2018-
- 22/03/2018: Participant in the Commonwealth Magistrates’ and Judges’ Association Training Course on “Case Management, Judicial Ethics and Independence” sponsored by the British Government, Banjul, the Gambia.
- 16/02/2019-
- 18/02/2019: Participant in the Third Cairo High Level Meeting of the Chief Justices and Presidents of The African Constitutional and Supreme Courts and constitutional Councils, Cairo, Egypt.

Most relevant seminars

- 2018: Resource person in a workshop on Women’s Rights in Africa organized by the institute for Human Rights and Development in Africa (IHRDA) for Judges and Magistrates
- 20/03/20198 –
- 22/03/2018: Participant in the Commonwealth Magistrates’ and Judges’ Association Training course on “Case Management, Judicial Ethics and Independence” sponsored by the British government, Banjul, The Gambia.

16/02/2019 –

18/02/2019: Participant in the Third Cairo High Level Meeting of the Chief Justices and Presidents of The African Constitutional and Supreme Courts and constitutional Councils, Cairo, Egypt

Membership of professional associations and societies

- The Gambia Bar Association
- The Gambia Judges Association

Awards and honours

- Honour: Officer of The National Order of the Republic of The Gambia (ORG)

18. TSILONIS, Viktor Panagiotis (Greece)

[Original: English]

Note verbale

The Embassy of the Hellenic Republic in The Hague presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and, with reference to the latter's note ICC-ASP/19/SP/01 dated 20 December 2019, has the honour to inform the Secretariat that the Government of the Hellenic Republic hereby nominates Dr. Viktor Panagiotis TSILONIS as candidate for election for the position of judge of the International Criminal Court at the elections to be held during the nineteenth session of the Assembly, in New York, from 7 to 17 December 2020. Dr. TSILONIS is nominated for inclusion in List A for the purposes of article 36, paragraph 5, of the Rome Statute.

The Embassy has the honour to attach hereby a statement of qualifications in accordance with article 36 paragraph 4 (a), of the Rome Statute and paragraph 6 of the resolution of the Assembly of States Parties on the procedure for nomination and election of judges of the International Criminal Court (ICC-ASP/3/Res.6, as amended), as well as the curriculum vitae of Dr. TSILONIS.

Statement of qualifications

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

a) Procedure for appointment

Dr Viktor Tsilonis (aka Victor Tsilonis) 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 Greece.

b) Criteria of high moral character, impartiality and integrity

Dr Viktor Tsilonis is a person of high moral character, impartiality and integrity.

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

Dr Viktor Tsilonis satisfies cumulatively all these criteria. He is an Alternate Member of the Disciplinary Board for Counsel of the International Criminal Court (2018-2022) having already tried two cases and be assigned to try a third one shortly, principal legal counsel/ CEO at NEWLAW law firm in Greece; [Vice-President for Victims](#) and [Chairman of the Professional Standards Advisory Committee](#) of the International Criminal Court Bar Association (ICCBA) and [ICCBA Focal Point for Greece](#). Moreover he holds a PhD in international criminal law, is included in the ICC List of Counsel since 2016, [has recently published in English a book by Springer on the Jurisdiction of the International Criminal Court](#) and possesses sixteen years of uninterrupted legal practice. Finally, he has recently been visiting lecturer at the Law School of the Democritus University of Thrace for the postgraduate course of International Criminal Justice (2018-2019) and is an international law expert included in the OSCE Consultancy Roster and the Roster of Experts of the International Nuremberg Principles Academy with more than 18 publications and 19 conferences' and invited talks participations.

Hence, he satisfies excellently all the above criteria.

d) Established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings

Dr Viktor Tsilonis has the necessary competence and is exceptionally well qualified to sit as a judge of the International Criminal Court, having extensive 16-year legal experience as an advocate and expertise in the field of international criminal justice since 2004, when he spent six-months as a junior legal advisor at the Office of the Prosecutor for the Former Yugoslavia (Milosevic case).

In addition, Dr Tsilonis is an internationally recognized expert on international criminal law, who has been placed on the OSCE Consultancy Roster of Legal Experts (Vienna, 2018), is a member of the International Law Association (Committee: International Protection of Consumers), the International Criminal Court Bar Association, the European Society of International Law and is included in the Roster of Experts of the International Nuremberg Principles Academy (May 2017).

Indicative of his expertise in international law is that a few months before the coronavirus pandemic, he gave a lecture to an Indonesian delegation which visited the International Criminal Court on [the Code of Professional Conduct for ICC Counsel and the interrelation between the ICC disciplinary competence and the counsel's national jurisdiction\(s\)](#).

Finally yet importantly, since 2019 he has sat as [a judge for disciplinary issues in the cases before the International Criminal Court](#), following his election as an Alternate Member of the Disciplinary Board of the International Criminal Court and will hear a third one in June 2020. In this capacity [he has co-drafted the landmark decision in the Sluiter disciplinary case](#).

e) Knowledge of and fluency in either English or French

Dr Viktor Tsilonis speaks English excellently. He has studied law as an undergraduate as well as postgraduate student in the United Kingdom and has recently published a [book in English on the Jurisdiction of the International Criminal Court](#).

f) Indication of nomination for List A or List B

In light of his aforementioned protracted legal experience and excellent qualifications, Dr Viktor Tsilonis (aka Victor Tsilonis) is being nominated for inclusion **in List A**, covering candidates with established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings.

g) Information in accordance with article 36 paragraph 8(a)(i) to (iii), of the Rome Statute

For the purposes of article 36, paragraph 8(a)(i) to (iii) of the Rome Statute, Dr Viktor Tsilonis will represent the **civil law** system and the Western Europe and other State regional group. However it should be noted that he is also well cognizant of the common law system because of his three-year studies in undergraduate and postgraduate level in the United Kingdom. He is a male candidate.

h) Legal expertise on specific issues, including, but not limited to, violence against women or children

Dr Viktor Tsilonis is qualified to try cases involving serious sexual offences and abuse of minors and has expertise in the handling of vulnerable witnesses, particularly those who are children or juveniles. Moreover, in 2019 he successfully attended and participated in the five-day workshop for Counsels included in the ICC List of Counsel “Combating Sexual Harassment at Workplace and Legal Ethics” (The Hague, 3-7 June 2019), which took place at the premises of the International Criminal Court. Finally his expertise and competence is

also verified by the fact that he was elected this year (2019-2020) as a joint Vice-President for Victims of the International Criminal Court Bar Association.

i) Nationality under which the candidate is nominated

Dr Viktor Tsilonis is Greek and is being nominated as a judge of Greece.

j) Commitment to take-up full-time service

Dr Viktor Tsilonis (aka Victor Tsilonis) is committed to being available to take up full-time service when the Court's workload so requires.

Curriculum vitae

Personal data

Family name: Tsilonis
First name: Viktor Panagiotis
Gender: Male
Date of birth: 16 July 1976
Nationality: Greek
Regional criteria: Western Europe and other States group
Marital status: Married
List A / List B: List A
Languages: Mother tongue: Greek
English: (written) Advanced; (oral) Advanced
French: (written) Intermediate; (oral) Basic

Educational qualifications

12/2004–06/2016: Aristotle University of Thessaloniki.
PhD in International Criminal Law with merit.
Thesis title: The Jurisdiction of the International Criminal Court: preconditions to its exercise.

09/2002–09/2003: University of Nottingham.
LLM in Criminal Justice (2:1).

09/1998–07/2002: Aristotle University of Thessaloniki.
LLB in Law with merit.

09/1996–06/1998: Birmingham City University.
Higher Diploma in Education (Law).

Professional experience

09/2004-present: NEWLAW Law Firm.

CEO | Principal Barrister.

Criminal Law: Represent clients before the Appeal Court of Felonies, the Mixed Jurors & Judges' Felony Court & the Hellenic Supreme Court. • Prison Research: Participating since 2001 in researches on the Greek prison system; member of the Alexiadis Research Team, which has conducted the largest research project on Greek prisons to date (2005–2009). • Human Rights Law: Represent victims before the European Court of Human Rights. • Trial Monitoring: Trial monitoring at the Crown Court, the Greek Criminal Courts and the International Criminal Tribunal for the former Yugoslavia (ICTY); furthermore trial monitoring in cases where the accused is caught 'red-handed' and where felonies are tried in connection with the National Legal Aid Scheme (his paper on the most eminent Greek criminal journal led gradually to the reform of the legal aid scheme). - List A

12/2018-12/2022: International Criminal Court.

Alternate Member of the Disciplinary Board for Counsel (pro bono). Assigned to evaluate and hear three ongoing disciplinary cases; he has already heard the first two and has been assigned to hear a third one; • Offering legal advice and opinions on the interpretation of international legal instruments and regulations, including inter alia the Rules & Procedures of the ICC Disciplinary Board and the Disciplinary Appeals Board and the ICC Code of Professional Conduct for Counsel • Drafting the minutes of formal meetings regarding the ICC disciplinary cases • Conducting seminars in the ICC regarding the rules and principles of the Professional Code of Conduct for Counsel. • Drafting decisions: in December 2019 he drafted the landmark disciplinary decision in the Sluiter case. - List A

06/2019–09/2020: International Criminal Court Bar Association (ICCBA) - pro bono.

Joint Vice President for Victims and Chairman of the Professional Standards Advisory Committee.

Reviewing victims' rights and representation before the International Criminal Court. • Providing legal advice and opinions on the interpretation of international legal instruments and regulations, including issues like plea bargaining, legal aid policy and application of taxes. • Submitting advisory opinions to the Executive Council regarding the ICC Code of Professional Conduct for Counsel. • Writing an advisory opinion for an important issue raised by an international judge. • Participating in the Cluster 2 discussions with the Independent Expert Review on the ICC and suggesting reform proposals related to the function of the Victims Protection Unit, the Office for Public Counsel for Victims, victim's representation, amici curiae submissions, the application of Art. 71 ICCRSt, pre-trial detention and provisional release.- List A

09/2004-06/2009: Aristotle University of Thessaloniki.

Research Fellow at the Department of Criminal Law and Criminology. Teaching, research assistance, correction of papers, translation of treatises for publication in international journals, assisting students preparing for mock trials, assistance with setting up a new website for the Department of Criminal Law & Criminology of Aristotle Law School. - List A

01/2004-06/2004: United Nations - International Criminal Tribunal for the Former Yugoslavia.

Junior Legal Advisor.

Six-month internship; conducts legal research into intriguing issues (such as the Tribunal's inherent and implied powers), submits legal advisory memos and legal briefs before the Court, participates in advocacy training courses and keeping minutes at the Office of the Prosecutor legal advisors' weekly meetings. - List A

Other professional activities

- 05/2006-12/2020: Executive Director of the Intellectum non-profit organization | Editor-in-Chief of the interdisciplinary journal Intellectum.
- 09/2018-06/2020: Academic Director and Principal Tutor of the Test of Legal English Skills Advanced Programme (TOLES Advanced) at the Lord Byron School of Languages in Thessaloniki.
- 09/2018-06/2019: Visiting Lecturer at the Law School of the Democritus University of Thrace; he conceptualizes part of the postgraduate course "International Criminal Justice" and gives lectures on the crime of aggression, genocide and contemporary developments in the field of international criminal justice.
- 09/2009-06/2011: Teaching the 30-hour course "Legal Terminology and Translation" to legal counsel- members of the Bar Association of Thessaloniki (Greece).
- 11/2009-12/2011: Coordinator of the Thessaloniki's Bar Experts' Subcommittee on commenting and evaluating judicial decisions; uploading commentaries of decisions at the biggest Greek legal database "NOMOS".
- 09/2005-12/2009: Member of the Alexiadis Research Team which conducted the biggest qualitative and quantitative research on the Greek prisons in honour of the Emeritus Professor of Criminology Stergios Alexiadis (2005-2009). The results of the research were widely publicized and demonstrated the serious problems of the Greek prison system. See: "Four Critical Issues of the Greek Prisons System: Work, Education, Communication and Disciplinary Measures" in the Conference Minutes THE ROAD TO JUSTICE, in honour of emeritus professor Stergios Alexiadis (Athens-Thessaloniki: Sakkoulas Publications), (2012), 323-341; International Conference presentation: "Four Critical Issues of the Greek Prisons System: Work, Education, Communication and Disciplinary Measures", European Science Foundation "Violations of Human Rights and Humanitarian Law: Investigation and Prevention of Torture and Death in Custody" (Linköping, Sweden), 3-7 May 2010. "

Most relevant publications

- The Jurisdiction of the International Criminal Court, (London: Springer), (December 2019).
- The Crime of Genocide and the Rohingya Case, 2019 (5) ICCBA Newsletter 13-16, (co-authored with barrister Eirini-Nikoleta Favgi).
- The Historical Speech of John Bolton against the International Criminal Court (co-authored with Eirini-Nikoleta Favgi) in Essays in Honour of Professor Giannis Panousis, (Sakkoulas: Athens, 2020), forthcoming.
- The Jurisdiction of The International Criminal Court, (Athens: Nomiki Bibliothiki, February 2017), ISBN 978-960-562-694-5.
- "The Awakening Hypothesis of the Complementarity Principle", in C.D. Spinellis, Nikolaos Theodorakis, Emmanouil Billis, George Papadimitrakopoulos (eds.), Europe In Crisis: Crime, Criminal Justice and The Way Forward, Essays in Honour Of Nestor Courakis, volume II, (Athens: Ant. N. Sakkoulas Publications), (2017), pp. 1257-1303.

“The International Criminal Justice During the First Half of the Twentieth Century”, Honourary Volume of Christoforos Argyropoulos, (Athens: Hellenic Criminal Bar Association / Nomiki Bibliothiki), (2016), 981–1000.

“Crime and Crisis: International Criminal Justice and Piracy”, in Crime and Penal Suppression in a Crisis Era, Essays in Honour of Professor Dr. Nestor Courakis, (Athens: Sakkoulas, 2016), pp. 1262–1283, ISBN: 978-960-15-2762-8, electronically available at <http://www.ant-sakkoulas.gr/periexomena/15-2764-2.pdf>.

”Les Misérables of Thessaloniki in 2011: A Practical Case Study of Human Rights and Human Abuse” in M. Zirk-Sadowski, B. Wojciechowski and K. M. Cern (eds.), Towards Recognition of Minority Groups, (London: Ashgate), (December 2014).

“Four Critical Issues of the Greek Prisons System: Work, Education, Communication and Disciplinary Measures” in the Conference Minutes The Road to Justice, in honour of emeritus professor Stergios Alexiadis (Athens-Thessaloniki: Sakkoulas Publications), (2012), 323-341.

“Thomas Lubanga Dyilo: The Unstable Step of the International Criminal Court?” in Treatises in The Honour of Emeritus Professor Stergios Alexiadis, (Athens-Thessaloniki: Sakkoulas Publications), (2010), 1039-1057.

“Taming the Waves of International Criminal Justice: The Paradox of Serving (in)Justice through (un)Just Means and the Saddam Hussein’s Case”, in Dia-Logos (volume 11), M. Zirk-Sadowski και B. Wojciechowski (eds.), Multicentrism As An Emerging Paradigm In Legal Theory, (Oxford: Peter Lang Publications), (2009), 271-289.

"Thomas Lubanga Dyilo: The Chronicle of a Case Foretold", (2008) 5 *Intellectum*, 27-42.

"The Compulsorily Assigned Counsel and the Right to Adjourn or Postpone the Trial", (2008) (8) *Poinika Chronika*, pp. 758-763.

“The Move to Restrict the Death Penalty in International Human Rights Law and Resistance in the American Continent”, (University of Nottingham Human Rights Law Review, Students’ Supplement), 2002-2003, pp. 45-55.

Most relevant seminars

Combating Sexual Harassment at Workplace and Legal Ethics: 5-day workshop for Counsels included in the ICC List of Counsel at the International Criminal Court (The Hague, 3-7 June 2019).

ICC Legal Training for Indonesian Delegation on legal ethics and the ICC Code of Conduct for Counsel (acting as lecturer), (ICC, The Hague, 23 October 2019).

Strategic Management by Copenhagen Business School on Coursera (certificate earned on 24th April 2016)

Certified Computer User in operation system & managing files, word processing, spreadsheets, internet applications & communication (Acta Diploma, 29-09-2011).

UN Security Programme “Basic Security in the Field” (April 2004).
ICTY internal advocacy training for the Court's legal staff (May 2004).

Membership of professional associations and societies

Alternate Member of the ICC Disciplinary Board for Counsel (2018-2022)

Member of the International Criminal Court Bar Association

Member of the International Law Association [Committee: International Protection of Consumers (2019)]

Member of the European Society of International Law

Member of the Hellenic Society of Criminology

Member of the Hellenic Criminal Bar Association

Placed on the OSCE Consultancy Roster of Legal Experts (2018)

Included in the Roster of Experts of the International Nuremberg Principles Academy (May 2017).

Member of the Scientific and Advisory Board of the Center for the Philosophy and Theory of Human Rights, University of Lodz, Poland, (1 February 2013)

Member of the research team conducting the biggest qualitative and quantitative research on the Greek prisons in honour of the Emeritus Professor of Criminology Stergios Alexiadis (2005-2009)

Awards and honours

Elected by the Executive Council's members as a joint vice-president for victims at the International Criminal Court Bar Association (2019) Elected as an Alternate Member of the ICC Disciplinary Board for Counsel (2018-2022)

Elected as Chairman of the Professional Standards Advisory Committee of the International Criminal Court Bar Association (2019)

Elected as Member of the International Law Association International Committee on International Protection of Consumers (2019)

Appointed unanimously by the Executive Council of the International Criminal Court Bar Association as the International Criminal Court Bar Association's Focal Point for Greece (November 2017)

Placed on the OSCE Consultancy Roster of Legal Experts (Vienna), (2018)

Included in the Roster of Experts of the International Nuremberg Principles Academy (May 2017)

First legal intern of Greek nationality at the International Criminal Tribunal for the former Yugoslavia (ICTY), (2004); he worked for six months at the Office of the Prosecutor on the notorious Milosevic case

A series of influential articles and interviews have been featured in Eurozine, the official website of the most eminent European cultural journals and consequently attracted considerable European attention

Ranked 7th amongst his peers who were awarded the "Ptychio" in Law (a four-year bachelor degree) from the Law School of Aristotle University in July 2002. Distinction marks in 19 modules

Scholarship by the DAAD (German Academic Exchange Service) for attending the summer training programme in German & European Law of the Ludwig-Maximilians University in Munich (July 2002)

Four Prizes of Advancement for his academic performance: two «Distinction Prizes» and two «Leading Prizes» by the Ministry of Education; moreover, a written Public Laudation by the Lyceum's Board at the baccalaureate's graduation day for "action of unusual humanism"

Exclusive interview with the ICTY Chief Prosecutor, Carla Del Ponte, ("Eleytherotypia", 7 May 2004, 19 and "Advocate" students' journal of the Nottingham Law School, (2004), 44–49)

His article "The Tax Law on University Degrees and the Revolution Degree" was on the final short list of the best articles published in Greek websites in 2012 (E-awards 2013). The public discussion after its publication led to the abandonment of the proposed bill which intended to tax citizens according to their university degrees (web column Fingerprints of the Day, 28 August 2012)

The website of the non-profit organization Intellectum (www.intellectum.org) was on the final short list of the best Greek websites in 2012 (E-awards 2013, category: websites of special interest)

LLM essay awarded a distinction mark and honourarily published in the 2002-2003 issue of the Human Rights Law Review of the University of Nottingham under the title “The Move to Restrict the Death Penalty in International Human Rights Law and Resistance in the American Continent”, (2003) Human Rights Law Review - Student Supplement, pp. 45–55, <http://www.intellectum.org/2016/09/30/death-penalty-in-american-continent>

Coined and coordinated the two-year Intellectum project “The Power of Minus”, a public campaign in defence of freedom of expression and against racism, xenophobia and hate speech which had a considerable impact on Greek society (<http://www.eurozine.com/articles/2013-11-13-tsilonis-en.html>)

Personal interests

Literature, cinema, running

Other relevant facts

1) Academically and publicly his name is not Viktor Tsilonis but Victor Tsilonis, since the latter is the correct way of writing the name Victor in English. This difference exists because passports use standard Unicode modification of the names which often lead to inevitable misspellings of people's names in English.

2) It should be noted that the International Criminal Court Bar Association (ICCBA) is the only representative body of counsel to be recognized by the Assembly of States Parties, as well as annually invited, since the ASP’s 16th Session, to address the General Debate of the ASP and submit a report on the Association’s constitution and yearly activities.

3) For the purposes of Article 36, paragraph 8(a)(i) to (iii) of the Rome Statute, Dr Viktor Tsilonis will represent the civil law system and the Western Europe and Other Regional Group. However it should be noted that he is also well cognizant of the common law system because of his three-year studies in undergraduate and postgraduate level in the United Kingdom and the fact that he is also the Course Director and Principal Tutor of the Test of Legal English Skills Advanced Programme (TOLES Advanced) in Greece.

19. UGALDE GODÍNEZ, Sergio Gerardo (Costa Rica)

[Original: Spanish]

Note verbale

The Embassy of Costa Rica to the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and has the honour to inform it that the Government of Costa Rica, pursuant to the decision of the national group of Costa Rica to the Permanent Court of Arbitration, acting in accordance with article 36(4)(a)(ii) of the Rome Statute of the International Court and also with the law on the promotion of cooperation with and judicial assistance to the International Criminal Court (Law No 9570), has decided to nominate Mr Sergio Gerardo Ugalde Godínez as a candidate for the role of judge of the International Criminal Court for list B (article 36(3)(ii) of the Rome Statute) for the period 2021-2030, at the elections taking place during the 19th session of the Assembly of States Parties, due to be held in New York from 7 to 17 December 2020.

Mr Ugalde is highly regarded both in Costa Rica and at an international level due to his high moral character, impartiality and integrity and possesses the qualifications required for appointment to the highest judicial offices. With over twenty five years' experience in the legal profession, he has spent the past twenty years actively practising international law, as an advocate and legal advisor and he has taken on numerous coordination and representation roles in various international legal systems, such as the Permanent Court of Arbitration, the Inter-American Human Rights System, the International Court of Justice, and the International Criminal Court. He therefore has the necessary experience to undertake the professional legal duties relevant to the judicial work of the Court.

Thus, Mr Ugalde fully meets the eligibility requirements set out in article 36(3) of the Rome Statute. His qualifications and experience in international law will be a significant asset to the Court and will help to achieve the objectives of the Rome Statute. Attached are the documents in support of his nomination in accordance with note verbale no. ICC-ASP/19/SP/01 of 20 December 2019.

Statement of qualifications

The Republic of Costa Rica has the honour to submit the statement of qualifications for Mr. Sergio Gerardo Ugalde Godínez, in accordance with article 36(4), of the Rome Statute of the International Criminal Court and resolution No ICC-ASP/3/Res.6 (and the amendments thereto) adopted by the Assembly of States Parties on the procedure for the nomination and election of judges of the International Criminal Court, along with communication No ICC-ASP/19/SP/01 of 20 December 2019 and annex I thereto.

The Government of Costa Rica has decided to nominate Mr Ugalde as a candidate for the post of judge of the International Criminal Court for the period 2021-2030, in the elections to be held at the nineteenth session of the Assembly of States Parties in New York in December 2020.

The Government of Costa Rica submits Mr Ugalde's nomination for inclusion on List B, for which candidates must have "established competence in relevant areas of international law such as international humanitarian law and the law of human rights, and extensive experience in a professional legal capacity which is of relevance to the judicial work of the Court" (article 36(3)(b)(ii) of the Rome Statute).

Candidate selection procedure

Costa Rica wishes to emphasise that Mr Ugalde has high moral character, has demonstrated his impartiality and integrity and possesses the qualifications required for appointment to the highest judicial offices in Costa Rica in accordance with Article 159 of

the Political Constitution of Costa Rica, which stipulates the criteria to be met to carry out the function of judge at the Supreme Court of Justice, which is the higher administrative and judicial authority for the judiciary. In Costa Rica, the judges of the Supreme Court of Justice join chambers which deliver final rulings on disputes submitted to them in accordance with the procedure laid down by the law and the political Constitution of Costa Rica. Therefore, Mr Ugalde meets all the constitutional criteria of Costa Rica to exercise the role of judge of the Supreme Court of Justice.

As far as the national selection procedure is concerned, Mr Ugalde submitted to a two-part scrutiny. Firstly, he underwent the nomination procedure carried out by the national group of Costa Rica to the Permanent Court of Arbitration, in accordance with article 36(4)(a)(ii) of the Rome Statute, a procedure which involves an in-depth evaluation of the competences and experience of a candidate. On 16 January 2020, the national group at the Permanent Court of Arbitration submitted to the Ministry of Foreign Affairs and Worship a document evaluating the qualifications of Mr Ugalde which concluded by recommending his nomination for the role of judge at the International Criminal Court to the Government of Costa Rica.

In addition, the executive, the President of the Republic in other words, jointly with the Ministry of Foreign Affairs, in accordance with the law of Costa Rica on the promotion of cooperation with and judicial assistance to the International Criminal Court (*Promoción de la Cooperación y Asistencia Judicial con la Corte Penal Internacional*) carried out an evaluation procedure separate to that carried out by the national group at the Permanent Court of Arbitration. The second evaluation initially conducted under the aegis of the Ministry of Foreign Affairs and Worship, and then by the Office of the President of the Republic, lasted over six months.

As part of the second evaluation, carried out by the executive, Mr Ugalde submitted information in accordance with the provisions of article 36 of the Rome Statute and provided extensive evidence of his qualifications and his rich professional experience in the legal field, which is of relevance to the judicial work of the Court. Mr Ugalde was interviewed for the purposes of this nomination. The Ministry also prepared a technical opinion which it submitted to the Office of the President of the Republic for scrutiny. The Office of the President of the Republic carried out a further evaluation based on the information received which led it to approve Mr Ugalde's nomination.

Costa Rica has carried out an in-depth and rigorous evaluation procedure, which included multiple checks, in order to nominate a candidate who not only fully satisfies all the criteria set out in the Rome Statute but also embodies the country's commitment to and support for the mission and values of the Rome Statute and of the International Criminal Court.

Requisite skills and experience for the role of judge at the International Criminal Court

With a proven and extensive track record in international judicial proceedings, the candidate has been involved in producing international instruments and has extensive experience, both academic and practical, of practising international law, which is a relevant area for the judicial function of the Court.

He is a member of the Bar (Colegio de Abogados y Abogadas) of Costa Rica, of which he has been a practising member for over twenty-five years, twenty of those in international law. The candidate is a native speaker of Spanish and has excellent knowledge and command of English, an official working language of the Court. He is a Costa Rican national and has no other nationality.

The candidate holds a Masters in European and Comparative Law from the University of Oxford in the United Kingdom. He achieved his Bachelor's degree in law at the University of Costa Rica and also achieved his diploma in Notarial Studies at the same university. As a result of his training, his specialty in comparative law and practising his profession, he is fully familiar with European legal systems, of both civil and common law traditions, and he

represents the Latin American legal tradition, which is one of the main legal traditions. Finally, his nomination allows for fair geographical representation.

His skills in the relevant fields of international law, such as international humanitarian law and human rights law, as well as recognised experience in a legal profession which is relevant to the judicial work of the Court and in accordance with the evaluations conducted by the Ministry of Foreign Affairs and Worship and those conducted by the national group at the Permanent Court of Arbitration, include his role as coordinator of the internal law commission of the Ministry of Foreign Affairs and Worship (*Comisión de Derecho Internacional del Ministerio de Relaciones Exteriores y Culto*), a post he held for over seventeen years pursuant to executive decree No 30473-RE of 24 May 2002 and in accordance with which he held the post of senior advisor of Costa Rica for the practice and promotion of public international law, international human rights law and international humanitarian law, specifically concerning regional and international conflicts, and for the promotion of Costa Rica's foreign policy on human rights and conflict resolution through international law.

In terms of his experience involving the work of the International Criminal Court since its inception, the candidate played a major part in strengthening the Court by establishing, along with other members of the afore-mentioned international law commission, the national legal position adopted by Costa Rica whereby it undertakes not to conclude any agreement which would constitute an exception to article 98 of the Rome Statute. The candidate, as a representative of his country, actively participated in the last six Assemblies of States Parties to the Rome Statute of the International Criminal Court and he represented Costa Rica at the Bureau of the Assembly for four years.

In 2015, he organized a regional seminar for Central America and Mexico on cooperation with the International Criminal Court, which was held in Costa Rica and which played a part in one of the countries in the region ratifying the Rome Statute.

In 2016, he was appointed coordinator of The Hague Working Group on the International Criminal Court and in this capacity he coordinated the efforts of the States Parties on issues associated with the fulfilment of their responsibilities under article 112 of the Rome Statute. He also attended working groups on governance, cooperation, universality, complementarity, the budget and other ad hoc meetings and working groups which have their seat in The Hague.

He has played a leading role in promoting gender equality and fair geographical representation policies at the Court and staunchly supported the Office of the Prosecutor and its independence and supported the policies of the Prosecutor, in particular policies involving children. He also supported the strengthening of the Trust Fund for Victims and distinguished himself with his public call demanding that judges meet their fiduciary obligations towards the International Criminal Court.

In 2016, he was also appointed vice-president of the Assembly of States Parties. In this capacity he chaired segments of the Assemblies of States Parties in 2016 and 2017 and also numerous meetings of the Bureau of the Assembly of States Parties. At the sixteenth session of the Assembly of States Parties which was held in New York in 2017, he co-chaired the final meeting and contributed to discussions on activating the jurisdiction of the International Criminal Court over the crime of aggression, which was adopted by consensus by the one hundred and twenty-three States Parties, described as a major achievement for the Court.

In 2018 he was appointed by the Bureau of the Assembly of States Parties to chair a group of ambassadors for the purposes of conducting the selection and recommendation process to appoint the head of the Independent Oversight Mechanism of the International Criminal Court. This was a complex and sensitive process which the group successfully carried out under the leadership of Mr Ugalde.

Regarding further relevant international judicial experience, as provided for in article 36 of the Rome Statute, the candidate advised and represented the State of Costa Rica in cases before the Permanent Court of Arbitration, the Central American Court of Justice, the Inter-American Human Rights System, including its Court, the International Court of Justice and the International Criminal Court. This experience led him to deal with issues involving governance and relations with the afore-mentioned courts and also to examine proceedings and disputes brought before a number of them.

With regard to the International Court of Justice specifically, between 2005 and 2018 he acted as counsel and advocate then as Co-agent for Costa Rica and was involved in various disputes and a request for intervention as part of a dispute between two other countries. He distinguished himself as the coordinator of the legal teams which conducted these cases and also by successfully presenting arguments in person before the ICJ.

Examples of his experience in the management of complex international cases include the case entitled "Certain Activities Carried out by Nicaragua in the Border Area" (*Costa Rica v. Nicaragua*), which was joined with another case entitled "Construction of a Road in Costa Rica along the San Juan Rive" (*Nicaragua v. Costa Rica*). The proceedings were highly complex because of the high number of incidences and questions submitted to the Court for assessment, which involved the preparation of dozens of technical reports, the examination of expert witnesses, several proceedings for the indication of provisional measures as well as conducting another stage in the proceedings which aimed to determine the reparation due by one of the States to the other for environmental damage caused to a wetland area of international importance. At the start of the case he was also advising Costa Rica on preparing directives on international humanitarian law in the event of the dispute degenerating into armed conflict involving the security forces of both countries which might affect civilian populations nearby.

As part of the Inter-American Human Rights System, he participated as Costa Rica's advisor in the evaluation proceedings conducted by the Inter-American Commission on Human Rights. He was also involved in cases involving reports published by various bodies on Costa Rica and Human Rights and rendered various opinions on the importance of strengthening the financial independence of the Inter-American Court of Human Rights.

Between 2000 and 2014, he held various posts at an international level representing Costa Rica, such as ambassador-at-large, mainly on matters involving public international law, both bilateral and multilateral, including the negotiation of international instruments. Between 2001 and 2005, he represented Costa Rica at the Regional Conference on Migration, an international cooperation body responsible for adopting policies on human movement and migration.

He negotiated the first host country agreement signed by the Permanent Court of Arbitration to establish headquarters outside The Hague, in Costa Rica. He also sat as a representative on the Court's administrative council for four years. He has been a member of the Permanent Court of Arbitration since 2005.

He represented Costa Rica at The Hague Conference on Private International Law and also represented his country for four years at the Organization for the Prohibition of Chemical Weapons (OPCW). One of his roles within this organization involved being vice-president at the Twentieth Session of the Conference of States Parties.

He has also been invited to lecture at a number of events on international law and international criminal justice, including various events on universality, cooperation and complementarity under the Rome Statute, and also on the activation of the jurisdiction of the Court over the crime of aggression. Finally, he was a speaker at the celebrations for the twentieth anniversary of the International Criminal Court.

His career has also earned him recognition in academic circles: he delivered a course on the Inter-American Human Rights System at the University of Costa Rica; he was invited on three occasions by the prestigious The Hague Academy of International Law to lead the

seminar on the management of litigation before the International Court of Justice; and he is currently associate professor of international law at the University for Peace, which was established by a United Nations General Assembly resolution, where he delivers a number of lectures for the Masters in International Law and Human Rights and the Masters in International Law and Conflict Resolution.

Costa Rica also wishes to emphasise his skills in institutional governance and his management skills which are required both to take on a judicial role and to administer the resources and personnel of the Court.

Undertakings

Mr Ugalde undertakes, if elected to the position of judge, to fully comply with his fiduciary obligations towards the Court, including the obligations to be loyal to and to protect the institution, and also undertakes to protect the interests of the Court should they conflict with his own personal interests. He also undertakes to observe the highest ethical standards, both in terms of utilising the resources of the Court and also in terms of his judicial mandate.

He undertakes to make himself available for any interview(s) required for the selection process, including the interview with the Advisory committee on nominations of judges.

In light of Sergio Ugalde's recognised background and knowledge in the relevant fields of international law, such as international humanitarian law and human rights, as well as his proven track record in legal professions relevant to the judicial work of the Court, and his experience of management and institutional governance, the Government of Costa Rica firmly believes that his skills fully meet the criteria set out in article 36 of the Rome Statute and that he will use them effectively to achieve the objectives which constitute the mission of the Court in accordance with the values and objectives of the Rome Statute.

Curriculum vitae

Personal data

Family name: UGALDE GODINEZ
 First name: SERGIO GERARDO
 Gender: Male
 Date of birth: 3 April 1971
 Nationality: Costa Rican
 Regional criteria: GRULAC
 Marital status: Married
 List A / List B: List B
 Languages: Mother tongue: Spanish
 English: (written)Advanced;(oral) Advanced
 French: (written) Basic; (oral) Basic

Educational qualifications

09/1997–07/1998: University of Oxford, United Kingdom.
 Magister Juris in European and Comparative Law
 02/1988–11/1994: University of Costa Rica.
 Bachelor's degree in Law.

02/1994–11/1994: University of Costa Rica.

Notarial Studies.

03/1983–11/1987: San Carlos secondary school.

Baccalaureate.

Professional experience

06/2019-present: University for peace;

Associate Professor of International Law;

Professor responsible for courses entitled: "International Law related to Armed Conflict", "International and Transnational Adjudication" and "International Law and Diplomacy" which are part of the programmes for Masters degrees in International Law and Human Rights and in International Law and Conflict Resolution. This university work is directly linked to international humanitarian law and human rights in that the teaching is aimed at students from around the world, on the subject of the international law of armed conflict, including violations of international criminal law which constitute international crimes. The course on international and transnational adjudication focuses on both the purpose of and proceedings in the various international judicial systems, such as those of the International Court of Justice, the international human rights tribunals and the International Criminal Court. The course deals with the structure of the ICC, its proceedings and its mission, and it therefore directly relates to the experience and competence in the areas of human rights and international humanitarian law required for nominations under list B

10/2014-12/2018: Ministry of Foreign Affairs and Worship

Ambassador;

I held the post of Ambassador of Costa Rica to the Netherlands, a role which was both bilateral and multilateral. From a multilateral point of view, the work involved representing the country within the governance bodies of the international institutions which have their seat in The Hague, and specifically the institutions of international law. I represented Costa Rica on the Administrative Council of the Permanent Court of Arbitration, before the Council of the Hague Conference on Private International Law and I was responsible for conducting relations not involving litigation at the International Court of Justice. I drafted opinions requested by my country on the progress of preliminary investigations, situations under investigation and cases brought before the International Criminal Court. I also actively participated in the last six Assemblies of States Parties to the Rome Statute of the International Criminal Court as country representative and I also represented Costa Rica for four years at the Bureau of the Assembly. In 2015 I organized a regional seminar for Central America and Mexico on cooperation with the International Criminal Court, which was held in Costa Rica and which was attended by the President and Registrar of the Court. This seminar persuaded one of the countries in the region to ratify the Rome Statute. In 2016 I was appointed coordinator of the Hague Working Group on the International Criminal Court and in this capacity I coordinated the efforts of the States Parties on issues involving the fulfilment of their responsibilities under article 112 of the Rome Statute. In particular, I collaborated with the working groups on governance, cooperation, universality, complementarity and the budget. I also participated in other ad hoc meetings and working groups which have their seat in The Hague. Within the Hague Working Group and the various assemblies, I promoted gender equality policies at the Court and I supported the Office of the

Prosecutor, its independence and its policies, in particular those involving victims and children. I supported the reinforcement of the Trust Fund for Victims and I played a coordination role, both within the Assembly of States Parties and with the Presidency and Registry of the Court, to defend its institution and its independence in light of attacks. In addition, in 2016 I was appointed vice-president of the Assembly of States Parties. In this capacity I chaired segments of the Assemblies in 2016 and 2017 along with numerous meetings of the Bureau of the Assembly of States Parties. At the sixteenth session of the Assembly of States Parties held in New York in 2017, I co-chaired the final meeting and contributed to discussions on activating the jurisdiction of the ICC over the crime of aggression, which was approved by consensus by the 123 States Parties. As part of the same Assembly, under the current President, amendments to article 8 of the Rome Statute of the International Criminal Court have been approved by consensus, along with the adoption of a resolution on consultations carried out under article 97(c) of the Rome Statute of the International Criminal Court. In 2018 I was also appointed by the Bureau of the Assembly of States Parties to chair a group of ambassadors for the purposes of conducting the selection and recommendation process to appoint the head of the Independent Oversight Mechanism of the International Criminal Court, a complex and sensitive process which the group successfully carried out. This experience proved to be highly rewarding both from the point of view of international criminal law and also from the point of view of familiarisation with the judicial proceedings and the governance of the International Criminal Court and fulfils the conditions required for inclusion in list B.

11/2014–12/2018: Ministry of Foreign Affairs and Worship (Costa Rica);

Representative of Costa Rica to the Organisation for the Prohibition of Chemical Weapons;

As representative at the Organisation for the Prohibition of Chemical Weapons (OPCW), I was responsible for monitoring aspects involving governance and the achievement of the objectives of the Convention, in particular the possibility of chemical weapons having been used in Syria. I conducted an in-depth analysis of the reports from the OPCW-UN Joint Investigation Mechanism, prepared opinions for the Government of Costa Rica on the possibility of international crimes having been committed in Syria. I was appointed vice-president of the XXth conference. In addition, I represented GRULAC as part of delegations of the OPCW Executive Council for two inspections of the destruction of chemical weapons carried out in 2015 in Haerbaling, in China, and in 2016 in Kizner, in Russia, which involved the analysis of complex technical aspects in the field and sensitive political issues. This experience of a technical and legal nature involving the potential use of chemical weapons against civilian populations, an international crime, and determining the potential violations of international instruments involved, is of relevance to the judicial work of the Court and meets the criteria for the admission of candidates for inclusion in List B.

06/2005–02/2018: Government of Costa Rica;

Advocate and co-agent before the International Court of Justice;

From 2005 I was tasked by the Government of Costa Rica with bringing a series of cases before the International Court of Justice (ICJ). These cases were as follows: Dispute regarding Navigational and Related Rights (Costa Rica v. Nicaragua), Certain Activities Carried Out by Nicaragua in the Border Area (Costa Rica v. Nicaragua), Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica), Maritime Delimitation in the Caribbean Sea and the Pacific Ocean (Costa Rica v. Nicaragua), Land Boundary in the Northern Part of Isla Portillos

(Costa Rica v. Nicaragua), Territorial and Maritime Dispute (Nicaragua v. Colombia). The case of "Certain Activities Carried Out by Nicaragua in the Border Area" brought by Costa Rica before the ICJ was particularly complex. It involved the military occupation, by Nicaragua, of Costa Rican territory in violation of the United Nations Charter and international law. Along with another renowned international lawyer, I was tasked with preparing the Application Instituting the Proceedings, along with an urgent request for the indication of provisional measures which aimed to prevent an escalation which could have led to a large-scale armed conflict between Costa Rica and Nicaragua. The proceedings required intensive work since we submitted three further requests for the indication of provisional measures. The proceedings in this case were joined with those in another case known as "Construction of a Road in Costa Rica along the San Juan River" and required the preparation of dozens of technical reports. In that case, there was an additional stage in the proceedings which involved determining the reparation due by Nicaragua to Costa Rica for the environmental damage caused to a wetland of international importance. At the start of the case I also advised Costa Rica on the preparation of directives on international humanitarian law in case the dispute degenerated into an armed conflict involving the security forces of both countries which would affect civilian populations nearby. As well as heading the legal team of the requesting party, I also developed the litigation strategy and I appeared in person before the Court. This intense experience, both in this case and in other international disputes, enabled me to acquire extensive procedural experience before the international courts and to consolidate my practice and knowledge of public international law, specifically in particularly complex cases in accordance with the criteria set out for nominations for inclusion in list B.

05/2000–09/2014: Ministry of Foreign Affairs and Worship (Costa Rica);

Senior Advisor in international law;

I held the post of Senior Advisor in international law, which involved providing legal advice, formulating and implementing government policies in all branches of international law, including international humanitarian law and human rights law. In this context, I advised the Government of Costa Rica on matters pertaining to the Permanent Court of Arbitration, the Central American Court of Justice, the Inter-American Human Rights System, the International Court of Justice and the International Criminal Court. This experience led me to deal with issues involving governance and relations with the afore-mentioned courts and also to examine proceedings and disputes brought before several of them. In May 2002 I was appointed coordinator of the Costa Rican government's commission for international law, a role in which I played various roles practising and promoting international law, specifically in the context of regional and international conflicts. I also worked to promote Costa Rica's agreed policy on the promotion of human rights and conflict resolution through international law. In this capacity I represented Costa Rica in over forty special missions around the world, such as the demining programme under the Ottawa Convention, the promotion of regional security instruments, participation in actions carried out by the United Nations High Commissioner for Refugees, the drawing up of policies on displacement and the governance of migration in the context of the Regional Conference on Migration, the management of cases brought before the Inter-American Human Rights System, specifically involving reports on Costa Rica or on proceedings. One of these cases, from 2007 and entitled "Caso Interestatal 01/06, Nicaragua c. Costa Rica" in Spanish, proved to be particularly complex in that it comprised several aspects, the most general of which involved the alleged violation of the human rights of migrant Nicaraguan populations. I also

drafted Costa Rica's legal opinion on cases brought before the Central American Court of Justice against Costa Rica. Finally, I drafted Costa Rica's national position whereby the country decided not to conclude agreements to introduce exceptions to article 98 of the Rome Statute. These examples represent the most significant milestones out of the dozens of cases I dealt with in my role as advisor. They enabled me to considerably develop my experience of public international law and its various branches, including human rights and international humanitarian law, along with my experience in exercising a professional legal role linked to the judicial work of the International Criminal Court.

Other professional activities

- 07/2017- present: Member of the Permanent Court of Arbitration, The Hague
- 11/2014-12/2018: Governor of the Common Fund for Commodities,
Amsterdam
- 09/2002-10/2005: Member and Head of the delegation of Costa Rica for the negotiations on maritime borders between Costa Rica and Nicaragua, San José and Managua.
- 2001-2002: Member of the steering committee for the Organization of American States (OAS) programme involving the San Juan river basin, San José
- 2000-2002: Member of the National Council on migrations, San José
- 12/1994-07/1997
- 09/1998-04/2000: Lawyer and notary, private practice as a lawyer in the civil, criminal and administrative fields in Costa Rica, specifically in cases involving the protection of constitutional rights.

Most relevant publications

- ¿Justicia para los rohinyás?, op-ed, La Nación newspaper, San José, Costa Rica, 25 January 2020
- Activation of the ICC Jurisdiction over the crime of aggression, Korean Society of Law: The Justice, Vol. 170 - 2 (special edition 1), February 2019, p.p. 65
- La activación de la jurisdicción sobre el crimen de agresión en el Estatuto de Roma, Revista Costarricense de Política Exterior, issue 29, May 2018, ISSN 1659-0112
- Managing Litigation before the International Court of Justice (La Administración de Litigios ante la Corte Internacional de Justicia), Oxford Journal of International Dispute Settlement, Volume 9, No 4, 1 December 2018, p.p. 691–724
- Costa Rica y la activación del crimen de crímenes, op-ed, La Nación newspaper, San José, Costa Rica, 16 January 2018
- Numerous articles published in the Costa Rican media (specifically in La Nación newspaper), on international law and security. *Treatises*

Most relevant seminars

- Panellist at the seventeenth session of the Assembly of States Parties of the International Criminal Court, panel discussion on the twentieth anniversary of the Rome Statute, The Hague (December 2018)
- Keynote speaker at the international symposium on the activation of the jurisdiction of the International Criminal Court over the crime of aggression, under the aegis of the bar of South Korea, Seoul (October 2018)

- Lecturer at The Hague Academy of International Law summer courses programme about Litigation before the International Court of Justice, The Hague (July 2016, July 2017 and July 2018)
- Speaker invited by the International Criminal Court for the celebrations of the twentieth anniversary of the Rome Statute, The Hague (July 2018)
- Speaker invited by The Club of International Law in The Hague, on the following topic: "Activation of the crime of aggression: stopping the clocks in New York", The Hague (April 2018)
- Speaker invited by the International Criminal Court on the activation of the crime of aggression, The Hague (February 2018)
- Guest lecturer at Erasmus University Rotterdam for the seminar on international diplomacy, in Rotterdam (November 2016 – January 2018)
- Speaker at the regional seminar on the Agreement concerning co-operation in suppressing illicit maritime and air trafficking in narcotic drugs and psychotropic substances in the Caribbean area, San José (November 2017)
- Moderator at the high-level conference on financial cooperation with the International Criminal Court, under the aegis of France and Senegal, Paris (October 2017)
- Rapporteur on the topic: "How to achieve gender parity in the International Criminal Tribunals" at the GQUAL conference on Changing the picture of international justice, The Hague (October 2017)
- Speaker at the legal seminar on the instruments of The Hague Conference on Private International Law, San José (August 2017)
- Speaker at the seminar entitled "Complementarity and the International Criminal Court", under the aegis of Australia and Romania, Brussels (July 2017)
- Panelist at the African regional seminar entitled "Challenges and opportunities for the ICC on the eve of the 20th anniversary of the Rome Statute" on "Promoting the universality of the Rome Statute: what are the factors slowing down progress and what steps to take to encourage more countries to join the Rome Statute?"Dakar, Senegal (July 2017)
- Panellist at the opening ceremony of the seventh Ibero-American Week of International Justice, on the theme of the route towards international law, Peace Palace, The Hague (May 2017)
- Speaker at the opening ceremony of the seminar on gender and climate change, The Hague (May 2017)
- Professor responsible for the course on the Inter-American human rights system and the course on the Inter-American Court of Human Rights, University of Costa Rica (2002)

Membership of professional associations and societies

- Member of the Bar of Costa Rica
- Member of the International Law Association, London
- Member of the American Bar Association

Awards and honours

- Order of San Carlos, Colombia

Personal interests

- Reading, music, theatre, swimming, forest conservation

Other relevant facts

- As special advisor to the Government of Costa Rica on international law matters over the course of six administrations, I was required to advise the country's presidents on highly complex issues involving the national security of Costa Rica. I supported, guided and occasionally directed the national positions on several instruments of international law: for example, during the negotiations involving the first host country agreement for the Permanent Court of Arbitration outside the Hague; achieving the objectives of the Ottawa Convention on the Prohibition of Anti-Personnel Mines, which made Costa Rica the first country in the world to declare itself mine free; during the negotiations and implementation of instruments on regional security and to combat organized crime, such as the Agreement Concerning Co-operation in Suppressing Illicit Maritime and Air Trafficking in Narcotic Drugs and Psychotropic Substances in the Caribbean Area, international disarmament agreements, such as the Arms Trade Treaty, and more recently the Treaty on the Prohibition of Nuclear Weapons, for which I acted as an external advisor for the Presidency of the Conference, which fell to Costa Rica, among other international instruments and agreements. This career path has provided me with numerous opportunities to work in multi-national and multi-cultural environments, as well as in the highest spheres of the international institutions.
