

**Twentieth session**

The Hague, 6-11 December 2021

**Seventh election of members of the Board of Directors  
of the Trust Fund for Victims****Note by the Secretariat**

1. The Trust Fund for the benefit of victims of crimes within the jurisdiction of the Court, and of the families of such victims was established by the Assembly of States Parties in its resolution ICC-ASP/1/Res.6 of 9 September 2002. The terms of reference of the Board of Directors are set out in the annex to the resolution.
2. The procedure for the nomination and election of the five members of the Board of Directors was set out by the Assembly of States Parties in its resolution ICC-ASP/1/Res.7 of 9 September 2002. In accordance with paragraph 6 of that resolution, each nomination shall specify how the candidate fulfils the requirements laid down in paragraph 1 of the same resolution, i.e., to be of high moral character, impartiality and integrity and to have competence in the assistance to victims of serious crimes.
3. In accordance with paragraph 8 of resolution ICC-ASP/1/Res.7, each regional group shall have one seat.
4. In accordance with paragraph 10 of resolution ICC-ASP/1/Res.7, every effort shall be made to elect the members of the Board by consensus. In the absence of consensus, the election shall be by secret ballot. This requirement may be dispensed with if the number of candidates corresponds to the number of seats to be filled, or in respect of candidates endorsed by the respective regional groups, unless a delegation specifically requests a vote on a given election.
5. Paragraph 11 of resolution ICC-ASP/1/Res.7 provides that in the event of a tie for a remaining seat, there shall be a restricted ballot limited to those candidates who have obtained an equal number of votes.
6. Paragraph 12 of resolution ICC-ASP/1/Res.7 provides that the persons elected shall be the candidate from each group who obtains the highest number of votes and a two-thirds majority of States Parties present and voting, provided that an absolute majority of the States Parties constitutes the quorum for voting.
7. At its fourth meeting, held on 2 June 2021, the Bureau of the Assembly of States Parties decided to open the nomination period for the seventh election of members of the Board of Directors, which would run from 7 June to 29 August 2021. At the end of this period, the minimum requirements for the nomination of members of the Board of Directors had not been met. Pursuant to paragraph 4 of resolution ICC-ASP/1/Res.7, the President of the Assembly extended the nomination period for two weeks, until 12 September 2021.

8. As at 12 September 2021, the following five nominations had been received:

*African States:*

- Mr. Yillah, Ibrahim Sorie (Sierra Leone)

*Asia-Pacific States:*

- Mr. Belal, Sheikh Mohammed (Bangladesh)

*Eastern European States:*

- Mr. Parmas, Andres (Estonia)

*Latin American and Caribbean States :*

- Ms. Tarávez Mirabal, Minerva Josefina (Dominican Republic)

*Western European and Other States:*

- Mr. Kelly, Kevin (Ireland)

9. In accordance with paragraph 7 of resolution ICC-ASP/1/Res.7, information relating to the candidates, with accompanying documents, is contained in the annex to the present note.

## **Annex**

### **Alphabetical list of candidates (with statements of qualifications)**

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## 1. Belal, Sheikh Mohammed (Bangladesh)

[Original: English]

### Note verbale

The Embassy of the People's Republic of Bangladesh to the Netherlands presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute and in reference to the latter's note verbale ICC-ASP/21/SP/54 dated 30 August 2021, has the honour to convey Bangladesh' nomination of **Ambassador Sheikh Mohammed Belal** for re-election to the Board of Directors of the Trust Fund for Victims for a subsequent three-year term, from the group of Asia-Pacific States.

### Statement of qualifications

This is a statement submitted in accordance with paragraph 6 of the resolution of the Assembly of States Parties relating to the procedure for the nomination and election of members of the Board of Directors of the Trust Fund for Victims for the benefit of Victims (ICC-ASP/1/Res.7), adopted on 9 September 2002.

Ambassador Sheikh Mohammed Belal meets the criteria established in paragraph 1 of the above-mentioned resolution; "the candidates [shall] be of high moral character, impartiality, integrity and have competence in the assistance to victims of serious crimes."

Ambassador Belal was elected in December 2018 as one of the five members of the Board for Trust Fund for Victims representing the Asia-Pacific region. During his first term, Ambassador Belal worked on many issues including, but not limited to, as Board's focal points on issues relating to ongoing review mechanism. This exercise, it is hoped, will bring much needed focus on the issues of victims and the restoration of their dignity and safety for all the victims globally, including for those who are in the Asia-Pacific region. These exercises surely have helped Ambassador Belal to deepen his knowledge and understanding of the Rome Statute framework and its implementation globally.

Ambassador Belal has been dealing with the humanitarian legal issues for a significant part of his career and has had significant experiences with the Fund's implementation of victims' reparations. To complement more, Ambassador Belal has also been a manager of a fund involving members from all parts of the globe and thereby equipped to complement Funds role to raise awareness both in the public and private sector for raising funds. With significant experience in both diplomatic and financial spheres, Ambassador Belal is expected to contribute more during his second term.

Following obtaining his master's in public administration from Harvard University of USA in 2012, Mr. Belal devoted his career towards furthering Bangladesh's advocacy for diplomacy, disarmament and justice for the victims. His quest for working for peace and justice took a boost when he was appointed as Bangladesh Ambassador to the Netherlands with residence in The Hague - the city of peace and justice in April 2014.

In his role as Bangladesh Ambassador to the Netherlands, Ambassador Belal has had the opportunity to work as Bangladesh Permanent Representative to the International Criminal Court (ICC), Organization for the Prohibition of Chemical Weapons (OPCW), Permanent Court of Arbitration (PCA), Common Fund for Commodity (CFC) etc.

In December 2020, Ambassador Belal was elected as Managing Director of the Common Fund for Commodities (CFC) from a panel of six candidates. CFC is an international financial organization dedicated to the mission of poverty alleviation globally. Upon his assumption as Managing Director of the CFC, Ambassador Belal sought approval from the Executive Board to continue his pro bono duties as member of Trust Fund for Victims (TFV) and was approved forthwith.

Ambassador Belal represented Bangladesh during his nation's historic achievement of peaceful settlement of maritime disputes with India at the Permanent Court of Arbitration (PCA) and led the process that resulted in gaining access to a maritime territory that has changed Bangladesh's maritime history forever. Ever since, Ambassador Belal has involved himself in a series of speaking engagements highlighting the importance of peaceful settlement of disputes and importance of diplomacy.

During his tenure as Bangladesh Ambassador to the Netherlands, Ambassador Belal was elected as Chairperson of the Executive Council of the OPCW for the 2017-2018 term. Mr. Belal was the first-ever Chairperson from Bangladesh in the twenty years' plus history of the OPCW. Although his tenure as the Chair of the Executive Council, an apex organ of OPCW comprising 41 of the OPCW's 193 member States, was hugely challenging because of civil war in Syria and repeated alleged uses of chemical weapons in several countries, Mr. Belal conducted his business with utmost professionalism and sincerity.

Ambassador Belal oversaw the process of appointment of the incumbent Director-General of the OPCW, which happens only after eight years, to the satisfaction of all. His innovative, calm and candid approach helped conclude this rather arduous job in the shortest possible time. The hallmark of Mr. Belal's tenure as Chairperson of the Executive Council was his ability to engage almost all 193 State Parties in the affairs of the OPCW despite his mandate to work as Chair of the 41-member Executive Council.

Always on the look-out for innovations and creativity, Mr. Belal remained engaged with all key stakeholders in dialogue and negotiations to pursue consensus culture of the organization. In addition to his role as Chair of the Executive Council, Mr. Belal also worked in a host of other capacities like Chairperson of Credential Committee for the Conference of State Parties (CSP), Vice Chairperson for the CSP of OPCW as well as Vice-Chairperson of the Governing Council of the CFC.

In his engagements with the Court, Mr. Belal has been a constant voice and activist for the cause of victims. Perhaps this was the reason why the Bureau appointed him as "Facilitator for the Trust Fund of Victims" for the term 2015-2016. Ambassador Belal was also a member, of panels of Ambassadors, appointed by the President of the Assembly of States Parties for nomination of Head of Independent Oversight Mechanism at the Court in the recent past.

While working with the Trust Fund for Victims, Mr. Belal had been a constant promoter of innovative outreach for fund raising and has since been pursuing TFV bring much needed dynamism for fund rising in both public and private spheres. Mr. Belal is a believer in sincere outreach no matter how odd it may initially seem. Given his years of experiences in Washington DC, as Deputy Ambassador of the Bangladesh Embassy in the United States of America, Mr. Belal is not only conversant with the fund-raising culture in the United States, but also remained in contact with a good number of fund raising experts there. It is expected that Mr. Belal will be hugely helpful in complementing the Trust Fund for Victims' fund raising drive in the future.

Mr. Belal's conviction in the wellbeing of victims is more than personal. Given his upbringing, in the early years of Bangladesh's independence, after a bloody war and genocide, Ambassador Belal took upon himself the cause of coming to the aid of victims. It is because of this belief and spirit of making a difference, Mr. Belal has represented Bangladesh to all the sessions of the Assembly of State Parties to the Rome Statute from 2015 to 2020. He has been a voice for geographical and gender balance in the Court and beyond. It was during his tenure that Bangladesh was elected during the eighteenth session of the Assembly, in 2017, as a member of the Bureau, for the first time ever.

Before coming to The Hague, Mr. Belal worked as Director General in the Ministry of Foreign Affairs of Bangladesh with jurisdiction over East Asia and the Pacific. During his tenure as Director General, Mr. Belal was instrumental in spearheading Bangladesh's relations with a good number of countries like Australia, New Zealand, People's Republic of China, Republic of Korea, Democratic Republic of Korea, Japan, and a number of Pacific

Island countries. At the same time, Mr. Belal also acted as focal point for the government of Bangladesh for a number of international and regional organizations. During this time, Mr. Belal also led his country's delegation in a number of international and regional organizations.

Mr. Belal, despite overwhelming engagements with his present job, continues his voluntary portfolio as President of Alumni Association of Institute of Forestry and Environmental Sciences (IFESCU), Chittagong University in his home country. Given his leadership and known fund raising prowess, Ambassador Belal has been working hard to establish the first-ever career development center for students of his Institute and making sure that incoming students will be much better endowed to take up the challenges of a climatically vulnerable country like Bangladesh.

In his pro bono role as Director of "Center for Asia Leadership" in the Harvard University, USA, Mr. Belal has been instrumental in arranging exchange of visits of students and fellows from Harvard University to Bangladesh on a regular basis. As an active member of alumni in the Harvard and few other universities, Mr. Belal is blessed to have a vast network of friends and peers across the globe. Ambassador Belal looks forward to availing their good will to make the workings of Trust Fund for Victims as a vocation for all people to bring much needed solace to the victims.

#### **Personal details**

Name: Sheikh Mohammed Belal (Mr.)

Place and date of birth: Chittagong, Bangladesh, 5 October

Marital status: Married, two children

Nationality: Bangladeshi

Profession: Diplomat and International Foreign Service.

#### **University education:**

2012: Masters in Public Administration (MPA), Harvard Kennedy School, United States of America.

1995: Masters in Foreign Affairs and Trade, Monash University, Australia

1990: Bachelor of Science in Forestry, University of Chittagong, Bangladesh

#### **Profile**

- An activist of "humanity first" and engaged with the alleviation of poverty globally.
- Diplomat and International Civil Servant with experience of over 30 years in diplomacy, trade, investment, disarmament, peace, and justice.
- Passionate activist of justice, rule of law and human rights.
- Professional Mediator with excellent negotiating skills.
- Manager with proven innovative and creative leadership skills.
- Economic diplomat with entrepreneurship skills in both the public and private sectors.
- Environmental activist aimed at honing skills to address the challenges of climate change.
- A promoter of geographical and gender balance in all organizations.
- A strong advocate for international judicial mechanisms and inter-state cooperation to bring perpetrators to justice while ensuring justice to victims.
- An activist for a connectivity driven world where poverty is a responsibility of all.

#### **Professional working experience**

April 2020 to present: Managing Director, Common Fund for Commodities (CFC), Amsterdam.

2014 to 2020

-Ambassador Plenipotentiary and Extraordinary to The Netherlands, Bosnia and Herzegovina, and Croatia; and Poland (now concluded).

-Bangladesh Permanent Representative to all legal institutions including: the International Criminal Court (ICC), International Court of Justice (ICJ) and the Permanent Court of Arbitration (PCA), the Common Fund for Commodities (CFC), the Organization for the

Prohibition of Chemical Weapon (OPCW).

2012 – 2013

Director General in the Ministry of Foreign Affairs of Bangladesh with jurisdiction over East Asia and the Pacific and Bangladesh focal point for a number of regional and international organizations. Helped bringing "connectivity" as a core activity of Bangladesh Foreign Policy.

2011-2012

Attended Masters in Public Administration in the Harvard Kennedy School, USA.

2010-2011

Deputy Ambassador in Uzbekistan with concurrent accreditation to Kazakhstan, Kyrgyzstan and Tajikistan. Oversaw bilateral trade of over one and a half billion while bringing the concept of "clean" cotton in our sourcing practices.

2005 – 2010

Deputy Ambassador to United States of America. Bangladesh country focal point in the Capitol Hill and all leading Think Tanks in Washington DC. Trade Representative to all trade negotiations. Also worked as "Press Minister" in the Embassy.

2003 – 2005

Chief of Cabinet of Foreign Minister of Bangladesh. Advising Foreign Minister in all affairs of diplomacy and trade while accompanying the Minister, as a delegate and advisor, to numerous international and regional conferences, seminars and bilateral visits.

2000-2003

Counsellor at Bangladesh High Commission in Kuala Lumpur. Helped installing the first ever-automated consular payment system in any of Bangladesh Embassies abroad.

1996-2000

Second/First Secretary at Bangladesh High Commission in Australia. Designed and hosted first-ever website of an Embassy of Bangladesh.

1995-1996

Completed Masters in Foreign Affairs and Trade, Monash University, Australia with high distinction.

1996-1991

Undergone trainings in Bangladesh as a junior diplomat and subsequently worked in the Ministry of Foreign Affairs with exposure in United Nations, SAARC, Legal and Administrative affairs.

### **Publications**

- "Ganges Water Treaty: Water security for Bangladesh", Master's Thesis at the University of Bangladesh, 1989.
- Regular contributing writer to Diplomat Magazine, Diplomatic Affairs, Holland Times, etc.

### **Conference and international scholarly activities**

- Led/represented Bangladesh in over a hundred conferences and seminars.
- Delivered speeches and Bangladesh country statements in fora like United Nations, Bangladesh-China-India-Myanmar Forum for Regional Cooperation, South Asian Association for Regional Cooperation (SAARC), Assembly of State Parties of ICC, OPCW, PCA, CFC, etc.
- Have been a regular speaker on issues relating to poverty and restoration of dignity.

### **Membership and awards**

- Mason Scholarship for MPA in Harvard University, USA.
- AusAID scholarship for Masters in Monash University, Australia.

- Member of Bangladesh Foreign Service Association.
- President of Alumni Association (IAA) of Institute of Forestry and Environmental Association.
- Life Gold Member of IAA.

**Languages**

Excellent knowledge and proficiency in English and Bengali.

Working knowledge in Urdu, Hindi and Bahasa Malay.

**Hobbies**

Reading, cricket, football, American NFL, travelling, reading and "giving back" activities.

## 2. Kelly, Kevin (Ireland)

[Original: English]

### Note verbale

The Embassy of Ireland 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 note ICC-ASP/20/SP/38 of 3 June 2021, has the honour to inform the Secretariat that the Government of Ireland has decided to nominate Ambassador Kevin Kelly as a candidate for election as a member of the Board of Directors of the Trust Fund for Victims at the elections to be held during the twentieth session of the Assembly of States Parties in The Hague from 6 to 11 December 2021.

The Government of Ireland considers that Ambassador Kevin Kelly fully meets the requirements set out in paragraph I of ICC-ASP/1/Res.7. He is a candidate of the highest moral character, impartiality and integrity and has experience and competence in the assistance of victims of serious crimes. Ambassador Kelly has served in senior management positions in fragile and conflict-affected contexts in Africa with the Department of Foreign Affairs of Ireland, the World Bank and international NGOs. He has championed the rights of victims of international crimes throughout his time as Ireland's Ambassador to Uganda, during which time he participated in the Kampala Review Conference, and as Ambassador to the Assembly of States Parties of the International Criminal Court in The Hague, where he has ensured that victims are central to Ireland's engagement with the Court. Ireland has the honour to enclose a statement of qualifications and curriculum vitae of Ambassador Kevin Kelly.

### Statement of qualifications

#### *Statement of suitability for election to the Board of Directors of the Trust Fund for Victims*

With a career in international affairs spanning over thirty years, including over twenty years with the Department of Foreign Affairs, Ambassador Kevin Kelly has the required experience and qualifications to meet the vast majority of the desired competencies for membership of the Trust Fund Board of Directors. Ambassador Kelly's academic studies in University College Dublin and the School of Law in Queens University (both at Masters level), coupled with his hands on engagement over the past five years as Ireland's Ambassador to the Assembly of States Parties of the International Criminal Court in The Hague has deepened his knowledge and understanding of the Rome Statute framework.

He has led and delivered a large range of foreign policy, peace & security, humanitarian and development outcomes at the most senior levels including: Ambassador and Deputy Ambassador in Ireland's bilateral missions in Africa and Europe. His experience as UN Director, as Director for Conflict Resolution and Humanitarian Director in the Department of Foreign Affairs has afforded him practical experience which speaks to most of the requirements of the Board of Directors. Having also held senior management positions in fragile and conflict-affected contexts in Africa with the Irish Government, the World Bank and international NGOs, Mr. Kevin Kelly possesses the requisite institutional experience relevant to the mandates of the Trust Fund for Victims.

Mr. Kevin Kelly was Ambassador to Uganda in 2010 when the first Review Conference on the Rome Statute was held in Kampala, during which Ireland organized a seminar on cooperation with the Court. Kevin Kelly was a member of Ireland's delegation and following the Conference continued to support Uganda's efforts in the field of international criminal justice through Ireland's engagement in the multi-donor capacity building programme for the Justice Law and Order Sector (JLOS).

His experience in Uganda meant that Ambassador Kelly was well placed to take a lead role in The Hague for Ireland in relation to the ICC, building on Ireland's already strong reputation as a supporter of the Court. In conjunction with HQ, it was decided that the rights of victims would become a key priority of Ireland's engagement with the ICC. Ambassador Kelly has engaged with the Trust Fund to sponsor and co-host side events at three Assemblies of States Parties conferences in The Hague.



Under Mr. Kelly's leadership, eleven States Parties to the Rome Statute, along with the President of the Assembly of State Parties, undertook a mission to Northern Uganda between the 19 and 23 February 2018 in order to assess the impact and promote the work of the Trust Fund for Victims. In this year which marked the 20th anniversary of the Rome Statute, Ireland took the initiative to organize the visit in order to promote the Fund but also to help change the narrative of the ICC in Africa. The visit involved meetings in Kampala before travelling to Northern Uganda where tens of thousands of survivors of atrocities committed by the Lord's Resistance Army continue to cope with their physical and psychological injuries.

## Curriculum vitae

### Profile

Mr. Kevin Kelly will complete his current position as Ireland's Ambassador to the Netherlands on 10 September 2021 and will return to Dublin to assume the role of Director of Communications for the Department of Foreign Affairs of Ireland.

With a career in international affairs spanning over thirty years, including twenty years with the Department of Foreign Affairs and Trade, Mr. Kelly has led and delivered a full range of foreign policy, peace & security, humanitarian and development outcomes at the most senior levels. This has included: Ambassador and Deputy Ambassador in large bilateral missions in Europe and Africa; Director of headquarter business units for Ireland's Department of Foreign Affairs; as a senior policy lead within the World Bank; and in senior management positions in fragile and conflict-affected contexts in Africa with international NGOs.

Mr. Kelly has extensive experience of spearheading strategic and organisational planning, managing multi-disciplinary and multi-cultural teams and exercising strict budget discipline. He combines strong leadership qualities with the requisite interpersonal and teamwork skills for effective delivery of results. As an experienced negotiator Mr. Kelly has the proven ability to initiate/drive change and deliver innovative solutions in challenging environments. He is a skilled political analyst with the ability to analyse complex information, draw conclusions and clearly communicate messages.

### Educational qualifications

Queens University Belfast School of Law (2012)  
Governance

Qualification: Master of

Thesis: "Learning from Governance in Sub-Saharan Africa"

University College Dublin (1992-1993)

Qualification: Master of Equality Studies, **Thesis:** 'Guilty Until Proven Innocent: Police Interrogation Procedures under Emergency Law Northern Ireland'

National University of Ireland,  
St. Patrick's College of Education Dublin (1986-1989)

Qualification: Bachelor of Education, (B.Ed. Hons), Majored in Education and English

Language skills: English, Irish, French (working level)

### 3. Parmas, Andres (Estonia)

[Original: English]

#### Note verbale

The Embassy of the Republic of Estonia 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 note ICC-ASP/20/SP/38 from 3 June 2021, has the honour to convey the following.

The Embassy informs the Secretariat that the Government of Estonia has decided to nominate the candidature of Mr Andres Parmas for re-election as a member of the Board of Directors of the Trust Fund for Victims, et the elections to be held during the twentieth session of the Assembly of State Parties in The Hague from 6 to 11 December 2021.

Estonia considers that Mr Andres Parmas fully meets the requirements set out in paragraph 1 of resolution ICC-ASP/1/Res.7. He is of high moral character, impartiality and integrity and has proven experience in the assistance to victims of serious crimes. Estonia has the honour to enclose a statement of qualifications and curriculum vitae of Mr Parmas.

The Government of Estonia would highly appreciate the valuable support of the State Parties to the Rome Statute for the re-election of Mr Andres Parmas as a member of the Board of Directors of the Trust Fund for Victims.

#### Statement of qualifications

This statement is submitted pursuant to paragraph 6 of the resolution of the Assembly of States Parties on the Procedure for the nomination and election of members of the Board of Directors of the Trust Fund for Victims (ICC-ASP/1/Res.7).

Mr Andres Parmas fully meets the criteria for nomination set out in paragraph 1 of the above resolution: he is impartial, of high moral character and integrity and has proven competence in the assistance to victims of serious crimes.

Mr Parmas has extensive professional experience in assisting victims of serious crimes both in terms of policy and practice.

During his first months as a member of the Board of Directors of the Trust Fund for Victims, Mr Parmas has been actively contributing to the work of the Board and feels that his role as the Board member with solid legal background is important for the successful fulfilment of its mandate. Mr Parmas currently functions as the focal point of the Board in the Ntaganda case, where the submission of the implementation plan for the reparations is due in September 2021. He is advocating for the rise of professionalism in the work of the Board, so that it could better meet the expectations that the States Parties to the Rome Statute have put in the Trust Fund for Victims. Mr Parmas offers his service to the Trust Fund in forming a reasoned position in regard of the recommendations of the IER report on the Trust Fund for Victims.

As the Prosecutor General of Estonia, one of his main tasks is to deal with issues concerning the problems of victims of crimes. He is directing the creation of policies in regard of participation of victims in criminal proceedings, their access to relief services, assistance available to the victims etc. To promote the interests of victims Mr Parmas concluded an Agreement with Estonian Bar Association on behalf of the Prosecutor's Office in the fall of 2020 for engaging victims of crimes in the criminal investigation phase. A state prosecutor specialised in juveniles and the treatment of victims was appointed in the Prosecutor's Office. He is also insisting interagency efforts for more meaningful work in advancing the rights of victims. In order to be aware of the level of Prosecutor's Office's services and of any possible shortcomings the satisfaction of victims with the services and assistance available to them during criminal proceedings is constantly gathered and assessed. Mr Parmas also calls for

active outreach to victims. He is working to find innovative and efficient methods to take better notice of the needs of victims of crimes. For this reason, e.g. the methods of restorative justice are being introduced in the work of the Prosecutor's Office under his supervision. Mr Parmas is a member to Estonian council of crime prevention, which has in recent years put the assistance of victims of crimes at the centre of its activities.

While being appointed as the judge in roster for the Kosovo Specialist Chambers, Mr Parmas actively participated in the setting out of the regulatory framework and standards for victim participation at the Kosovo Specialist Chambers proceedings. In 2013-2014, Mr Parmas worked as an EULEX legal officer in the courts of Kosovo, where among other tasks he had to work with representatives of the victims of grave violations of international humanitarian law and of crimes against humanity in the ongoing criminal proceedings.

In addition to the above Mr Parmas' work as a lecturer of criminal law at University of Tartu also merits to be highlighted, as he has dealt in depth with the issues concerning the interests of victims when teaching courses of criminal policy and international criminal law. As a speaker in numerous seminars and conferences Mr Parmas has substantially contributed to raising awareness in international humanitarian law amongst Estonian judiciary and military. He was also a member of the Estonian delegation at the 17<sup>th</sup> and 18<sup>th</sup> Session of the Assembly of States Parties to the Rome Statute of the International Criminal Court in 2018 and 2019 respectively.

His track-record also include participation in the reforming of norms against human trafficking in Estonian Penal Code in 2012.

The Board of Directors of the Trust Fund for Victims consists of only five members, but its tasks are manifold: to guide the Trust Fund's activities and allocation of resources and to coordinate and oversee assistance projects. The Board reports on its activities to the Assembly of States Parties. It would also be desirable that the members of the Board could bear representative functions and help in the fundraising for the Trust Fund for Victims. This is why the composition of the Board should at least try to embrace different qualifications. Mr Parmas is eligible candidate for the Board of the Trust Fund because of his expertise in criminal law and international criminal law, but also because of his managerial skills obtained as the Prosecutor General of Estonia and extensive experience from the work in different international settings.

There exist no affiliations or engagements that could cause any prejudice to Mr Parmas' impartiality or integrity as a member of the Board of Directors of the Trust Fund for Victims. *Inter alia* at present Mr Parmas has no affiliations with any international judicial organisations. Mr Parmas had to resign from the roster of judges at the Kosovo Specialist Chambers because of his appointment as Prosecutor General of Estonia. However, working as the Prosecutor General is no formal or substantial impediment to act as a member of Board of Directors of the Trust Fund for Victims.

Based on the above considerations the Assembly of States Parties to the Rome Statute can be confident in investing Mr. Andres Parmas' experience and knowledge into the position of a member of the Board of Directors of the Trust Fund for Victims.

## **Curriculum vitae**

### **Professional experience**

March 2021 – present	Trust Fund for Victims, member of the Board of Directors
Feb 2020 – present	Prosecutor General of Estonia
Jan 2017 – March 2020	Kosovo Specialist Chambers, Judge (in roster)
June 2014 – Feb 2020	Tallinn Circuit Court, Judge in the criminal chamber
June 2013 – June 2014	European Union Rule of Law Mission in Kosovo (EULEX), Legal Officer at the Supreme Court of Kosovo / Court of Appeals

Sept 2003 – present	University of Tartu Faculty of Law, lecturer of criminal law
Jan 2003 – June 2013	Supreme Court of Estonia, counsellor of the criminal chamber
Sept 1999 – Jan 2003	Supreme Court of Estonia, lawyer of the legal information department

### Selected publications

1. Correspondents Reports: Estonia. Yearbook of International Humanitarian Law, 2000. The Hague: T.M.C. Asser Institute. 2002, pp 484-490. Together with Tanel Kerikmäe.
2. *Inimsusevastased kuriteod rahvusvaheliste kriminaalkohtute käsitluses*. [Crimes against Humanity in International Criminal Tribunals]. *Juridica* V/2002, pp 321-329.
3. *Karistusseadustikus sätestatud inimsusevastaste ja sõjakuritegude kuriteokoosseisude kooskõla vastavate kuritegude rahvusvahelises õiguses tunnustatud määratlustega*. [The Accordance of Definitions of War Crimes and Crimes Against Humanity in Estonian Penal Code with International Law]. In the Collection of Judgements of the Supreme Court of Estonia 2003. Tallinn: Juura. 2004, pp 1592-1604.
4. Prosecution of International Crimes: Estonia. In National Prosecution of International Crimes. Nationale Strafverfolgung Völkerrechtlichen Verbrechen. Vol 5, Canada, Estonia, Greece, Israel, United States of America. A. Eser, U. Sieber, H. Kreicker (ed-s). Berlin: Duncker & Humblot, 2005, pp 89-188. Together with Tristan Ploom.
5. Developing the Definition of the Crime of Genocide through National Criminal Laws. In Festschrift in Honour of Raimo Lahti, K. Nuotio (ed). Helsinki: University of Helsinki. 2007, p 61-73. Together with Jaan Sootak.
6. *Karistusõigus. Üldosa, koos J. Sootaki, E. Elkindi, P. Randma ja P. Pikamäega*. [Criminal Law: General Part, together with J. Sootak, E. Elkind, P. Randma and P. Pikamäe]. Tallinn: Juura, 2010, 800 p.
7. *Karistusjärgne kinnipidamine põhiseaduse vastane, mis saab edasi?* [Detention after Service of Sentence Unconstitutional: What next?] *RiTo* 25, 2011, lk 86-94. Together with Rauno Kiris.
8. Country Report on Estonia. In: Außerprozessuale Erhebung der Beweise und Verwertung dieser Beweise im Strafprozess [Extrajudicial gathering of evidence and use of this evidence in criminal proceedings]. P. Hofmanski, (ed). Together with E. Kergandberg (Krakow, Munich: C.H. Beck, 2015).
9. Country Report on Estonia. In: The Crime of Aggression: A Commentary. C. Kress, S. Barriga (ed-s). (Cambridge: Cambridge University Press, 2017).
10. *Karistusõigus. Üldosa, II väljaanne koos J. Sootaki, E. Elkindi, P. Randma ja P. Pikamäega*. [Criminal Law: General Part, 2<sup>nd</sup> edition together with J. Sootak, E. Elkind, P. Randma and P. Pikamäe]. Tallinn: Juura, 2018, 682 p.
11. Application of domestic criminal statutes in regard of international crimes. *Baltic Yearbook of International Law* Vol 17 (2019)
12. Responsibility of the superior according to Estonian Penal law and its compliance with International law. *Juridica International* Vol 28 (2019)
13. *VIII peatükk. Inimsuse ja rahvusvahelise julgeoleku vastased süüteod. Karistusseadustik. Kommenteeritud väljaanne*. [VIII Chapter. Crimes Against Humanity and International Security. In: Penal Code. A Commentary] J. Sootak and P. Pikamäe (ed-s). (Tallinn: Juura, 2021). Together with J. Tehver.

**Selected conference papers**

July 2005	Crimes Against Humanity: Dogmatics and Analysis of Respective Cases in Estonian Courts, Baltic Summer Academy of International Humanitarian Law, Jäneda, Estonian Red Cross
Oct 2007	Implementation of the norms of international criminal law in Estonian law, ICRC Regional Seminar on The Role of the Judiciary in the Implementation of International Humanitarian Law, Budapest, Hungary
Aug 2010	Jurisdiction principles in Estonian criminal law, international scientific workgroup for conflicting criminal jurisdictions in organised crime cases, Osnabrück, Germany
Oct 2012	The Perspectives of Sentencing Policies, 32 Estonian Lawyers' Days, Tartu, Estonia
Oct 2016	The Limits of International Criminal Law, 34 Estonian Lawyers' Days, Tartu, Estonia
Nov 2018	Application of Domestic Criminal Statutes in regard of International Crimes, International Conference on Topical Issues of Crime of Genocide and Human Rights Protection, Sukhumi State University, Tbilisi, Georgia
May 2020	Short period of statutory limitations for criminal offences with a few grounds of extension – Estonian perspective, European University Viadrina, Frankfurt a.O., Germany

**Membership in professional organizations**

2002 – present	Member of Estonian Academic Society of Law
2007 – present	Member of The Martens Society
2017 – present	Member of Arbeitskreis Völkerstrafrecht [working group for international criminal law]

**Education**

2002 – 2005	University of Tartu Faculty of Law, <i>mag. iur.</i>
1996 – 2002	University of Tartu Faculty of Law, B.A. (law)
1984 – 1995	Tartu 3. High School

**Languages**

Estonian – mother tongue
English – very good
German – very good
Russian – good
French – beginner

## 4. Tavárez Mirabal, Minerva Josefina (República Dominicana)

[Original: English]

### Note verbale

The Embassy of the Dominican Republic to the Kingdom of the Netherlands presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and, with reference to note ICC-ASP/20/SP/38 of 3 June 2021, has the honour to inform the Secretariat that the Government of the Dominican Republic has decided to nominate **Mrs. Minerva Josefina (Minou) Tavárez Mirabal** as a candidate for re-election as a member of the Board of Directors of the Trust Fund for Victims at the elections to be held during the twentieth session of the Assembly of States Parties in The Hague from 6 to 11 December 2021.

The Government of the Dominican Republic considers that Mrs. Minerva Josefina (Minou) Tavárez Mirabal fully meets the requirements set out in paragraph I of ICC-ASP/1/Res.7. She is a candidate of the highest moral character, impartiality and integrity and has experience and competence in the assistance of victims of serious crimes .

Mrs. Tavárez Mirabal is a Dominican philologist and politician, recognized nationally and internationally for her commitment to democracy, justice, the defense of human rights, the fight for equality and non-discrimination. On November 25, 1960, her mother, Minerva Mirabal, as well as her aunts Patria and María Teresa Mirabal, activists for democracy, freedom and human rights, were murdered. The global condemnation of these atrocities is reflected in the designation of that date, by the United Nations General Assembly (United Nations resolution 54/134 of 1999), as the *International Day for the Elimination of Violence against Women*.

The candidacy is proposed taking into account the outstanding work recently completed in the Board of Directors of the Trust Fund for Victims (FFBV) filling the GRULAC vacancy that occurred after the unfortunate death of Dr. Felipe Michelini (Uruguay), and also the performance of her positions as Vice Chancellor of the Republic, Legislator and in her long career as a political activist, she has demonstrated leadership, communication skills, commitment to inclusion and diversity, as well as abilities to raise funds, generate alliances, coordinate teamwork and negotiate with different actors and interests. It is important to highlight in the same way, the work of Tavárez Mirabal for 14 years in favour of the Rome Statute and the ICC Trust Fund, as a Dominican legislator and as a member and then President of *Parliamentarians for Global Action*.

The Dominican Republic has the honour to attach a statement of qualifications and curriculum vitae of Ms. Minerva Josefina (Minou) Tavárez Mirabal and would highly appreciate the valuable support of the States Parties to the Rome Statute for her re-election as a member of the Board of Directors of the Trust Fund for Victims.

### Statement of qualifications

The Dominican Republic nominates Mrs. Minou Tavárez Mirabal as its candidate for re-election to the Board of Directors of the Trust Fund for Victims (the “Trust Fund”), to which she was elected in 2020 to fill the vacancy that arose after the irreparable loss of Dr. Felipe Michelini (Uruguay) on 19 April of that year. As was demonstrated in the context of her election, Mrs. Tavárez fulfills the requirements of high moral character, impartiality and integrity required for the object and purpose of the Trust Fund within the framework of the Rome Statute, as stipulated in the criteria reflected in paragraph 1 of Resolution ICC-ASP/1/Res.7: “[t]he members of the Board shall be of high moral character, impartiality and integrity and shall have competence in the assistance to victims of serious crimes”.

A further mandate of Mrs. Minou Tavárez Mirabal on the Board of Directors of the Trust Fund will ensure continuity for the endeavors she has undertaken as of her election in 2020 towards the strengthening of the Trust Fund. As was the case in the process that led to her election, the elements of her profile that qualify her for this position are reflected below.

Minerva Josefina Tavárez Mirabal, better known as Minou, is a Dominican philologist and politician, nationally and internationally recognized for her commitment to democracy, justice, human rights, equality and the fight against discrimination. She was born in 1956 during Rafael Trujillo's dictatorship, one of the cruelest in the history of Latin America and the Caribbean.

Mrs. Tavárez's mother, Minerva Mirabal, together with her aunts Patria and María Teresa Mirabal, all of them activists for democracy, liberty and human rights, were murdered on 25 November 1960. The global condemnation of these atrocities is reflected in the designation by the United Nations General Assembly of that date as the International Day for the Elimination of Violence against Women (Resolution 54/134 of 1999).

The crimes against humanity committed by the dictatorship, with their thousands of victims, among them her mother and aunts as well as her father (who was also murdered in 1963), have defined the public services rendered by Minou Tavárez Mirabal to the Dominican Nation and the Latin American region. From the days of her youth, her work has been characterized by her defense of human rights and by her independent criteria, her capacity and her impartiality. She has raised her voice both nationally and internationally in favor of justice, the defense of the rights of all human beings, especially women, girls, boys and adolescents, and all those groups that have traditionally been marginalized.

The nomination of Minou Tavárez Mirabal has the full support of all parties in the National Congress. The candidate is nominated on the basis of her leadership, communication skills and commitment to inclusion and diversity, as well as her capacity for fundraising, generating partnerships, coordinating team work and negotiating with different actors and interests, which she has proven during her four years of service as Deputy Foreign Minister of the Republic and three periods as Member of Parliament (2002-2006, 2006-2010 and 2010-2016), as well as during the course of her long-standing political activism.

Also noteworthy are Minou Tavárez Mirabal's efforts over the course of 14 years in favor of the Rome Statute which established the ICC and the Trust Fund, in her capacity as national MP and as member, and later President, of Parliamentarians for Global Action (PGA), an international network of more than 1,400 legislators who promote human rights and the rule of law, non-discrimination, democracy and gender equality in 143 countries throughout the world.

At the national level, Mrs. Minou Tavárez Mirabal's legislative initiatives have contributed decisively to the Dominican Republic's ratification of the Rome Statute in 2005 and of the Agreement on Privileges and Immunities of the ICC in 2008, and also to the current advanced state of implementation of the Statute, as concerns both substantive law, which has been reflected in our Criminal Code since 2014, and, since 2018, the obligation to cooperate with the ICC.

Within PGA, she was involved in and worked actively for the ratification of the Rome Statute in 76 countries, and subsequently for the promotion of the Statute's universality, comprehensiveness and effectiveness, and for the approval of complementary implementation legislation in numerous Parliaments throughout the world.

At the international level, as a politician and a human-rights activist, her work has also focused on the defense of fundamental values for humanity, which are closely linked to the aspirations of the victims of Rome Statute crimes; among these are the prohibition of the use of weapons, the right of women to a life without violence, the elimination of discrimination based on gender or on any other factor, the protection against all forms of violence and the abolition of the death penalty.

This lengthy record vouches for Minou Tavárez Mirabal's aptitude as a candidate to serve in the Board of Directors of the Trust Fund; she will doubtless contribute to the Fund's effectiveness and to its impact on the application of the criteria of reparation, assistance and fundraising for victims, as well as to full compliance with the Rome Statute's aspirations for justice and to attaining the end of the culture of impunity, in benefit of the victims of the most heinous crimes committed against humanity.

## Curriculum vitae

*Personal data: Mother of two children*

### **Political career**

**Partido Alianza País** (Country Alliance Party)

*Vice President (as of 2019)*

**Alianza por la Democracia, Opción Democrática y Nueva Democracia** (Alliance for Democracy, Democratic Choice and New Democracy)

*Candidate to the Presidency of the Dominican Republic (National Elections 2016)*

**Partido Opción Democrática** (Democratic Choice Party)

*Founder and President (2015-2019)*

**Partido de la Liberación Dominicana (PLD)** (*Party for Dominican Liberation, PLD*)

*Member of the Central Committee (1997-2014)*

### **Career in Government**

#### **Ministry of State for Foreign Affairs, Dominican Republic**

*Deputy Minister, Responsible for Foreign Policy (1998-2000)*

*Under Secretary of State for Consular Affairs, Ministry of State for Foreign Affairs (1996-1998)*

*General Coordinator of the II Summit of Heads of State and Government of ACP Countries (1999)*

*National Coordinator of the Joint Bilateral Dominican-Haitian Commission (1996-2000)*

*National Coordinator of the I Summit of Heads of State and Government of the CARICOM Countries (1998)*

*National Coordinator of the Extraordinary Summit of Heads of State and Government of Central America, Panama, Belize and the Dominican Republic (1997)*

*Coordinator and Rapporteur of the National Dialogue's Foreign Policy Commission (1997-1998)*

### **Parliamentary career**

#### **Chamber of Deputies of the Dominican Republic**

*Deputy (National Congress) for the Distrito Nacional (2002-2006) (2006-2010) (2010-2016)*

#### **Commissions**

*President of the Commission for Foreign Affairs and International Cooperation, Chamber of Deputies (2006-2014)*

*Member of the Gender Commission (2002-2016)*

*Member of the Special Commission for the reform of the new Criminal Code and the reform of the Criminal Procedure Code (2010-2016)*

*Member of the Natural Resources and Environmental Commission (2002-2016)*

*Member of the Commission for the review and audit of the Reviewing Assembly for the new Constitution of the Republic (2010)*

*Vice President of the Energy and Mines Commission (2004-2006)*

#### **Legislative initiatives – Human Rights, Gender and Children (selection)**

- Co-author of Act 32-18, on the Dominican Republic's Cooperation with the International Criminal Court, approved in 2018



- Co-author of the amendment to the Dominican Republic’s Criminal Code to include the crime of genocide, war crimes and crimes against humanity, responsibility of commanders and other superiors, and non-applicability of statute of limitations (articles 89-95), approved in 2014
- Co-author of the draft Organic Act establishing a comprehensive system for the prevention, penalization and eradication of violence against women (submitted in 2012, pending approval)
- Co-author of the amendment to the Dominican Republic’s Criminal Code to include Rome Statute crimes, including the crime of aggression, and the amendment to Article 8 adopted in Kampala (submitted in 2011, pending approval)
- Co-author of the amendment to the Constitution of the Dominican Republic to incorporate the general principles of law contained in the Rome Statute for the crime of genocide, crimes against humanity and the crime of aggression, approved in 2010
- Author of Act 36-10 for the National Campaign “16 days against gender violence”, approved in 2010
- Co-author of the Instrument of Ratification of the Protocol on Privileges and Immunities of the ICC, approved in 2009
- Co-author of Act 220-07 on the Protection and Use of the Emblems of the Red Cross or the Red Crescent, approved in 2007
- Co-author of the Act of Ratification of the Rome Statute, approved in 2005
- Co-author of Act 88-03, on the establishment throughout the national territory of homes or shelters for women, boys, girls and adolescents who are victims of domestic and gender violence, approved in 2003

#### **Motions (selection)**

- Leader for the motion “Congress of the Dominican Republic: Multiparty support for the nomination, as a candidate to the International Criminal Court, of Judge Olga Herrera Carbuccion, President of the Criminal Chamber in the Court of Appeals and the Criminal Court of Santo Domingo”, 2011
- Co-author of the Parliamentary Resolution whereby the Government is requested to convey to Congress the instrument of ratification of the Amendments to the Rome Statute adopted in Kampala, 2010

#### **World Parliamentarian Diplomacy for Human Rights**

##### **Parliamentary Confederation of the Americas (COPA)**

Vice President, 2008-2012

##### ***Parliamentarians for Global Action (PGA)***

*President, 2014-2016*

*President of the International Council, 2012-2014*

Member of its Executive Committee and International Council during several periods, 2006-2016

**PGA campaign for the ICC**

As member of PGA and as member of its governing bodies, supported the National Groups of the following countries in the context of their initiatives in favour of the ICC:

- Africa: Democratic Republic of the Congo, Kenya, Nigeria,
- Latin America: Argentina, Brazil, Chile, Colombia, Ecuador, El Salvador, Nicaragua, Panama, Mexico, Paraguay, Suriname, Uruguay, Venezuela (Bolivarian Republic of)
- Asia: Afghanistan, Japan, Malaysia, Sri Lanka
- Middle East: Bahrain, Lebanon, Morocco
- Europa and Others: United States of America, Ukraine

Technical and political assistance missions for the ratification of the Rome Statute, its implementation, and the ratification of the Kampala Amendments

- Mexico, 2003-2006
- Brazil, 2004-2010
- Suriname, 2008
- Chile, 2007-2009
- Panama, 2011
- El Salvador, 2011, 2014
- Colombia, 2013
- Haiti, 2016

**Organizing Committee (Selection)**

- Regional Parliamentary Workshop on the Implementation of the Rome Statute and the Kampala Amendments, Santo Domingo, 2015
- Round table on the adoption of legislation on the Rome Statute, Santo Domingo, 2011
- Parliamentary Delegation to the Tenth Session of the Assembly of the States Parties of the ICC, United Nations, New York, 12-21 December 2011
- Fifth Session of the Consultative Assembly of Parliamentarians for the International Criminal Court and the Rule of Law, Santo Domingo, 2008

**Speaker (selection)**

- Briefing, “Justice for ISIS Atrocities: How US policy on the International Criminal Court could Advance Accountability in Iraq and Syria”, Tom Lantos Human Rights Commission, House of Representatives of the United States of America, Washington, D.C., February 2016
- High-Level Session on the International Criminal Court, Committee on Juridical and Political Affairs of the Organization of American States (OAS), February 2016
- “El empoderamiento de la mujer: construyendo seguridad humana” (*Women’s empowerment: Creating human security*) National Congress, Argentina, Seminar on Justice and Gender Equity, 11-12 May 2011

**PGA campaign for Peace and Security**

- Speaker, “El impacto de la violencia armada sobre el desarrollo” (*The impact of armed violence on development*), Colombo, Sri Lanka, octubre de 2011
- Parliamentary initiatives for the ratification of the Biological Weapons Convention and the Arms Trade Treaty

- Haiti, 2017
- El Salvador, 2015
- Kazakhstan, 2016

#### **PGA campaign for Equity and Gender**

- Speaker, Inter-generational Dialogue on Gender Equality and the Rights of Girls and Adolescents, UNICEF, La Antigua (Guatemala), October 2018
- Inaugural keynote speech, International Symposium on Femicide, National Assembly of France, Paris (France), 26 January 2017
- Speaker, Launch of the “Manual Parlamentario sobre derechos humanos, orientación sexual e identidad de género” (*Parliamentary Manual on human rights, sexual orientation and gender identity*) in the Congress of the Eastern Republic of Uruguay, 10-11 July 2016
- Parliamentary initiatives for the adoption of legislation on equity and gender, and on non-discrimination on the basis of sexual orientation, gender or identity
  - Trinidad and Tobago, 2016
  - Belize, 2016
  - El Salvador, 2015
  - Santo Domingo, 2013

#### **PGA campaign to end child marriage, early or underage marriage and forced marriage (CEFM)**

- Initiator of the Parliamentary Resolution on CEFM signed by 774 parliamentarians from 76 countries, in support of the implementation of United Nations General Assembly Resolution 69/156, 2014

#### **Initiatives on Childhood, Equity, Justice, Truth and Memory**

“**Horizonte Ciudadano**” Foundation, founded by Michelle Bachelet, part of the “Red de Líderes por un comienzo seguro por los derechos de la primera infancia” (*Network of Leaders in favour of a safe start for the rights of early childhood*), Santiago (Chile), as of 2019

**Advisory Council, Parliamentarians for Global Action (PGA), President**, New York, The Hague, as of 2016

**Author of the book “Mañana te escribiré otra vez”** (*I’ll write to you again tomorrow*) (Correspondence between Minerva Mirabal and Manolo Tavárez Justo), Editora Amigo del Hogar, Santo Domingo (Dominican Republic), 2013; re-edited in 2014 and 2016

**Co-Founder of the Hermanas Mirabal House-Museum**, Salcedo (Dominican Republic), 1981

#### **International organizations**

#### **Member of the Advisory Board of the Trust Fund for Victims of crimes under the jurisdiction of the International Criminal Court**

Elected by the Assembly of States Parties to represent the Latin America and the Caribbean Region, as of 2020

#### **Africa, the Caribbean and the Pacific- European Union (ACP-EU) Joint Parliamentary Assembly**

Member of the Assistance Mission during the reconstruction process following the earthquake in Haiti, 2009-2010

#### **Organization of American States (OAS)**

*Head of the Electoral Observation Mission for the Plebiscite and By-elections of Governors, Peru, December 2018*

**Media****Diario Libre**

Columnist, 2008-2010

*“Primera Hora” Programme, Antena Latina*

*Political commentator, 2000-2001*

**Academic sector**

*Universidad Acción Pro Educación y Cultura (UNAPEC), Santo Domingo (Dominican Republic)*

*Head of the Spanish Department, 2001-2002*

*Professor, 1985-1995*

**Casa de las Américas, Havana (Cuba)**

**Centro de Estudios Caribe (CEC)**

Researcher in Dominican literature, 1979-1980

**Centro de Investigaciones Literarias (CIL)**

Researcher in Hispanic literature, 1980-1983

**Publications**

**El Camino que Traigo Conmigo** (*The road I bring within me*), Editora Impretur, Santo Domingo, Dominican Republic, 2011

**Private Initiative**

*Entrepreneur in the clothing sector, 1985-2000*

**Academic background**

Instituto Universitario de Investigación Ortega y Gasset (*Ortega y Gasset University Research Institute*), Master’s Degree in Senior Public Management, Madrid (Spain), 2006-2008

University of Havana (Cuba), Post-Graduate Course in Hispanic Linguistics, 1983-1984

University of Havana (Cuba), *Licenciatura* (undergraduate degree) in Hispanic Linguistics, major in Hispano-American Literature, 1978-1983

**Languages**

Spanish – English – French

## 5. Yillah, Ibrahim Sorie (Sierra Leone)

[Original: English]

### Note verbale

#### **Election of members of the Board of Directors of the Trust Fund for the benefit of victims**

I write in relation to the above subject matter referenced UN/ICC/101/MUL from the Director-General and Ambassador-at-Large of the Ministry of Foreign Affairs and International Cooperation (MFAIC) dated 8 June, 2021.

Having taken into account of the said paragraph 3 of the annex and paragraph 8 of resolution ICC-ASP/1/Res.7, as one of the States Parties, I, Justice Desmond Babatunde Edwards, CJ now nominate Mr. Ibrahim Sorie Yillah for the African States (one seat) by communicating this nomination through the diplomatic channel as stipulated to the Secretariat of the Assembly of State Parties, Oude Waalsdorperweg 10, 2597 AK, The Hague, The Netherlands.

Ibrahim Yillah Esq portrays the required and desired competencies as proposed by the Board of Directors.

Please find attached his curriculum vitae, accompanying statement and other supporting documentation for your kind attention and consideration.

Yours faithfully,

Hon. Justice Desmond Babatunde Edwards

Honourable Chief Justice

### **Statement of qualifications**

*Statement submitted by the Government of Sierra Leone in accordance with resolutions ICC-ASP/1/Res.6 and ICC-ASP/1/Res.7 of the Assembly of States Parties*

It is an honour for the Government of Sierra Leone to nominate Ibrahim Sorie Yillah, a Barrister at Law and Solicitor of the High Court of Sierra Leone who has practiced as a lawyer, locally and internationally over the past twenty three (23) years as a member of the Board of Directors of the Trust Fund for Victims of the International Criminal Court. Ibrahim Sorie Yillah is a highly qualified and experienced lawyer who has served the Office of the Prosecutor of the International Criminal Court (ICC) as a Trial Lawyer, as Defence Counsel and is currently at the time of his nomination serving as the Principal Defender of the Residual Special Court for Sierra Leone.

Ibrahim Sorie Yillah is a person of high moral character and integrity whose tenures at national and international tribunals were characterized with dedication, selfless service and dedication. Ibrahim has the skill set and administrative experience required for navigating an institution such as the Victims Trust Fund Board of the International Criminal Court and the other structures within the framework of the International Criminal Court given his years of experience in dealing with victims of war crimes and crimes against humanity as a Trial Lawyer and as the Principal Defender of the Residual Special Court for Sierra Leone. Ibrahim brings the unique experience of dealing first hand with witnesses and victims in the fields during investigations, understands the challenges they face with the additional knowledge of how to deal with defence witnesses and victims.

Ibrahim's nomination to the Victims Trust Fund Board would bring the much needed first-hand experience of a lawyer who hails from a country that has undergone a brutal civil war in which an international criminal tribunal was established in which he worked as a counsel together with Victims and Witnesses Unit to provide psycho-social counseling to victims. Ibrahim understands what it means to be a victim and the needs of victims, which is the centrepiece of the work of the Board of Directors for Trust Fund for Victims. Ibrahim has the competence, the experience and the skill sets in dealing with victims of serious crimes

and continues to date in his work at the Residual Special Court for Sierra Leone to relate and deal with victims of serious crimes in Sierra Leone.

Ibrahim speaks and writes English and is fluent in French and is qualified to sit as a Justice of the Supreme Court of Sierra Leone.

### **Curriculum vitae**

Barrister-at-law and solicitor of the High Court of Sierra Leone

#### **Bio-data**

Date of Birth: 11 January 1974

Place of Birth: Freetown

Country of Birth: Sierra Leone

Nationality: Sierra Leonean

#### **Education**

Secondary Education: St. Edwards Secondary School, King Tom, Freetown, Sierra Leone

Years Attended: 1985 to 1992

Faculty of Law, Fourah Bay College, University of Sierra Leone, Mount Aureol, Freetown, Sierra Leone

Years Attended: 1992 to 1996

Qualification: LLB (Hons), Bachelor of Laws with Honours. Sierra Leone Law School, 11 Lamina Sankoh Street, Freetown, Sierra Leone

Years Attended: 1996 to 1997

Qualification: BL (Barrister-at-Law and Solicitor) of the Courts of Sierra Leone

Admission: Admitted to the Utter Bar of Sierra Leone in December 1998

Distinction: Won the Chief Justice's Prize for Student with the Best Overall Performance

Won the Attorney General's Prize for best performance in Criminal Procedure and Evidence

Won the best prize for Professional Practice and Ethics

Centre For Human Rights, Faculty of Law, University of Pretoria, South Africa

Years Attended: January to December 2001

Interned at the International Criminal Tribunal for Rwanda as well as the United Nations High Commissioner for Refugee Offices in Accra, Ghana as part of academic program requirements

Qualification: LLM (Human Rights in Africa)

Thesis: Towards A Human Rights Approach to Refugee Protection in Africa

#### **Work experience**

June 1997 to November 1997- Intern, Wright and Co. Solicitors (Barristers and Solicitors of the High Court of Sierra Leone, Freetown, Sierra Leone)

#### **Barrister and Solicitor, Wright & Co. Solicitors, Sierra Leone**

February 1998 to December 2000 - Barrister and Solicitor, Wright & Co Barristers and Solicitors working exclusively on commercial, civil and criminal litigation from Magistrate's Court, High Court as well as the Court of Appeal of Sierra Leone. Worked extensively on civil, commercial and criminal cases and attended many seminars and trainings on civil and

criminal procedure in Sierra Leone including those organised by the Sierra Leone Bar Association and the Special Court for Sierra Leone

April 2001 to May 2001 - Interned as part of LLM Requirements at the International Criminal Tribunal for Rwanda, studying the practical aspects of Prosecutions and Defence in cases of war crimes, genocide and crimes against humanity.

Also worked briefly as a Protection Officer at the UNCHR in Accra as part of LLM requirements from August - November 2001 as part of my research for my thesis on refugee protection in Africa.

LLM Thesis: Towards a Human Rights Approach to Refugee Protection in Africa.

**Partner, Law firm of Roberts and Partners, Sierra Leone**

January 2002 to December 2002 - Barrister and Solicitor (Roberts and Partners, serving as a Partner in one of Sierra Leone's leading law firms at that time) working extensively on corporate law, banking law, criminal law and procedure as well as civil procedural matters and developed interest in environmental law undertaking research into same. Whilst at Roberts and Partners, I worked extensively on researching complex legal issues and providing legal opinions to Non-Governmental Organisations (NGOs), commercial institutions and diplomatic missions.

**Associate Legal Officer, Principal Defender's Office, Special Court for Sierra Leone**

December 2002 to August 2005 - left private criminal practice to work for the Defence Office of the Special Court for Sierra Leone, an international criminal tribunal established by a treaty between the Government of Sierra Leone and the United Nations as an Associate Legal Officer. In this capacity, I was instrumental in setting up the first Principal Defender's Office at the Special Court for Sierra Leone.

**Co-counsel, Civil Defence Forces legal team representing Sam Hinga Norman**

I was subsequently appointed by Trial Chamber 1 of the Special Court for Sierra Leone as Co-Counsel for Sam Hinga Norman, Former Defence Minister for Sierra Leone during his trial (Prosecutor v. Sam Hinga Norma, Moinina Fofana et al). I presented evidence, challenged prosecution evidence, undertook legal research into complex matters, drafted motions, and appeared before the Trial and Appeals Chamber of the Special Court for Sierra Leone together with other counsel representing Sam Hinga Norman. Additionally, I undertook and directed defence investigations in that case. I undertook these additional functions while serving at the same time as duty counsel in the Defence Office of the Special Court for Sierra Leone. During my tenure at the Special Court for Sierra Leone, I pursued limited civil, commercial and criminal cases in the national courts.

**Trial lawyer, Office of the Prosecutor, International Criminal Court (ICC), The Hague, Netherlands**

September 2005 to April 2011 - I served the Office of the Prosecutor initially as an Associate Trial Lawyer rising through the ranks to become a Trial Lawyer in the Office of the Prosecutor of the International Criminal Court, The Hague, Netherlands.

During my time at the Office of the Prosecutor of the International Criminal Court (ICC), I worked on the Uganda situation, DRC and CAR situations and cases arising from these situations where I assisted Senior Trial Lawyers with the conduct of investigations, undertaking missions to identify and locate potential witnesses and evidence, drafting pleadings including but not limited to arrest warrant applications, written submissions for confirmation hearings, presenting evidence in Court, presenting submissions at status conferences, and initiating strategies for the presentation of cases and evidence before the Trial Chambers of that court.

**Defence counsel, International Criminal Court, The Hague, Netherlands**

After my resignation from the Office of the Prosecutor in 2011, I worked as Defence Counsel in the Darfur cases before the ICC in The Hague, The Netherlands from late 2011 to date. Led defence investigations, developed case strategies and presented evidence before Chambers of the International Criminal Court as defence counsel before Trial Chambers of the International Criminal Court.

**Managing Partner, Tejan-Cole, Yillah and Partners, 2013 to date**

I am currently the Managing Partner and one of the founders of one of Sierra Leone leading Law Firms specialising (the Senior partner is Abdul Tejan-Cole Esq.) in Banking, Corporate Law, Project Finance, Criminal, Civil Procedure, International, Environmental, Corporate Law and Intellectual Property Law.

**Consultant, Environmental law, Environment Protection Agency (EPA), Sierra Leone**

From 2015 to 2017, I served as a European Union Consultant for the Environment Protection Agency on matters relating to developing and strengthening the legal capacity of the EPA, reviewing existing environmental and proposing amendments to bring same in line with modern international environmental laws and to proffer strategies for the prosecution of environmental crimes in Sierra Leone.

From 2014 to date, our law firm provides legal retainer services to the Sierra Leone Environment Protection Agency — EPA SL.

In this capacity, I had opportunity to review Sierra Leone's land laws and existing policies to determine its effects on productivity and its overall effects on the protection of the environment. I also assisted in the review of the Draft Environment Bill as well as regulations relating to sand mining etc in Sierra Leone.

**Tasks and responsibilities – Consultant, Environmental Law, Environment Protection Agency, Sierra Leone**

Reviewing the Existing Environment Protection Agency 2009 and propose amendments to same.

Developing Guidelines for the Investigation and Prosecution of Environmental Crimes in Sierra Leone.

Providing Training to the Police, Prosecutors and Magistrates on Environmental Law Assisting with the development of Environmental Regulations for Mining, Sand Mining, Agriculture and the Telecommunications Industry in Sierra Leone.

Assisting in the Prosecution of Environmental Offences in Sierra Leone Monitoring and Evaluation of Projects with a view to assessing environmental impact and assisting in the determination of appropriate licence fees for projects.

Developing Environmental Regulations for sectors such as Tourism, Mining Sector and Agriculture in Sierra Leone.

Assisted in developing the following Environmental Regulations in Sierra Leone:

1. The Toxic and Hazardous Substance Regulations
2. The Hazardous Chemicals and Pesticides Control and Management Regulations, 2016
3. Vehicle Emission Control Regulations
4. Environmental Impact Assessment Regulations for the Agricultural Sector
5. The Environmental Impact Assessment Regulation for the Manufacturing Sector, 2016
6. The Environmental Impact Assessment Regulation for Communication Towers, 2016
7. Sand Mining Regulation



## 8. The Mines and Minerals Regulations, 2013

### **Member, Drafting Committee on the new Arbitration Law for Sierra Leone under the auspices of the Law Reform Commission in Sierra Leone**

Member, Drafting Committee on the New Law on Arbitration 2017 to 2018 under the auspices of the Law Reform Commission.

Arbitrator having sat on a reasonable number of arbitration proceedings in Sierra Leone and has developed interest in mining arbitration.

### **Other engagements in the promotion and protection of human rights in Africa**

Consortium for the Trial of Yahya Jammeh, Former President of the Gambia.

September to December 2017 - served as Consultant for AIDS Free World as part of the consortium advocating for the trial of Yahya Jammeh, Former President of The Gambia — Provided strategic advice on cases relating to HIV AIDS victims in The Gambia.

### **Other legal services rendered as a private legal practitioner in Sierra Leone, 2014 to date**

Served as legal retainers for several banks in Sierra Leone, namely GT Bank (SL) Ltd, Eco Bank Microcredit Finance, and have also provided legal advice to several international financial lending institutions operating to provide project financing in Sierra Leone, In this regard, I assisted the Organisation for the Promotion of Investment Corporation (OPIC) now the United States International Finance Corporation (DFC) as well as Bank of New York and host of other foreign lenders to Sierra Leone Government as well as companies/ banks in Sierra Leone.

I have also assisted local commercial banks and continue to assist with coordinating finance from international lenders, preparation of loan agreements and security documents as well as the recovery of loan and enforcement of securities in court.

Listed in Chambers Directory as one of the leading international commercial lawyers in Sierra Leone.

### **Principal Defender, Residual Special Court for Sierra Leone, 2015 to present**

I am the Principal Defender of the Residual Special Court for Sierra Leone, a residual international tribunal carrying out the residual functions of the Special Court for Sierra Leone. In this capacity, I assist the Registrar in overseeing the supervision and enforcement of sentences of Special Court for Sierra Leone convicts in the United Kingdom and Rwanda and file submissions for and on behalf of convicted persons before the Judges of that Tribunal.

### **Other trainings received and courses attended**

While serving at the Special Court for Sierra Leone and the ICC, I received extensive training from the Bar Council of England and Wales as well as several human rights and advocacy groups on enhancing trial advocacy techniques and arguing appeals before national and international courts.

While serving at the Office of the Prosecutor of the International Criminal Court, I received extensive advocacy training techniques (trials and appeals), both at the ICC and at the International Criminal Tribunal for Former Yugoslavia (ICTY). These trainings served as refresher courses in trial and appeal advocacy which are useful in both national and international tribunals.

I also attended a number of courses and trainings on how to present evidence before Judges from civil law traditions at the Office of the Prosecutor of the International Criminal Court.

Whilst serving in the Office of the Prosecutor, I received training in legal drafting, trial advocacy drafting as well as the drafting of investigative reports.

### **Publication**

The Special Court for Sierra Leone: A Defence Perspective by Jones, John RWD, Ibrahim Yillah et al, Journal of International Criminal Justice, 2004, Volume 2, No. 1.

### **Courses / Lectures and Conferences**

I have attended many courses, conferences and seminars on issues pertaining to international criminal law, international arbitration in The Hague at the Asser Institute, ICC and OTP Guest lectures, Grotius Centre and have lectured on subjects of international criminal law at Utrecht University, Fourah Bay College, University of Sierra Leone etc as guest lecturer.

Attended several courses on international arbitration and recent trends in arbitration including those organised by Prof Khawar Qureshi QC of McNAIR Chambers on evolving subjects on international arbitration law.

Attended seminars and courses organised by Centre for International Law and Policy in Africa (CILPA) on the adoption of the New York Convention by Sierra Leone and its implications for international trade and investment as well as on the legacy of the Special Court for Sierra Leone, in particular, its contributions to the development of international law.

### **Membership – Executive Council, International Criminal Court Bar Association (ICCBA)**

Member, Executive Council of the International Criminal Court Bar Association (ICCBA), 2021.

### **Competencies**

Trial and Appellate Advocacy  
International Commercial Litigation  
Arbitration  
Recovery of loans and enforcement of security  
Ability to communicate effectively in English and French  
Leadership Skills and Trainings  
Managing Personnel and Resources  
Legal Drafting: Drafting of Investigative Reports, Arrest Warrant Applications, etc.

### **Other languages**

Fluent in written and spoken French.

### **Research Skills**

Research oriented, familiar with legal research technological tools etc.

### **Drafting**

Excellent drafting skills

### **Extensive experience working on victims and witness related issues**

I worked extensively and continue to work on victims and witness related issues in my work with the Office of the Prosecutor at the ICC and in my present capacity as the Principal Defender of the Residual Special Court for Sierra Leone where I continue to work with the Registry and the Victims and Witnesses Protection Unit. Have decades of experience

working on victims related issues at national and international level. The ICCBA undertakes a lot of work on victims related issues at the ICC and my association with its Executive Committee has broadened my horizon on the challenges faced by victims and victims association within the ICC legal framework.

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