

N’GUM, Aminatta Lois Runeni (Gambia)

Statement of qualifications

Statement submitted by the Republic of The Gambia 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 nomination and election of Judges of the Court (ICC-ASP/3/Res.6).

The Government of The Gambia has decided to nominate, in accordance with Article 36, paragraph 4(a)(ii), Mrs. Aminatta Lois Runeni N’gum, currently Legal Officer at the Court Management Section of the UN International Criminal Tribunal for Rwanda [UNICTR], as a candidate for one of the judicial vacancies of the International Criminal Court in the elections to be held during the resumed seventh session of the Assembly of State Parties in New York from 19 to 23 January 2009.

In accordance with Article 36, paragraph 4(b) Mrs. Aminatta L.R. N’gum is a Zimbabwean national married to a Gambian National since February 1981. She served the Gambian judiciary from March 1980 to May 1994 and again from March 1998 to April 1999. In addition, she practised as a Private Legal Practitioner from May 1994 to March 1998, during which period she also served as Senior Counsel to the Commission of Inquiry into Land Administration. In 1998 when she was Judicial Secretary, Mrs. N’gum was granted a Gambian Diplomatic passport which she was authorised to retain. On arrival at UNICTR 18 July 1999 Mrs. N’gum had travelled using the Gambian Diplomatic Passport as she was coming from The Gambia through the Kingdom of Saudi Arabia. She applied for and the Secretary General granted authorisation for her to use The Gambian nationality pursuant to Rule 104.8¹ of the UN Staff Rules. For these reasons, Mrs. N’gum is being nominated as a Gambian national.

1. Mrs. Aminatta Lois Runeni N’gum fulfils the requirements under Article 36, paragraph (3)(a), (b) and (c), of the Rome Statute of the International Criminal Court as follows:
 - a) Mrs. Aminatta Lois Runeni N’gum is a person of high moral character, impartiality and integrity, and possesses the qualifications required in The Gambia for appointment to the highest judicial offices in fulfilment of Article 36 paragraph 3(a) of the Rome Statute. Mrs. Aminatta Lois Runeni N’gum has established competence in criminal law and procedure, and the necessary relevant experience in criminal proceedings as an Advocate and as a Magistrate. She was called to the Bar of England and Wales [July 1979] and is a member of the Honourable Society of Lincoln’s Inn [1977]. She is a qualified lawyer from a common law legal system with 29+ years national and international post call work experience. Mrs. N’gum served in the

¹ Rule 104.8 of the UN Staff Rules “When a Staff Member has been legally accorded nationality status by more than one State, the staff member’s nationality for the purposes of the Staff Regulations and these Rules shall be the nationality of the State with which the staff member is, in the opinion of the Secretary-General, most closely associated.”

Gambian Judiciary as Judicial Secretary [1998 to 1999], Master of the Supreme Court [1990 to 1994] and a Magistrate [1980 to 1990] as can be seen in the curriculum vitae. As Master of the Supreme Court [1990 to 1994] and as a Magistrate from [1980 to 1990] she heard and determined criminal cases which included but were not limited to Juvenile Delinquency, Assault Causing Grievous Bodily Harm perpetrated against Opposition Party Members, Domestic Violence, Inquest, Drug Possession and/or Trafficking and Stealing by Public Servants notably Police Detectives, Department or Ministry Cashiers. Capital Offences like Rape, Robbery, Treason and Murder were dealt with by her as Preliminary Enquiry proceedings that were referred to the then Supreme Court, now High Court, for hearing and determination. As a Magistrate and Master of the Supreme Court (a Judge in Chambers) Mrs. N'gum wrote and delivered decisions, judgments, opinions and orders. She co-ordinated and ensured the proper functioning of the judicial work of the Magistrates' Court, High Court, Court of Appeal and Supreme Court. She has supervised and provided leadership and support to legal officers in the Judiciary, and as Master of the Supreme Court and when Judicial Secretary, was the Secretary to the Judicial Service Commission headed by the Chief Justice of The Gambia for appointment of judicial officers at all levels.

- b) In addition Mrs. N'gum practised as a Private Legal Practitioner during which period she appeared in Criminal as well as Civil cases before the then Supreme Court, now High Court and the Court of Appeal. As a Private Legal Practitioner, she interviewed clients and witnesses and prepared pleadings, notices of appeal and appeal briefs as well as prepared and conducted oral arguments before the Magistrates Courts, High Court and Court of Appeal respectively. She also served as Senior Counsel to the Commission of Inquiry into Land Administration that was commissioned by the Gambia Government [1994 to 1998].
- c) In fulfilment of Article 36, paragraph 3(b), Mrs. N'gum has established competence in relevant areas of international law such as international humanitarian law and the law of human rights, and extensive experience in a professional legal capacity which is of relevance to the judicial work of the court. During the international civil service work experience [1999 to date] as a Legal Officer of the International Criminal Tribunal for Rwanda where she has served as Deputy Chief of the Court Management Section sometimes as Officer-in charge and Trial Chamber I Court Management Section Coordinator [1999 to 2001], Head of the ICTR Appeals Chamber Support and Registry Unit in The Hague [2001 to 2003], Deputy Chief and Officer in Charge of the Defence Counsel and Detention Management Section [2003 to 2006] and [2006 to date] as a Legal Officer and Coordinator of the Court Management Section.
- d) Whilst performing her functions, Mrs. N'gum has participated, as the Registrar's representative before various Chambers and she has gained first hand experience in all the phases of a trial and is familiar in the conduct of Pre-Trial, Trial, Appeal and Review proceedings in this Ad Hoc Tribunal.

Additionally, it is expected that the ICC has gained from the legacy of the UNICTR and will continue to draw from the jurisprudence of the Trial and Appeals Chamber. Mrs. N'gum has supervised and provided leadership and support to legal officers of the Court Management Section, the Defence Counsel and Detention Management Section, the Appeals Chamber under the direction of the President, the Presiding Judge Trial or Appeals Chamber, the Registrar and/or Deputy Registrar. She ensured the co-ordination of legal research in the preparation of the Registrar's Submissions pursuant to the UNICTR Rule 33(B) of the Rules of Procedure and Evidence which were used in Trial or Appeals Chamber's decisions, orders and judgments. In addition, she has studied and analysed final judgments, orders and decisions of the Trial and/or Appeals Chamber to enable her to advise whether there were directives for the Registry and then transmitted correspondence to the concerned Section(s) or Officer(s) who should take the requisite action. She ensures the confidential security level of filed documents and certifies them for accessibility in the TRIM database.

- e) In addition, Mrs. N'gum has administrative experience of co-ordinating the preparation of the Court Management Section, the Defence Counsel and Detention Management Section and Appeals Chamber input to the President's annual report to the General Assembly and the Security Council. She has also prepared and submitted the Biennium Budget Proposals for the Court Management Section and the Defence Counsel and Detention Management Section and prepared answers to ACABQ questions. The e-PAS is always completed in a timely manner where she was First or Second Reporting Officer in Court Management Section and the Defence Counsel and Detention Management Section. She has also prepared and co-ordinated the preparation of amendments and revisions to the Tribunal's legal instruments. Her experience in supervising and being directly involved in the preparation and delivery of in-house legal education was when she organized a Negotiation Skills workshop for the Defence Counsel and Detention Management Section Staff in December 2005. In addition, with the Commonwealth Magistrates' and Judges' Association, as Master of the Supreme Court in The Gambia she organized and was a facilitator and sometimes Chairperson for seminars for Judges and Magistrates from Commonwealth countries.
- f) Additionally, Mrs. N'gum obtained an LL.M in Public International Law with an International Criminal Law Specialisation from Leiden University, The Netherlands in 2005. Consequently, she has acquired competence, in-depth knowledge and wide experience in relevant areas of international law pertinent to the judicial work of the court, such as international criminal law, international humanitarian law, human rights law and law pertaining to violence against women and children. Mrs. N'gum can conduct and supervise legal database research as she has done during research for her LL.M thesis and at UNICTR, as a Magistrate and in private legal practice. With her institutional memory of the period she worked at the UNICTR, Mrs. N'gum will be an asset to the ICC.

2. Mrs. N’gum’s interest and ardent activism in human rights and humanitarian affairs commenced from her personal experience from a young age whilst living in the then conflict afflicted apartheid Rhodesia now Zimbabwe. As a student, she actively participated in collection of donations e.g. for the victims of the Biafra war. As an adult, she is a Founder Member of Soroptimist International of Banjul which is affiliated to Soroptimist International of Great Britain and Ireland to provide education, services and advice to the disadvantaged particularly women and children. She has advocated and organized training and other activities for women and school children regarding the protection of human rights for women and children. Additionally, as Founder Member for The Gambia Women’s Finance Association affiliated to Women’s World Banking, she has contributed to collateral and loans being provided to small women entrepreneurs who could not afford collateral to obtain Bank loans, thereby empowering them and ensuring progress for their families. Mrs. N’gum has organized and participated in workshops and seminars, radio and TV programmes advocating good governance and the protection of human rights for all, particularly for women and children discussing various issues including but not limited to violence against women, drug trafficking and addiction, teenage pregnancy and education for all particularly the girl child.
3. With her wealth of experience in a professional legal and judicial capacity, Mrs. Aminatta Lois Runeni N’gum meets both of the requirements specified in Article 36, paragraph 3(b)(i) and paragraph 3(b)(ii) of the Rome Statute, as indicated in her curriculum vitae. Mrs. Aminatta Lois Runeni N’gum is therefore amply qualified for both list A and list B. However, Mrs. Aminatta Lois Runeni N’gum is nominated as The Gambia’s candidate for one of the vacant posts of Judge of the ICC for inclusion in list B, in accordance with Article 36, paragraph 5 of the Rome Statute.
4. Mrs. N’gum’s mother tongue is Shona, and she also speaks Wollof. Pursuant to Article 36, paragraph 3(c) Mrs. N’gum is fluent in both written and spoken English, a language that she has used throughout her education and during her 29+ years post-call work experience. In addition, she has a working knowledge of French having passed both written and oral French for the Cambridge “O” Levels in 1970 and having continued studying French at UNICTR as well as with the Alliance Française in The Gambia and Arusha, Tanzania. At UNICTR Mrs. Aminatta Lois Runeni N’gum has supervised and finalised various correspondence and other documents written in French for submission to the Deputy Registrar and/or the Registrar. She is currently waiting for the results of the UN Proficiency Examination in French which she sat for in May 2008 as well as the DELF Intermediate B1 and B2 through the Alliance Française in Arusha Tanzania which she sat for in June 2008.
5. The information relating to Article 36, paragraph 8(a) of the Rome Statute is as follows:
 - a) Mrs. Aminatta Lois Runeni N’gum is qualified for appointment to the highest judicial offices in The Gambia and has experience as an international civil servant i.e. Legal Officer at UNICTR. Her nomination has therefore been

made with due regard to the legal systems of the world and geographical representation. Mrs. Aminatta Lois Runeni N'gum hails from a common law jurisdiction and her election will present a fairer representation.

- b) Mrs. Aminatta Lois Runeni N'gum is a Zimbabwean national nominated here as a Gambian national by marriage, domicile and diplomatic status. The Gambia is a member of the group of African States.
- c) Mrs. Aminatta Lois Runeni N'gum is female.

The Government of The Gambia is convinced that Mrs. Aminatta Lois Runeni N'gum is suitably qualified and would make a valuable contribution to the Court. Attached is the curriculum vitae of Mrs. Aminatta Lois Runeni N'gum.
