

## Statement of qualifications

### *Character, standing and legal qualifications [article 36, paragraph 3 (a), of Rome Statute]*

Mr. Chile Eboe-Osuji is of high moral character and possesses the judicial qualities of impartiality and integrity. He possesses qualifications required for appointment as a judge of the Supreme Court of Nigeria, being one of the highest judicial offices in Nigeria.

### *Relevant competencies [article 36, paragraph 3 (b)]*

(a) As a review of his résumé and verifiable antecedents will readily show, Mr. Eboe-Osuji has established competence in substantive criminal law and procedure. His experience derives from over two decades of practice as a legal practitioner before the courts of Nigeria and Canada as well as before the International Criminal Tribunal for Rwanda (ICTR) and the Special Court for Sierra Leone. His experience includes more than ten years in the field of international criminal law, including as a senior prosecution trial counsel, senior appeals counsel and senior legal adviser. He is currently Head of Chambers at the ICTR. Notably, he appeared as senior prosecution counsel in the ICTR cases of *Semanza* and *Bagosora et al.* At the Special Court for Sierra Leone, he appeared as senior appeals counsel in *Brima et al* and *Fofana and Kondewa*. He has also assisted the ICTR judges in drafting of a number of judgments and decisions. Further details appear in his professional résumé attached hereto.

(b) His specific areas of competence include the following: international criminal law (with specific reference to genocide, crimes against humanity and war crimes); international humanitarian law; international human right law; general public international law; criminal law of Nigeria and criminal law of Canada. Further details appear in his professional résumé attached hereto.

(c) He has extensive experience in judicial work, in view of his roles as senior legal officer to the judges of the ICTR and Head of Chambers at the ICTR. The details appear in his professional résumé attached hereto.

(d) In addition to the foregoing, Mr. Eboe-Osuji has taught international criminal law at the Faculty of Law, University of Ottawa, Canada. In addition, he has appeared as guest lecturer or speaker on numerous speaking engagements on the subject of international criminal law.

(e) He has an extensive record of research and publications in the area of international criminal law and international law. His research and writing include, but are not limited to the following topics: definition and analysis of rape in international criminal law; rape as genocide; rape and superior responsibility in international law; forced marriage and international criminal law; the jurisprudence of superior responsibility at the ad hoc tribunals; the role of the Security Council in prosecuting the crime of aggression; international law, mercenary activities and conflict prevention in Africa; vague indictments and questions of justice at the international criminal tribunals; murder as a crime against humanity; genocide, justice and the forensic sensibilities of the International Committee of the Red Cross; complicity in genocide and aiding and abetting genocide; the jurisdiction to prosecute foreigners for crimes against humanity committed abroad; world war against aviation terrorism; State immunity, State atrocities, and civil justice in the modern era of international law; responsibility of States for genocide crimes;

the *mens rea* of the war crime of terrorism; grave breaches as war crimes; crimes against humanity: deliberate attacks against civilians as crimes against humanity; burning as a mode of the war crime of pillage; interlocutory appeals at the ad hoc tribunals; the defence of necessity in international criminal law; curbing war through law.

*Preferred list [article 36, paragraph 5]*

Mr. Eboe-Osuji is amply qualified for both lists A and B. As he is required to elect only one list, he elects to be placed on list A.

*Nationality [article 36, paragraph 7]*

Mr. Eboe-Osuji exercises his civil and political rights in Nigeria.

*Native legal and geographic representation [article 36, paragraph 8 (a)]*

- Although Mr. Eboe-Osuji was trained and has mostly practiced law in the common law tradition, his exposure in the last decade to counsel and judges from the civil law tradition has given him a reasonable insight into the workings of that system as well.
- If elected, he will be the only Nigerian judge on the Court.

*Specific expertise on questions of violence against women [article 36, paragraph 8 (b)]*

As is evident from his résumé, Mr. Eboe-Osuji has expertise in various topics of international criminal law, with specific reference to armed conflict and violence against women. Notably:

- He prosecuted the *Semanza* case, which is one of only three ICTR cases in which the crime of sexual violence was successfully prosecuted at that Tribunal;
- He has recently completed a book manuscript entitled: *Sexual Violence against Women, Armed Conflicts and International Law*; and
- As already indicated, his research and writings include discussions on the following topics: definition and analysis of rape in international criminal law; rape as genocide; rape and superior responsibility in international law; sexual violence in armed conflicts as the war crime of terrorism; and the question of forced marriage in international criminal law. The details appear in his professional résumé attached hereto.

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