

## Statement of qualifications

*Detailed document submitted in accordance with article 36, paragraph 4 a) of the Rome Statute of the International Criminal Court (ICC), with paragraph 6 of resolution ICC-ASP/3/Res.6 and with paragraph 27 of resolution ICC-ASP/12/Res.8 of the Assembly of States Parties on the procedure for the nomination and election of judges of the International Criminal Court.*

The Government of the Democratic Republic of the Congo (DRC) has decided to present the candidature of His Excellency Doctor Antoine Kesia-Mbe Mindua, currently Judge at the International Criminal Tribunal for the former Yugoslavia (ICTY) at The Hague, for the post of Judge at the International Criminal Court (ICC), in the elections scheduled during the thirteenth session of the Assembly of States Parties, which will be held in New York, from 08 to 17 December 2014 (article 36, paragraph 4 (a) (i)).

Judge Mindua is a person of high moral character, known for his impartiality and integrity, who possesses the qualifications required in the DRC for appointment to the highest judicial offices (article 36, paragraph 3 (a)). He is a staunch defender of the Rule of Law and of Human Rights. His nomination is the result of the procedure provided for the nomination of candidates for appointment to the highest jurisdiction in the DRC (article 36, paragraph 4 (a) (i)).

Though eligible for inclusion on both lists A and B, Judge Mindua's candidacy is presented as a nomination for list B which comprises the names of candidates with "established competence in relevant areas of international law such as international humanitarian law and the law of human rights, and extensive experience in a professional legal capacity which is of relevance to the judicial work of the Court" (article 36, paragraph 3 (b) (ii) and paragraph 5).

Apart from his professional training and his academic qualifications in law which are internationally recognised, Judge Mindua has a wealth of experience in International Law, International Humanitarian Law and Human Rights Law as well as in criminal proceedings at both national and international levels (article 36, paragraph 3 (b) (i) and (ii) and paragraph 5).

Judge Mindua is one of the prominent legal experts in the DRC and a qualified lawyer from the civil law legal system. He holds many titles and academic distinctions. He holds a doctorate degree in Public International Law and is a specialist in the above-mentioned fields. In his doctoral thesis, he studied among other topics the issue of human rights and the use of armed forces. He also holds a certificate and a diploma in Human Rights Law from the *International Institute of Human Rights* of Strasbourg, France, where he teaches as a visiting lecturer. He is qualified to teach Human Rights Law in Universities. He is a Professor of Public International Law and International Criminal Law at the *Geneva School of Diplomacy and International Relations, University Institute*. He continues to do research and to publish in these areas.

Doctor Mindua has gathered extensive experience in a professional legal capacity. He worked as Legal Adviser at the Office of the Vice-Prime Minister and Minister for Citizens Rights and Freedoms in DRC. He was then Legal Officer at the Office of the President of the Republic and Instructor for Human Rights and Fundamental Freedoms for the Police in DRC. Finally, he worked as a Legal Officer for the Chambers and the Registry at the International Criminal Tribunal for Rwanda (ICTR) for approximately five (5) years, in Arusha, Tanzania.

Doctor Mindua is a highly qualified and distinguished diplomat. In his tenure as Ambassador Extraordinary and Plenipotentiary, Permanent Representative of his country to the United Nations Office in Geneva, he has served several times as head of his governmental delegation to the United Nations Human Rights Commission/Council, initiating and supporting many benchmark resolutions considered as significant breakthroughs in protecting human rights.

Judge Mindua is familiar with gender issues, and is particularly concerned with the problem of violence against women and children (article 36, paragraph 8 (b)). Having dealt comprehensively with crimes committed in both Rwanda and the former Yugoslavia, he

possesses broad legal and judicial expertise pertaining to this issue. He has also acquired a special and proven knowledge of this through his experience as Vice-Chairman of the Executive Committee of the United Nations High Commissioner for Refugees in Geneva. In addition, in his capacity as head of his national delegation to the Human Rights Commission / Council of the United Nations in Geneva, Ambassador Mindua initiated and supported with zeal various resolutions condemning violence against children (abduction of children, forced child labour, rapes, recruitment of child soldiers, etc). He is member of the *Network of Domestic and International Judges Against Sexual Violence*.

Thus, Judge Mindua whose curriculum vitae is attached hereto, 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” (article 36, paragraph 3 (b) (ii)).

Doctor Mindua also has extensive judicial experience. For several years, he has been devoted to criminal law and procedure. Indeed, he has a master’s degree in Private Law and Justice, which involved comprehensive study of Criminal Law and Criminal Procedure. He also had ample time to deepen his knowledge of Military Criminal Law and Procedure through practice when he was a trainee military magistrate at the Court-Martial of the Garrison of Kinshasa-Gombe in the DRC. Moreover, his experience in Criminal Law and Criminal Procedure at the international level is proven. He is a great practitioner of international criminal trials concerning various types of crimes. He was a legal officer at the ICTR in Arusha, and he continues to serve as a judge at the ICTY in The Hague where he has spent more than eight (8) years.

Judge Mindua has an excellent knowledge of and is fluent in both English and French. His professional practice and his publications in these languages reflect this (article 36, paragraph 3(c)).

Judge Mindua is a male, national of the DRC, which is a member of the African Regional Group of States, and does not possess the citizenship of any other State (article 36, paragraph 8 (a)).

Judge Mindua’s candidature is endorsed by the African Union (AU) by decision Doc.EX.CL/821 (XXIV) 21-28 January 2014.