

## Statement of qualifications

*This statement is submitted in support of the candidature of Judge Professor Mindia Ugrekhelidze for the election as a judge of the International Criminal Court in accordance with article 36 of the Rome Statute of the International Criminal Court and resolution ICC-ASP/3/Res.6, as amended by resolutions ICC-ASP/5/Res.5 and ICC-ASP/12/Res.8, adopted by the Assembly of States Parties respectively on 10 September 2004, 1 February 2007 and 27 November 2013, and pursuant to the procedure of nomination for the ICJ and the ICC Statute.*

Judge Professor Ugrekhelidze's career and life is a unique blend of experience in criminal law as a practitioner and academic.

### *1. Requirement of article 36 (3) (a)*

Judge Professor Ugrekhelidze has always been a person of high moral character, displayed impartiality and integrity and met all the qualifications required for appointment to the highest judicial offices in Georgia. He served as the first President of the Supreme Court of Georgia, after the country had regained its independence (1990-1999) and the first judge elected in respect of Georgia at the European Court of Human Rights (1999-2008). Throughout his distinguished career Judge Professor Ugrekhelidze has held a number of high profile posts in Georgia as a Member of Parliament, member of the High Council of Justice, the State Constitutional Commission and other state institutions. Awards and honors he received in particular include: Order of Merits of Georgia (1999); Honorary Citizen of Pasadena, California, USA (1996); Grant of Max - Planck International Society, Freiburg, FRG (1995); Highest Judge Title of Georgia (1991); Honorary Citizen of Houston, Texas, USA (1991); Honorary Citizen of Austin, Texas, USA (1991); Honorary Citizen of "Ancient City Kutaisi", Georgia (1990).

### *2. Requirement of article 36 (3) (b)*

Judge Professor Ugrekhelidze has established long-standing and impeccable competence in criminal law and procedure, and has the necessary relevant experience as a judge. During 1990- 1999 as the President of the Supreme Court of Georgia he was leading the criminal cases at all procedural stages, in particular the cassation, presidium and plenary sessions of the Supreme Court. In the capacity of *ex officio* member of the High Council of Justice of Georgia Judge Professor Ugrekhelidze took part in adopting approaches on a number of complex criminal cases. In addition, he has extensive experience in driving criminal law reform. In 1990s he was co- Chairman of the Governmental Commission for Drafting the New Penal Code of Georgia and participated in elaboration of the "Model Penal Code of Russia". Currently, he is a member of the Governmental Committee for drafting the amendments to the Penal Code of Georgia to bring it in line with the EU standards. Furthermore, Judge Professor Ugrekhelidze has a distinguished academic background. He was a professor of Criminal Law of the Tbilisi State University (1975- 1999) and a researcher at Max-Planck Institute of Foreign and International Criminal Law. Since 2011 he is a Professor and the Head of Criminal law Department, Caucasus International University (Domestic Criminal Law, International Criminal Law, Comparative Criminal Law). Judge Professor Ugrekhelidze is author of over 100 published and other works, inter alia in the field of criminal law and participant of a range of international conferences.

Judge Professor Ugrekhelidze has also established competence in relevant areas of international law, including the law of human rights. As a judge elected in respect of Georgia at the European Court of Human Rights he participated in examining of over 2000 cases and was assigned as a Principal Rapporteur in about 500 cases, including the cases related to the criminal matters (*Pinochet case, Nachova and others, Asanidze v. Georgia*, etc.). Currently, Judge Professor Ugrekhelidze is a member of the State Constitutional Commission of Georgia and an *ad hoc* judge at the European Court of Human Rights. His outstanding academic credentials include competence in international law and the law of human rights.

### *3. Requirement of article 36 (3) (c)*

Judge Professor Ugrekhelidze's native language is Georgian; he is fluent in English and Russian. In addition, he has basic knowledge of French and German.

*4. Requirement of article 36 (5)*

Judge Professor Ugrekhelidze has qualifications in excess of what is required under list A and B, meeting the requirements of article 36 (3)(b), however, he is hereby nominated for inclusion in list A.

*5. In response to article 36 (8) (a) (i) to (iii)*

Judge Professor Ugrekhelidze received legal education in civil law countries (Georgia, Russia). Although the candidate represents a civil law legal system, Judge Professor Ugrekhelidze is comfortable with working in the case-law environment both in terms of expertise and experience as attested by his distinguished career in the European Court of Human Rights and experience in the Comparative and International Law Institute (London, UK).

Judge Professor Ugrekhelidze is nominated by Georgia, a state from the Eastern European Group (EEG).

The selection of Judge Professor Ugrekhelidze serves to achieve a good balance in gender composition of the Court as long as two male judges are determined as the gender minimum voting requirement for the upcoming election.

*6. In response to article 36 (8) (b)*

Judge Professor Ugrekhelidze stands out by his outstanding legal expertise on wide range of issues. In particular, he has a profound knowledge of International Humanitarian law. In addition, Judge Professor Ugrekhelidze has obtained the qualification of expert in Atomic Law at Max-Planck Institute of Foreign and International Criminal Law and published several articles on this topic. Furthermore, he has an excellent grasp of international refugee law as a former member of the International Association of the Refugee Law Judges and a participant of various conferences. Equally importantly, Judge Professor Ugrekhelidze has the extensive and rich experience of partnership with a number of international and foreign non-governmental organizations (OSCE, CE, AIDP, IARJL, ABA, CILI, GIZ, ERA, etc.) on problematic issues of law.

The legal expertise of the candidate in fighting violence against women or children merits particular mention: for over 9 years of tenure as the President of the Supreme Court of Georgia he participated in examining several landmark cases on violence and discrimination. During his term as the Judge of the European Court of Human Rights he sat in the Chamber to examine complex discrimination and violence related cases as in the *Nachova* case where Judge Professor Ugrekhelidze served as a rapporteur. It was precedent setting judgment delivered by the Grand Chamber that established the concept of “causal link” between attitude and conduct in the jurisprudence of the ECHR.

Notably, Judge Professor Ugrekhelidze is a member of the Governmental Committee for drafting amendments to the Penal Code of Georgia, which, among others, deals with domestic violence issues.

*7. In response to article 36 (7)*

Judge Professor Ugrekhelidze is a national of Georgia and does not possess the nationality of any other State.

Given the impressive professional and academic credentials at international level, wide and powerful support enjoyed by Judge Professor Ugrekhelidze amongst the legislative, executive and judicial authorities and the civil society at the national level the Government of Georgia believes that his election, as a judge (from the South Caucasus – the region so far unrepresented at the International Criminal Court) of the International Criminal Court will bring to the institution a wealth of experience, new vision and a sense of shared responsibility in advancing the goal of international justice.