

Statement of qualifications

Statement of qualifications submitted in accordance with paragraph 4 a) of article 36 of the Rome Statute of the International Criminal Court and paragraph 6 of the resolution of the Assembly of States Parties relating to the Procedure for the Nomination and Election of Judges, the Prosecutor and Deputy Prosecutors of the International Criminal Court

Professor Péter Kovács is the candidate nominated by Hungary for the election of judges of the International Criminal Court for the period 2015-2024.

Professor Péter Kovács, presently a judge of the Hungarian Constitutional Court, president of 1st Chamber, is a person of high moral character, impartiality and integrity, who possesses all the qualifications required in Hungary for appointment to the highest judicial offices (paragraph 3 a) of article 36 of the Rome Statute. Professor Péter Kovács fulfils the requirements of subparagraph (ii) of paragraph 3 (b) of article 36, as is specified in his curriculum vitae.

Professor Kovács was born in 1959 in Szeged, Hungary. He has a Law Degree from University Attila József (Szeged) and postgraduate law degrees from the Université de Nancy II and Strasbourg (France). Since 1998 he was a professor at the University of Miskolc, Faculty of Law, Department of Public International Law and he was the head of department between 1999 and 2005. From 2009 he is the head of Department of Public International Law, Faculty of Law of the Pázmány Péter Catholic University, where he is a professor since 1997. He worked for the Ministry of Foreign Affairs from 1990 as a 1st class secretary at the Embassy of Paris (1990-1994), then as the head of Department of Human Rights and Minority Law (1998-1999).

He was a governmental expert in the Council of Europe in the CAHLR (preparation of the European Charter for Regional or Minority Languages) and CAHMIN (preparation of the Framework-convention for the Protection of National Minorities) committees. In 1998 he became a member of the expert group on Democratic citizenship in the Council of Europe.

Professor Kovács possesses established competence in international law in general and especially in minority law, human rights, international humanitarian law and the law of human rights as his university textbooks and other works prove it. He is a member of the Institut International des Droits de l'Homme (Strasbourg), the Société Française pour le Droit International and the Hungarian Branch of the International Law Association.

Professor Kovács's professional knowledge and skills are excellent, as are his analytical skills. He works with a high degree of professional dedication and has proved fully capable to organize and prioritize the workload.

He has an excellent written and oral expression in English and French, which is of extreme importance in the court settings and investigations where all proceedings are conducted through interpreters.

His research fields include the minority protection, human rights, humanitarian law, international jurisprudence, history of international law, Schengen cooperation, and constitutional jurisprudence.

The legal expertise of Professor Péter Kovács in national and international law and procedure have convinced the Ministry of Foreign Affairs of Hungary that he meets the requirements of paragraph 3 of article 36 of the Rome Statute to be elected judge of the International Criminal Court.

Professor Péter Kovács is being nominated for inclusion in list "B" for the purposes of paragraph 5 of article 36 of the Rome Statute.

The information relating to subparagraph (i) to (iii) of paragraph 8 (a) of article 36 of the Rome Statute is as follows:

(a) Professor Kovács represents the European legal system. He is qualified and practices in international law.

(b) Professor Kovács is a national of Hungary, which is a member of the Eastern European Group of States. He does not possess the nationality of any other state.

(c) Professor Kovács is male.

Péter Kovács activity in the field of international humanitarian law and related matters:

(a) Conferences, etc. (of the cca. 107 conferences attended abroad):

(i) 1988: participation on the experts' seminar organized by the ICRC in Sofia [Title of the intervention: "The application of the Geneva Additional Protocol II in the civil war in El Salvador"]

(ii) 1989: participation on the experts' seminar organized by the ICRC in Leningrad [Title of the intervention: "The mass media should do more in the promotion of international humanitarian law"]

(iii) 24-25 January 1998: participation at the conference of the Université Catholique de Lyon on refugee issues [Title of the intervention: Les réfugiés dans la pratique juridique hongroise]

(iv) 3-29 March 2000: visiting professor at the Université de Montpellier I: 16 hours taught and therefrom 2 were delivered on the foundations of the IHL obligations of the NATO in the in campaign for Kosovo.

(v) March 2002: visiting professor at the Université Paris XI (Sceaux): 12 hours taught and therefrom 3 were delivered on the foundations of the IHL obligations of the NATO in the Kosovo campaign, 3 on the legal nature of statutes, internal rules of procedures of international tribunals as well as on international jurisprudential interactions.

(vi) 1 August - 23 December 2002: Visiting professor in the US with Fulbright scholarship during the fall semester of the Denver University, College of Law. Two classes taught: the international legal protection of national minorities (2x2 hours per week) and international humanitarian law (2x2 hours per week)

(vii) 11-13 September 2002: rapporteur at the 36th conference of the Société Française pour le Droit International (La juridictionnalisation du droit international) on the topic: "Les possibilités et les limites du développement du droit dans la jurisprudence des tribunaux internationaux".

(viii) 5-9 December 2003: Toronto, Canada: participation at the round table "Transitional justice and human rights" of the York University

(ix) 12 July 2005 (Warsaw): lecture at the 23rd summer university of IHL (Title of the lecture: Refugees in armed conflicts)

(x) 5 July 2007 (Warsaw): lecture at the 25th summer university of IHL (Title of the lecture: Refugees in armed conflicts)

(xi) 22 August 2007 (Moscow): lecture at the summer university of IHL (Title of the lecture: Refugees in armed conflicts)

(xii) 16-17 July 2009: participation at the human rights seminar organized jointly by the Government of Morocco and the advisory committee of the Council of Human Rights of the United Nations in Marrakesh. (Title of the intervention: The obligations of States in the field of teaching of human rights)

(b) Legal advices, expertise etc.:

(i) 1999, Spring: Author of an *amicus curiae* document, prepared in the Ministry of Foreign Affairs concerning a legal error in the interpretation of IHL in the jurisprudence of the Supreme Court. (NB: The Supreme Court annulled later its decision and substantially altered its interpretation.)

(ii) 1998-2003: national correspondent of the International Yearbook of Humanitarian Law, The Hague, TMC Asser Institute,

(iii) 2001: university member of the interministerial experts' committee for the ratification of the Statute of the International Criminal Court.

(iv) 2011-2012: propositions of corrections concerning the formulation of delicts and crimes linked to the IHL and the crimes against humanity in the draft of the new Penal Code. (The propositions were formulated together with colleagues of the international law department of the Péter Pázmány Catholic University. A part of the proposals were accepted.)

(c) Direction of thesis, etc.:

(i) From the 13 defended PhD-theses under my supervision, six concerned different aspects of IHL and the ICC, the R2P (responsibility to protect) or the transitional justice.

Recommendation by Prof. Dr. Vanda Lamm, Prof. Dr. János Bruhács and Dr. Csaba Pákozdi, members of the Permanent Court of Arbitration:

As members of the Hungarian National Group of the Permanent Court of Arbitration we recommend Professor Péter Kovács to be the Hungarian candidate for the election of judges of the International Criminal Court for the period 2015-2024.

Professor Kovács is an excellent international law practitioner with established competence in relevant areas of international law. He has gathered extensive judicial experience in his various professional legal capacities. Presently, he is the presiding judge of the 1st Chamber of the Hungarian Constitutional Court. Next to his high moral character, impartiality and integrity and his fluency in both working languages of the Court, he fully meets the requirements set out in article 36, paragraph 3 (b) (ii), of the Rome Statute and stands as a candidate at the forthcoming election.
