

Alapini Gansou, Reine (Benin)

[Original: French]

Statement of qualifications

The Republic of Benin ratified the Rome Statute of the International Criminal Court in January 2002. In collaboration with the Benin Coalition for the International Criminal Court, the Government works towards the adoption of a law for the domestication of the Rome Statute. It also works to improve cooperation between the International Criminal Court and the Francophone African States.

Criteria of moral character, impartiality and integrity of Mrs Reine Alapini Gansou

Mrs Reine Alapini Gansou is a Benin citizen. Her nomination is submitted by the Government of Benin by virtue of article 36 of the Rome Statute of the International Criminal Court and resolutions ICC-ACP/3/Res.6 amended by resolutions ICC-ASP/5/Res.5 and ICC-ASP/12/Res.8 adopted by the Assembly of States Parties on 10 September 2004, 1 February 2007 and 27 November 2013 respectively.

She was born in Abidjan, Ivory Coast on 11 August 1956. She holds a joint Diploma of Advanced Studies (DEA) of the University of Maastricht in the Netherlands, Bhutan and Lome in Togo. Besides, she holds a Master degree in Business Law and judicial careers of the National University of Benin. Mrs Reine Alapini studied in the civil law system but she got a law degree in common law from the University of Lyon 3 in France.

In view of her career in the field of International Human Rights Law and Humanitarian Law, Mrs Reine Alapini Gansou obtained several diplomas in the fields of Development, Environmental Law and Womens' Rights. For her great contribution serving the cause of human rights, she received numerous awards including:

- (a) The Human Rights Award of the fiftieth anniversary of African independence awarded by the « Académie des Sciences d'Outre-Mer » Sorbonne, France, 27 November 2010;
- (b) The Prize of the 25th anniversary of the African Commission on Human and People's Rights for her contribution serving the cause of human rights in Africa, 25 October, 2012, Yamoussoukro, Côte d'Ivoire;
- (c) Award for her contribution to the fight against discrimination based on sexual orientation and homophobia, Geneva, UNAIDS, 16 May, 2014; and
- (d) Distinction for her contribution as a personality, member and spokesman of the electoral response chamber to the success of the 2016 presidential election in Benin.

Skills for judicial functions at the national level

In the academic field

Mrs. Reine Alapini Gansou is lecturer-researcher at both Abomey-Calavi and Parakou's University in Bénin since 2001. She is currently working as on an honorary basis. In this respect, she has presented works on the Theory of Strict Interpretation of Criminal Law and the Role of the World Trade Organization (WTO) in Environmental Protection. In 2002, during a scientific retreat in Lomé she presented a Paper on "New Dimensions of Confession in Criminal Matters (*les nouvelles dimensions de l'Aveu en matière Pénale*)." She has lectured at the Institute for Human Rights (IDH) and Promotion of Democracy: Democracy in Everyday Life, as well as the Faculty of Health Sciences (FSS) in Benin.

She is the author or co-author of several publications, including:

- (a) «De l'article 64 à l'article 122-1 du code pénal: une réforme à mi-chemin parue à la revue annuelle de l'assistance en santé mentale en Afrique», (1999); "Article 64

to Article 122-1 of the Criminal Code: A Halfway Reform featured in the Annual Review for Mental Health Assistance in Africa, 'African Realities';

(b) «Aspects Psycho pathologique du viol en Afrique :cas du BENIN et du CONGO»; "Psycho Pathological Aspects of Rape in Africa: Cases of BENIN and CONGO";

(c) «Violences faites aux femmes: intérêt de la mise en place d'une cellule de prise en charge médico-psycho-juridique», paru dans le Bénin Médical N°39/40-2008; "Violence against women: Need to establish a medico-psychological and legal support unit", published in the journal "Bénin Médical: N°39/40-2008;

(d) «Le code des personnes et de la famille du Bénin à l'épreuve de l'application», (2012); "Beninese Individual and Family Code at the Ordeal of its Application", 2012;

(e) «La responsabilité des Etats en matière de violences sexuelles en Afrique», (2017); "States' Responsibility with regard to Sexual Violence in Africa", 2016;

(f) «L'adoption au Bénin: entre droit et culture». (2016); "Adoption in Benin, Law versus Culture", 2016; and

(g) «Le législateur et le juge Africains dans le succès de la mission de Cour Pénale Internationale », (2017) ; "Role of the African Legislator and Judge in the success of the mission of the International Criminal Court", 2017.

In the area of the Bar:

Since 2015, she has been Counsel of permanence before the International Criminal Court:

(a) She is a Lawyer, with 31 years of experience in judicial practice. In this respect, she is registered at the Bar Association of Benin under number 23;

(b) She is a Legal Counsel with the International Criminal Court and registered on the list of duty counsels;

(c) Former intern with the International Conference of Bar Associations in Paris (1988);

(d) Former intern with the International Organization for Development Law in Rome, Italy (2000-2002);

(e) She took part in the project "Justice for All in Rwanda" after the 1994 genocide for the Association of Lawyers without Borders (ASF) in Belgium, and served as a lawyer without borders for the association in 2001;

(f) Member of the International Criminal Bar Association and the International Association of Legal Counsels. She pleaded in the case of Alidou OUEDRAOGO against the Government of Burkina Faso in 2002 at the request of the International Commission of Jurists;

(g) As a lawyer she obtained a ruling on the anti-constitutionality of articles 336 et seq. of the Beninese Criminal Code relating to the suppression of adultery deemed discriminatory against women; and

(h) In Benin, she has been a former member of the National Commission on Codification and Legislation (CNCL); and Consultant to the Beninese National Assembly's Analysis and Programming Unit (CAPAN) for the reform of Benin's Criminal Procedure Code.

Competence in the field of criminal law, criminal procedure, criminal proceedings and in international law

Competence in the field of Criminal Law and Criminal Procedure

Mrs. Reine Alapini Gansou has been lecturing on Criminal Law and Criminal Procedure at the University of Abomey in Benin.

She has proven experience in criminal proceedings/trials before the criminal courts and tribunals of Benin.

She has been an instructor at the International Training Centre for Francophone Lawyers (CIFAF) on proceedings before the International Criminal Court since 2012.

Competence in the field of International Law

Since her election in 2005 and re-election in 2011 as a member of the African Commission on Human and Peoples' Rights, Mrs. Reine ALAPINI GANSOU has held very senior positions in this quasi-judicial institution. She left the African Commission after 12 years of practice in regional and international human rights law.

Mrs Reine ALAPINI GANSOU was Chairperson of the African Commission on Human and Peoples' Rights (2009-2011); and led several promotion missions in over 45 countries in Africa and worldwide. She also undertook fact-finding missions to several African countries.

She was alternatively chairperson and member of several juries on human rights mock trials organized by the Human Rights Centre of the University of Pretoria in South Africa.

She was at the initiative of the referral to the African Court on Human and Peoples' Rights of the massive human rights violations in Libya in 2010.

She also chaired the committee on human rights of PLHIV and other vulnerable persons, anchored within the African Commission from 2009 to 2011 and she is still currently a member. In this respect, she served as expert to UNAIDS with a focus on the rights of people living with HIV, vulnerable people and homosexuals.

As a member of the African Commission's working group on the rights of the elderly and disabled persons since 2007; she took part in the development of a protocol to the African Charter on human and people's rights on the promotion and protection of the rights of elderly persons in Africa, and a protocol to the African Charter on human and people's rights on the rights of persons with disabilities in Africa.

Mrs Reine Alapini Gansou is a Special Rapporteur on the situation of human rights defenders in Africa from 2005 to 2009; and in 2011 until her departure from the African Commission (July 2017):

(a) In this capacity, she participated in numerous seminars and meetings organised on current topics related to the promotion and protection of the rights of human rights defenders and their capacity building. She has published work manuals and guides on the rights of human rights defenders; and organized several seminars on human rights in Africa;

(b) As Special Rapporteur on the situation of human rights defenders in Africa, Mrs. Reine ALAPINI GANSOU conducted two studies: one on the situation of women rights defenders in Africa and the other on freedom of association in Africa. In this regard, she conducted missions to several African countries;

(c) She also succeeded in adopting three guidelines: one on freedom of association and assembly; the second on human rights and terrorism in Africa; and the third on the right of peaceful demonstration in Africa;

(d) Mrs. Reine ALAPINI GANSOU was an expert in the drafting and adoption of a model law on freedom of association at the request of the International Service for Human Rights (SIDH); and

(e) She initiated the adoption of a law for the protection of human rights defenders in Ivory Coast.

She was a member of the Permanent Court of Arbitration in The Hague.

She was appointed as a member of the United Nations International Fact-Finding Mission on Electoral Violence in the Republic of Côte d'Ivoire from May to June 2011.

She was also Head of the Human Rights Component of the African International Support Mission to Mali (MISMA/MISAHÉL) from April 2013 to October 2014.

From 2015 to 2017 till the end of her mandate with the African Commission, Mrs. Reine ALAPINI GANSOU chaired the Joint Working Group on Special Procedures of the African Commission and the United Nations.

Expert, member of the Contact Group on Human Rights and HIV in West Africa and Central Africa (UNAIDS).

In September 2016, she was appointed by the UN Secretary General as a member of the Fact-Finding Commission on Human Rights Violations in Burundi.

Languages

Though from a Francophone background, Mrs Reine Alapini Gansou has a good knowledge of English and is able to speak and write in English.

Throughout her mandate as a member of the African Commission and as Special Rapporteur on the Situation of Human Rights Defenders in Africa, she has had the opportunity to make use of these skills and improve them. She has good computer skills.

List

For the purposes of paragraph 5 of article 36 of the Rome Statute, Mrs. Reine Alapini Gansou is proposed for the post of judge at the International Criminal Court on the List B.

Specialized legal expertise

Consultant for the World Health Organization (WHO) commissioned to draft a bill on the promotion and protection of mental patients' human rights (2008).

Consultant for the International Labour Office (ILO) on the human rights of people living with HIV in the workplace.

Chartered Arbitrator with the Inter-Professional Cotton Association in Benin.

Chartered Arbitrator for the Benin Chamber of Commerce and Industry.

As a member of the Benin Coalition for the International Criminal Court, she initiated and organized a workshop project for the development and drafting of a law to adapt and enforce the Rome Statute in Benin.

She is a member of several women's associations. As a former member of the Association of Benin Women Lawyers, a founding member of WILDALF-Benin network and the Benin Development Law Association (ABDD), she was at the initiative of several laws for women's protection in Benin, notably:

(a) Act No. 2002-07 of 24 August 2004 on Individual and Family Code in the Republic of Benin;

(b) Act No. 2003-03 of 3 March 2003 on the suppression of female genital mutilation in Benin;

(c) Act No. 2006-19 of 5 September 2006 on the suppression of sexual harassment and protection of victims in the Republic of Benin;

(d) Act No. 2005-31 of 5 April 2006 on the prevention, treatment and control of HIV/AIDS in the Republic of Benin; and

(e) The law on the promotion and protection of rights of mental disabilities in Benin.

She has strived towards the development of a training module for the female paralegals of the WILDAF-Benin network. She has also strived towards the design and implementation of a legal facilitation manual within the framework of the Women's Legal Rights Initiative (WLR-Benin).

She is specialized in the promotion and protection of women's rights and in this regard she has strived towards the training of lawyers in investigations on violence against women, notably in the case of the DRC.

At present, she serves as legal counsel to women victims of violence and rape at the Centre for Women's Rights and Development of the WILDAF-Benin network and in this context has attended to over 250 cases, notably matrimonial, inheritance, assault & battery and rape cases among others, which have been subject to alternative modes of dispute resolution or litigation before the courts/tribunals.

Indication of nationality

Mrs Reine Alapini Gansou is citizen of Benin.
