

Massart, Laurence (Belgium)

[original : français]

Statement of qualifications

Subject: Position of judge at the International Criminal Court

I have the honour of being Belgium's candidate for a judge's position at the International Criminal Court. With regard to article 36, paragraph 4, a), i) of the Rome Statute, my nomination by Belgium was made pursuant to the selection procedure provided for by article 42 of the Act of 29 March 2004 on cooperation with the International Criminal Court and the International Criminal Tribunals.

As a human rights believer with a passion for geopolitical issues, having a solid experience and recognized competence in criminal law and criminal procedure, and also having presided over criminal trials with international implications and working in a multidisciplinary and multicultural team, I reckon that I match with the desired profile and the conditions imposed. Thus,

1. *Be a person of high moral consideration, known for his impartiality and integrity (article 36 §3 a of the Rome Statute)*

I am honourably known in my country and have never been condemned by the authorities of my country or by foreign institutions. I enjoy a reputation as an impartial judge and have integrity. Notwithstanding the media and/or societal pressures, the political and/or financial stakes and the importance of the decision to be taken on the future of men and women, I always have judged to administer justice with a keen concern for a fair trial and the rights of the defence, having heard the civil parties with consideration and humanity and the representative of society with attention. I have taken courageous decisions, whether to acquit, to dismiss the charges for procedural irregularities or to impose high sentences or alternatives to imprisonment. I am an independent and human person with structure in my work and rigorous. I am deeply attached to the universal values of our Humanity.

2. *Be a person possessing the qualifications required in my State for appointment to the highest judicial offices (article 36 § 3 a of the Rome Statute)*

I am the first president of the Brussels Court of Appeal, the most important in the country. I am one of the High Magistrates of the Kingdom of Belgium, and according to protocol, in the seated magistracy, the second seated magistrate after the first president of the Court of Cassation.

3. *Have recognized competence in criminal law and procedure and the necessary experience of criminal proceedings as a judge, prosecutor, advocate or in any other similar capacity (article 36 § 3 b of the Rome Statute)*

Joined the judgeship in 1997, after a career at the bar that has begun in 1989, I turned to criminal law and criminal procedure, which I have been practicing for almost 25 years as a judge. I have risen through all levels of jurisdiction and have gauged the criminal courtrooms from the tribunal to the Court of Appeal; from the position of judge to that of first president of a court of appeal; both in Brussels and in the provinces. I have presided over Assize Courts where the most serious blood crimes were judged, Financial Criminal Law Chambers, Common Criminal Law Chambers and Indictments Chambers.

I was fortunate to be entrusted with large-scale criminal trials with significant international implications. I can quote:

- the first case of universal jurisdiction in the context of the genocide in Rwanda, known as the "4 de Butare";
- the murder of the human rights representative of the Kosovo Albanians in the context of the war in the former Yugoslavia - the case of V. V., B. S. and A. D. (file transmitted by Mrs. Carla Del Ponte to Belgium);
- the so-called "Jewish Museum of Belgium" terrorism case;

- the so-called "Schneider" case, where the destination of the money from the mines in the Republic of Congo was at the heart of the dispute;
- the so-called Citibank case in which the effects of the American subprime crisis were at stake;
- the numerous crimes of murdering women and inhuman treatment of children;
- cases of international arms traffickers for which the United States was also prosecuting, cases involving major drug traffickers and, even more, the repatriation of "dirty" money and the financing of illicit activities in Belgium and elsewhere in the world;
- I also participated in the appeal trial of the Ghislenghien (...)

As the first president, I organized and I am currently organizing the subsequent trials relating to the Rwanda genocide, the Brussels bombings (...).

At the same time, I have given numerous training courses in criminal matters and participated in studies and professional meetings in these matters.

Thus, I have more than 20 years of work as a judge in all areas of criminal law and criminal procedure. I have extensive experience in judging and conducting criminal trials and have expertise in criminal law and criminal procedure.

4. _____ *Knowledge and fluency in at least one working language of the ICC (article 36 § 3 c of the Rome Statute)*

French is my native language.

I learned the English language at the age of 12 and have reached a level where I can plead in English and obtain a first prize in pleading (see CV). Currently, my passive knowledge is very good. My active knowledge needs a refresher which can be done quickly.

I am almost immersed in Dutch in Brussels and am learning this language.

I also have some knowledge of Spanish.

5. *Listing (article 36, § 5, of the Rome Statute)*

I choose list A (specialist in criminal law and procedure).

6. *Openness to the world (article 36 § 8 a (i) and (ii) of the Rome Statute)*

For the purposes of article 36, paragraph 8, a), i) and ii), of the Rome Statute, I will represent the civil law system and the Western Europe and other States group.

I have always been passionate about international and human rights issues. Therefore, after graduating from university with great distinction, I obtained the maximum mark of 20/20 for the course on Human Rights and Fundamental Freedoms taught by Professors Russen Ergec and Pierre Mertens at the "Université Libre de Bruxelles". At the end of my law degree (currently master's degree in law), I pursued my studies in European law at the Institute of European Studies where I obtained the special degree (currently master's degree) with great distinction.

I set up a team of students to participate in an international Law moot Court at the European Institute in Florence, Italy, where we won first prize. In addition, I also won the individual award for the best litigator in French and English. I went on a traineeship for one year (2 x 6 months) in the Legal Service of the Commission of the European Union where I worked in French and English in various fields including the international relations of the European Union.

At the same time, I joined the Brussels Bar at the law firm of Liedekerke, Wolters, Waelbroeck and Kirkpatrick, where I worked exclusively for Michel Waelbroeck's European and international law unit in French and English.

Open to the world, I take part in a discussion forum for judges from all over the world who speak French and we exchange our legal cultures. In that respect, I am in contact with colleagues from Africa, Asia,

America and Europe. I also defend the values of efficient and equal justice for all in a democratic society, in particular through an association of judges.

Brussels is a cosmopolitan city and the Court of Appeal of Brussels, which I am head, is composed of magistrates from the North and South of the country. Throughout my career, I have demonstrated my ability to work in a multidisciplinary team with people whose working languages, cultures and customs are not the same. I have integrated, forged links and built projects with all of them. I am reliable, trustworthy and resistant to stress regarding workload, media and pressure. I appreciate the Other in his or her diversity.

7. *Equitable representation of men and women (article 36 § 8 a (iii) of the Rome Statute)*

I specify being female. Indeed my first name Laurence is feminine in French but can be confusing in English where the first name Lawrence is masculine.

8. *Implications of matters relating to violence against women and children (article 36 § 8 b of the Rome Statute)*

I have judged many blood crimes, including violence against women and inhumane treatment of children.

I have taken an interest in the fate of children, particularly children who have experienced traumatic events and their consequences on their psychological state, including attachment disorders. I am a member of ASBL “Pétales”, a non-profit organization specializing in this type of behaviour. I have also been an expert at the Higher Council for Adoption, more particularly on intercountry adoption.

The fate of women is close to my heart and, in particular, the violence that is committed against them throughout the world. I worked as a volunteer for the non-profit organisation Infor-famille, which helped women victims of violence. As a member of Rolling Douche, I am also attentive to providing a little hygiene to the disadvantaged populations in my country.

9. *To have the nationality of a State party to the Rome Statute of the International Criminal Court (article 36 § 7 of the Rome Statute)*

I am a Belgian citizen.

I am committed to being available to take up full-time service when the Court’s workload so requires.

I am aware of the stakes and the expectations placed on the members of the International Criminal Court, which is fighting impunity for atrocious crimes wherever they are committed. In my career, I would like to be part of this drop of hope for effective justice on an international scale, where the place of the human being and the universal values that bring us together are a priority.

It would be an honour to be welcomed into its midst to, and to the extent that I can, contribute my work force, my experience and my optimistic and realistic temperament.
