

Korner, Joanna (United Kingdom of Great Britain and Northern Ireland)

[Original: English]

Statement of qualifications

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

a) Procedure for appointment

Judge Joanna Korner CMG QC is nominated for election under the terms of article 36, paragraph 4(a)(i), of the Rome Statute of the International Criminal Court, i.e. by the procedure for the nomination of candidates for appointment to the highest judicial offices in the State in question.

The United Kingdom used an open and transparent process for selection by inviting applications through a public advertisement issued by the Judicial Appointments Commission. The applications were reviewed by a panel of senior members and representatives of the judiciary of England and Wales, the Northern Ireland Department of Justice, the Scottish Government, the Ministry of Justice and the Foreign and Commonwealth Office. The best applicants were then invited to an interview by the same panel. The panel made recommendations to the Foreign Secretary, who made the final decision on the United Kingdom's candidate.

b) Criteria of high moral character, impartiality and integrity

Judge Korner is a person of high moral character, impartiality and integrity.

c) Possession of the qualifications required for appointment to the highest judicial offices at the national level

In its selection process for nomination as a judge of the ICC, the United Kingdom required candidates to satisfy the criteria for becoming a High Court judge in England and Wales (the legal jurisdiction of the United Kingdom in which Judge Korner practises) or the criteria for equivalent positions in Scotland and Northern Ireland. The criteria for becoming a High Court judge are that a person must have been a lawyer or barrister for seven years and have practised as such during that time. Only candidates of exceptional ability are recommended for appointment as a High Court judge. In addition, candidates must be able to demonstrate that they are able to work or develop expertise in all aspects of the work of the relevant division (i.e. the Queen's Bench Division, the Chancery Division, and the Family Division). This ability must extend beyond legal skills, and candidates should be able to demonstrate actual or potential management and leadership qualities. Judge Korner satisfies these criteria.

Judge Korner is currently a circuit judge sitting on the Crown Court, which is the highest court of first instance for criminal cases. The criteria for becoming a circuit judge are similar to those for the High Court. However, in addition, candidates are expected to have previous judicial experience.

d) Established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings

Judge Korner has the necessary competence and is exceptionally well qualified to sit as a judge of the International Criminal Court, having extensive judicial experience and expertise in the field of international criminal justice. She spent a total of eight years as a senior prosecutor at the International Criminal Tribunal for the former Yugoslavia, including leading in the cases of *Prosecutor v. Mićo*

Stanišić and Stojan Župljanin, Prosecutor v. Radoslav Brđjanin and Momir Talić, and Prosecutor v. Milomir Stakić. Her broad first-hand experience, in-depth knowledge of international criminal law issues and proven ability to work effectively with colleagues from both civil and common law jurisdictions are all highly relevant to the work of the International Criminal Court.

She has 26 years of judicial experience in the criminal courts of England and Wales. She routinely tries the most serious and complex criminal cases including cases of fraud and murder.

In addition, Judge Korner is an internationally recognised expert on international criminal law, and she has trained judges and lawyers from across the globe on international criminal law and advocacy, including in Africa, Eastern Europe, the Middle East, South America and South-East Asia.

e) Knowledge of and fluency in either English or French

Judge Korner is a native English speaker.

f) Indication of nomination for List A or List B

In light of her experience as a criminal judge, prosecutor and advocate, Judge Korner is being nominated for inclusion in List A, covering candidates with established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings.

g) Information relating article 36, paragraph 8(a)(i) to (iii), of the Rome Statute

For the purposes of Article 36, paragraph 8(a)(i) to (iii), of the Rome Statute, Judge Korner will represent the common law system and the Western Europe and Other Regional Group. She is a female candidate.

h) Legal expertise on specific issues, including, but not limited to, violence against women or children.

Judge Korner is qualified to try cases involving serious sexual offences and has expertise in the handling of vulnerable witnesses, particularly those who are the victims of alleged sexual violence and has provided training in this area.

i) Nationality under which the candidate is nominated

Judge Korner is British and is being nominated as a judge of the United Kingdom.

j) Commitment to take-up full-time service

Judge Korner is committed to being available to take up full-time service when the Court's workload so requires.
