

STATEMENT SUBMITTED IN ACCORDANCE WITH ARTICLE 36.4 (a) OF THE ROME
STATUTE OF THE INTERNATIONAL CRIMINAL COURT AND RESOLUTION ICC-
ASP/3/Res. 6 OF THE ASSEMBLY OF STATES PARTIES RELATING TO THE PROCEDURE
FOR THE NOMINATION AND ELECTION OF JUDGES OF THE INTERNATIONAL
CRIMINAL COURT

- a) Judge Hans-Peter Kaul is a person of high moral character, impartiality and integrity who possesses the qualifications required in Germany for appointment to the highest judicial offices (article 36.3 (a)).

Judge Kaul is nominated in accordance with the procedure provided for the nomination of candidates for the International Court of Justice in the Statute of that Court (article 36.4 (a)).

Judge Kaul has legal expertise on a wide range of specific issues relevant to the work of the Court, including, but not limited to, the following:

- his practical experience as judge at the International Criminal Court, in particular as President of the Court's Pre-Trial Division;
- his participation and extensive contribution to the drafting of the Regulations of the Court, specifying the details of the criminal procedural framework of the ICC;
- his contribution to the establishment of a suitable legal framework in favour both of the administration and the judicial work of the Court as member of the ICC Advisory Committee on Legal Texts and of the Working Group on Administrative Issuances;
- his background in relevant areas of international law such as international humanitarian law and the law of human rights;
- his extensive experience as international lawyer also includes the codification process of the Rome Statute as a whole, with special emphasis on Part. 2 of the Statute on jurisdiction, admissibility and applicable law and on the elaboration of the definition of crimes within the jurisdiction of the Court and the Elements of Crimes pursuant to article 9 of the Statute;

Accordingly, Judge Kaul fulfils the requirements of both article 36.3 (b) (i) and (ii), as is specified in his Curriculum Vitae. He has established competence in relevant areas of international law, such as international humanitarian law and the law of human rights and extensive experience in a professional legal capacity which is of relevance to the judicial work of the Court. At the same time, as President of the Court's Pre-Trial Division and judge of the Pre-Trial Chamber III, Judge Kaul has proven competence in international criminal law and procedure. He is thus qualified for both list A and B.

- b) Judge Kaul is being nominated for inclusion in list B for the purpose of para. 5 of article 36 of the Statute.
- c) Judge Kaul, being a native German speaker, has an excellent knowledge of and is fluent in English and French (article 36.3 (c)).
- d) The information relating to subparagraphs (i) to (iii) of para. 8 (a) of article 36 of the Statute is as follows:
 - (i) Judge Kaul has been trained, qualified for the bar and continued to work in a professional legal capacity in Germany which has a Civil Law legal system until he was appointed as judge of the International Criminal Court;
 - (ii) Judge Kaul is a national of Germany which is a member of the Western European and Others Group of States;
 - (iii) Judge Kaul is male.
- e) Judge Kaul is a national of Germany and does not possess the nationality of any other State.