Reference: ICC-ASP/25/SP/01/Corr.2

The Secretariat of the Assembly of States Parties presents its compliments to the States Parties to the Rome Statute of the International Criminal Court and has the honour to refer to the provisions of resolution ICC-ASP/3/Res.6 (see annex I), as amended by resolutions ICC-ASP/5/Res.5, ICC-ASP/12/Res.8, annex II, ICC-ASP/14/Res.4, annex II, ICC-ASP/18/Res.4, and ICC-ASP/21/Res.2, annex II, respectively.

In accordance with paragraph 3 of resolution ICC-ASP/3/Res.6 as amended by ICC-ASP/18/Res.4,[1] "[t]he nomination period shall open on the first Monday of the calendar year when an election should take place, and shall last 12 weeks." Accordingly, the nomination period shall open on 5 January 2026 and shall run until 29 March 2026.

Any extension of the nomination period shall take into account the need for the Advisory Committee on Nominations of Judges to produce its report at least 16 weeks before the elections.[2]

In accordance with paragraph 4 of ICC-ASP/3/Res.6, nominations submitted before or after the nomination period shall not be considered.

The election will take place at the twenty-fifth session of the Assembly, scheduled to be held from 7 to 17 December 2026.

Governments are requested to take into account paragraphs 3, 4 and 8 of article 36 of the Rome Statute, which provide as follows:

"3. (a) The judges shall be chosen from among persons of high moral character, impartiality and integrity who possess the qualifications required in their respective States for appointment to the highest judicial offices.

(b) Every candidate for election to the Court shall:

(i) Have 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; or

(ii) Have 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;

(c) Every candidate for election to the Court shall have an excellent knowledge of and be fluent in at least one of the working languages of the Court."

"4. (a) Nominations of candidates for election to the Court may be made by any State Party to this Statute, and shall be made either:

(i) By the procedure for the nomination of candidates for appointment to the highest judicial offices in the State in question; or

(ii) By the procedure provided for the nomination of candidates for the International Court of Justice in the Statute of that Court.

Nominations shall be accompanied by a statement in the necessary detail specifying how the candidate fulfils the requirements of paragraph 3.

[1] Annex I.A.
[2] Ibid.

(b) Each State Party may put forward one candidate for any given election who need not necessarily be a national of that State Party but shall in any case be a national of a State Party.

(c) The Assembly of States Parties may decide to establish, if appropriate, an Advisory Committee on nominations. In that event, the Committee's composition and mandate shall be established by the Assembly of States Parties."

"8. (a) The States Parties shall, in the selection of judges, take into account the need, within the membership of the Court, for:

(i) The representation of the principal legal systems of the world;

(ii) Equitable geographical representation; and

(iii) A fair representation of female and male judges.

(b) States Parties shall also take into account the need to include judges with legal expertise on specific issues, including, but not limited to, violence against women or children."

Governments are further requested to take into account paragraph 7 of resolution ICC-ASP/3/Res.6, which provides as follows:

"7. States that have started the process of ratification, acceptance or approval of or accession to the Statute may nominate candidates for the elections of judges of the International Criminal Court. Such nominations shall remain provisional and shall not be included in the list of candidates unless the State concerned has deposited its instrument of ratification, acceptance, approval or accession with the Secretary-General of the United Nations before the end of the nomination period and provided that that State is a party to the Statute in accordance with article 126, paragraph 2, of the Statute on the date of the election."

In addition, in accordance with paragraph 6 of the resolution, each nomination should be accompanied by a statement:[3]

(a) Specifying in the necessary detail how the candidate fulfils each of the requirements in article 36, paragraph 3(a), (b) and (c), of the Statute, in accordance with article 36, paragraph 4(a), of the Statute;

(b) Indicating whether the candidate is being nominated for inclusion in list A or list B for the purposes of article 36, paragraph 5, of the Statute;

(c) Containing information relating to article 36, paragraph 8(a)(i) to (iii), of the Statute;

(d) Indicating whether the candidate has any expertise under article 36, paragraph 8(b), of the Statute;

(e) Indicating under which nationality the candidate is being nominated for the purposes of article 36, paragraph 7, of the Statute, where a candidate is a national of two or more States;

(f) Indicating whether the nomination is made under article 36, paragraph 4(a)(i) or paragraph 4(a)(ii), and specifying in the necessary detail the elements of the procedure leading to the nomination;

(g) Containing an acknowledgement of information provided under sub-paragraph (a) by a senior member of the national-level judiciary or the authority of the Nominating State overseeing the nomination process; and

(h) Indicating the commitment of the candidate to be available to take up full-time service when the Court's workload so requires.

With respect to the provisions of article 36, paragraph 4 (a), and resolution ICC-ASP/3/Res.6 as amended by ICC-ASP/21.Res.2,[4] the Secretariat draws to the attention of

[3] As amended by ICC-ASP/18/Res.4 annex I and ICC-ASP/21/Res.2, annex II.
[4] Annex II.A.

nominating States Parties the "Guiding principles on national-level procedures for the nomination of candidates for judges of the International Criminal Court", submitted by the Advisory Committee on Nominations of Judges of the International Criminal Court to the twenty-fourth session,[5] as per its mandate in resolution ICC-ASP/23/Res.1.[6]

The Secretariat also draws to the attention of States Parties the following provisions of resolution ICC-ASP/3/Res.6, as amended by ICC-ASP/21/Res.2 of 9 December 2022:

> *12bis* All nominated candidates shall be available for interviews preferably in-person, or by videoconference or similar means if appropriate, before the Advisory Committee on Nominations of Judges. Nominating States shall, to the extent possible, ensure that candidates make themselves available for interviews before the Advisory Committee on Nominations of Judges.[7]
>
> 12*ter* Once the Advisory Committee on Nominations of Judges has made its assessments of candidates, and as early as possible prior to elections, the Bureau will facilitate public roundtable discussions to be held with all candidates. The roundtable discussions shall be open to States Parties and other relevant stakeholders, and conducted in both working languages of the Court. Candidates shall participate in either of the working languages of the Court and may participate by videoconference. The roundtable discussions shall be recorded on video to be made available on the website of the Assembly of States Parties. The remaining modalities for the roundtable discussions will be determined by the New York Working Group, which will have particular regard to aspects of the assessments of the candidates highlighted in the report of the Advisory Committee on Nominations of Judges and include on the agenda topics aimed at supplementing the report in relation to these aspects.[8]
>
> 12*quater* A candidate who fails to participate in an interview before the Advisory Committee on Nomination of Judges or in public roundtable discussions shall be required to provide an explanation of the exceptional circumstance that prevented their participation within one week of non-participation. Failure to provide such explanation shall be considered a withdrawal of the nomination of that candidate, unless the Nominating State communicates otherwise within additional one week, provided that such communication also includes the required explanation of non-participation of the candidate.[9]

In accordance with paragraph 6(h) of resolution of ICC-ASP/3/Res.6,[10] the Secretariat wishes to remind Governments of the importance of elected judges who have made their solemn undertaking being available to take up their full-time service when the Court's workload so requires.

Further, by paragraph 82 of resolution ICC-ASP/21/Res.2 of 9 December 2022, the Assembly requested the Bureau "to establish a due diligence process by March 2023 for candidates for judges to be elected in 2023, the terms of reference of which shall be established by the Bureau on the basis of a proposal developed by the Independent Oversight Mechanism in consultation with the Advisory Committee on Nomination of Judges, taking into account the experience of the recent due diligence processes applied to the candidates for Deputy Prosecutor and Registrar." The due diligence process which the Bureau recommended[11] was adopted by the Assembly at its twenty-second session.[12] States Parties are requested to inform their respective candidates that all candidates nominated for the judicial elections to be held at the twenty-fifth session of the Assembly will therefore be

[5] Report of the Advisory Committee on Nominations of Judges on the work of its tenth session, ICC-ASP/24/21, annex.
[6] Annex II
[7] ICC-ASP/21/Res.2, annex II.C.
[8] Ibid., D.
[9] Ibid., E.
[10] As amended by ICC-ASP/18/Res.4, annex I.B and ICC-ASP/21/Res.2, annex II.C.
[11] Report of the Bureau on the establishment of a permanent due diligence process for elected officials (ICC-ASP/22/36).
[12] ICC-ASP/22/Res.3, para. 81 and annex II.

subject to the due diligence process adopted by the Assembly and any modifications thereto adopted by the twenty-fourth session of the Assembly.[13]

As regards candidates' knowledge of the working languages of the Court, English and French, the Secretariat wishes to hereby draw to the attention of States Parties that, at its eighth session, the Advisory Committee on Nominations of Judges requested that, "where appropriate, a nominating State should submit a written and oral language proficiency certificate of a recognized/accredited language institution/university, along with the nomination of a candidate. This would expedite the Committee's consideration of the language skills of a candidate."[14] The Committee also indicated that it would continue its consideration as to whether to seek the guidance and assistance of the Registry in the assessment of the language capabilities of candidates by means of a general test.[15] Further, at its ninth session, the Committee took note that the Registry's Language Services Section had administered a language test of the written English or French proficiency of some candidates. All candidates were offered the opportunity to take such a test, on a voluntary basis. The Committee expressed its gratitude to the Language Services Section for its valuable assistance in assessing a key element of the Rome Statute which requires that "[e]very candidate for election to the Court shall have an excellent knowledge of and be fluent in at least one of the working languages of the Court."[16] Further, the Committee recommended that the Assembly consider the introduction of a mandatory language capability test for all candidates.[17]

In accordance with paragraph 2 of resolution ICC-ASP/3/Res.6, the Secretariat of the Assembly of States Parties has included specific information regarding the application of all minimum voting requirements in the elections (see annex II).

Nominations shall be communicated through the diplomatic channel to the Secretariat of the Assembly of States Parties, Room A.00.49, Oude Waalsdorperweg 10, 2597 AK The Hague, The Netherlands (or via e-mail to asp@icc-cpi.int). If feasible, the Secretariat would appreciate receiving digital versions, preferably the Word versions, of the nominations, as well as of the accompanying statements and other supporting documentation.

As regards the format for the presentation of nominations and supporting documents, the Secretariat wishes to draw to the attention of States Parties the reports of the Advisory Committee on Nominations of Judges on the work of its second, third and sixth meetings,[18] in which the Committee set out guidelines and additional guidelines for the presentation of nominations, and indicated that the submission of nominations along these lines would assist it in its work.

States Parties presenting candidates are therefore encouraged to observe these guidelines. In this regard, the Secretariat draws attention to the model curriculum vitae available on the ASP website.

In accordance with paragraph 8 of resolution ICC-ASP/3/Res.6, the Secretariat shall place the nominations of candidates for judges, the accompanying statements referred to in article 36 of the Statute and other supporting documentation on the Internet website of the Court (http://www.icc-cpi.int) in any of the official languages of the Court, as soon as possible after receiving them. In addition, in accordance with paragraph 9 of the same resolution, a list of all candidates nominated, in the English alphabetical order, together with accompanying documents, will be circulated through the diplomatic channel after the nomination period closes.

The Hague, 16 December 2025

[13] ICC-ASP/24/Res.2, annex II.
[14] Report of the Advisory Committee on Nominations of Judges on the work of its eighth session (ICC-ASP/21/4), para. 22.
[15] *Ibid*., para. 21.
[16] Report of the Advisory Committee on Nominations of Judges on the work of its ninth session (ICC-ASP/22/4), paras. 14-15.
[17] *Ibid*., annex III, section 1.
[18] ICC-ASP/12/47, annex III, ICC-ASP/13/22, annex II, appendix III, and ICC-ASP/16/7, annex II, appendix III.

Annex I

Procedure for the nomination and election of judges, the Prosecutor and Deputy Prosecutors of the International Criminal Court[1]

The Assembly of States Parties,

Bearing in mind the provisions of the Rome Statute of the International Criminal Court,

Mindful of the Rules of Procedure of the Assembly of States Parties,

Convinced of the need to fully implement the provisions of article 36 of the Rome Statute,

Noting that in its resolution ICC-ASP/1/Res.3 the Assembly of States Parties agreed that it would review the procedure for the election of judges on the occasion of future elections with a view to making any improvements as may be necessary,

Approves the following procedure for the nomination and election of judges of the International Criminal Court, replacing resolution ICC-ASP/1/Res.3 and parts A, B and C of resolution ICC-ASP/1/Res.2:

A. Nomination of candidates for judges

1. The Secretariat of the Assembly of States Parties shall circulate through the diplomatic channel the invitations for nominations of judges of the International Criminal Court.

2. The invitations for nominations of judges will include the text of article 36, paragraphs 3, 4 and 8, of the Statute, the present resolution as well as specific information regarding the application of all minimum voting requirements in the elections.

3.[2] The nomination period shall open on the first Monday of the calendar year when an election should take place, and shall last 12 weeks. Any extension of the nomination period shall take into account the need for the Advisory Committee on Nominations of Judges to produce its report at least 16 weeks before the elections.

4. Nominations submitted before or after the nomination period shall not be considered.

5. States Parties to the Statute shall communicate nominations for the election of judges of the International Criminal Court through the diplomatic channel to the Secretariat of the Assembly of States Parties.

6. Every nomination should be accompanied by a statement:

(a) Specifying in the necessary detail how the candidate fulfils each of the requirements in article 36, paragraph 3(a), (b) and (c), of the Statute, in accordance with article 36, paragraph 4(a), of the Statute;

(b) Indicating whether the candidate is being nominated for inclusion in list A or list B for the purposes of article 36, paragraph 5, of the Statute;

(c) Containing information relating to article 36, paragraph 8(a)(i) to (iii), of the Statute;

(d) Indicating whether the candidate has any expertise under article 36, paragraph 8(b), of the Statute;

[1] The preamble and sections A, B and C, as well as the appendixes, replicate the text of resolution ICC-ASP/3/Res.6. Sections D, E, F and G replicate the text of resolution ICC-ASP/1/Res.2. The amendments are reflected via footnotes.

[2] As amended by resolutions ICC-ASP/12/Res.8, annex II, ICC-ASP/14/Res.4, annex II and ICC-ASP/18/Res.4.

(e) Indicating under which nationality the candidate is being nominated for the purposes of article 36, paragraph 7, of the Statute, where a candidate is a national of two or more States;

(f) Indicating whether the nomination is made under article 36, paragraph 4(a)(i) or paragraph 4(a)(ii), and specifying in the necessary detail the elements of the procedure leading to the nomination;[3]

(g) Containing an acknowledgement of information provided under sub-paragraph (a) by a senior member of the national-level judiciary or the authority of the Nominating State overseeing the nomination process;[4] and

(h) Indicating the commitment of the candidate to be available to take up full-time service when the Court's workload so requires.

7. States that have started the process of ratification, acceptance or approval of or accession to the Statute may nominate candidates for the elections of judges of the International Criminal Court. Such nominations shall remain provisional and shall not be included in the list of candidates unless the State concerned has deposited its instrument of ratification, acceptance, approval or accession with the Secretary-General of the United Nations before the end of the nomination period and provided that that State is a party to the Statute in accordance with article 126, paragraph 2, of the Statute on the date of the election.

8. The Secretariat of the Assembly of States Parties shall place the nominations of candidates for judges, the accompanying statements referred to in article 36 of the Statute and other supporting documentation on the Internet web site of the International Criminal Court, in any of the official languages of the Court, as soon as possible after receiving them.

9. The Secretariat of the Assembly of States Parties shall prepare a list in English alphabetical order of all persons thus nominated, with accompanying documents, and shall circulate it through the diplomatic channel.

10. Six weeks after the opening of the nomination period, the President of the Assembly of States Parties shall inform all States Parties through diplomatic channels and through specific information on the web site of the International Criminal Court on the number of candidates nominated with respect to each minimum voting requirement.

11. The President of the Assembly of States Parties shall extend the nomination period for two weeks, but no more than three times, if at the end of the nomination period any regional or gender minimum voting requirement[5] is not matched with at least twice the number of candidates fulfilling that requirement.

12. The President of the Assembly of States Parties shall extend the nomination period for two weeks at a time, if at the end of the nomination period the number of candidates remains less than the number of seats, or the number of candidates from list A or B remains less than the respective minimum voting requirement.

12*bis* All nominated candidates shall be available for interviews preferably in-person, or by videoconference or similar means if appropriate, before the Advisory Committee on Nominations of Judges. Nominating States shall, to the extent possible, ensure that candidates make themselves available for interviews before the Advisory Committee on Nominations of Judges.[6]

12*ter* Once the Advisory Committee on Nominations of Judges has made its assessments of candidates, and as early as possible prior to elections, the Bureau will facilitate public roundtable discussions to be held with all candidates. The roundtable discussions shall be open to States Parties and other relevant stakeholders, and conducted in both working languages of the Court. Candidates shall participate in either of the working languages of

[3] ICC-ASP/21/Res.2, annex II.A.
[4] Ibid., B.
[5] To be calculated in accordance with paragraph 20(b), second sentence, and paragraph 20(c), second sentence, only.
[6] ICC-ASP/21/Res.2, annex II.C.

the Court and may participate by videoconference. The roundtable discussions shall be recorded on video to be made available on the website of the Assembly of States Parties. The remaining modalities for the roundtable discussions will be determined by the New York Working Group, which will have particular regard to aspects of the assessments of the candidates highlighted in the report of the Advisory Committee on Nominations of Judges and include on the agenda topics aimed at supplementing the report in relation to these aspects.[7]

12quater A candidate who fails to participate in an interview before the Advisory Committee on Nomination of Judges or in public roundtable discussions shall be required to provide an explanation of the exceptional circumstance that prevented their participation within one week of non-participation. Failure to provide such explanation shall be considered a withdrawal of the nomination of that candidate, unless the Nominating State communicates otherwise within additional one week, provided that such communication also includes the required explanation of non-participation of the candidate.[8]

B. Election of judges

13. The Bureau of the Assembly of States Parties shall fix the date of the election.

14. The Secretariat of the Assembly of States Parties shall prepare, in accordance with article 36, paragraph 5, of the Statute, two lists of candidates in English alphabetical order.

15. The election of judges shall be a matter of substance, and subject to the requirements of article 112, paragraph 7(a), of the Statute.

16. The persons elected to the Court shall be the 6 candidates who obtain the highest number of votes and a two-thirds majority of States Parties present and voting, provided that an absolute majority of the States Parties constitutes the quorum for voting.

16*bis* If there is no more than one candidate for one single position, the Assembly shall proceed to a last ballot. In accordance with rule 66 of the Rules of Procedure of the Assembly of States Parties, the ballot paper must permit the States Parties present and voting to cast an affirmative or negative vote at such last ballot. If the candidate does not obtain a two-thirds majority of States Parties present and voting, the election shall be postponed until a next session of the Assembly of States Parties. In such case, the procedure for the nomination of candidates shall restart. The provisions of this resolution, including any remaining minimum voting requirements which have not been fulfilled, shall continue to apply.[9]

17. When two or more candidates of the same nationality obtain the required majority, the candidate who receives the higher number of votes shall be considered elected.

18. No more than 13 candidates from list A and no more than 9 candidates from list B shall be considered elected, taking into account the number of judges remaining in office.

19. States Parties shall, in the election of judges, take into account the need for the representation of the principal legal systems of the world, equitable geographical representation and a fair representation of female and male judges. They shall take into account the need to include judges with legal expertise on specific issues, including, but not limited to, violence against women and children.

20. During any given ballot, each State Party shall vote for no more candidates than seats to be filled, whereby it shall observe the minimum voting requirements regarding lists A and B, regional groups and gender. At the outset of each ballot, each minimum voting requirement shall be determined or discontinued in accordance with paragraphs 21 and 22.

(a) Each State Party shall vote for a minimum number of candidates from lists A and B. For list A, this number shall be 9 minus the number of judges from list A remaining

[7] Ibid., D.
[8] Ibid., E.
[9] Ibid., F.

in office or elected in previous ballots. For list B, this number shall be 5 minus the number of judges from list B remaining in office or elected in previous ballots.

(b) Each Party shall vote for a minimum number of candidates from each regional group. This number shall be 2 minus the number of judges from that regional group remaining in office or elected in previous ballots.

If the number of States Parties of any given regional group is higher than 16 at that moment, the minimum voting requirement for that group shall be adjusted by adding 1.

If the number of candidates from a regional group is not at least double the respective minimum voting requirement, the minimum voting requirement shall be half the number of candidates from that regional group (rounded up to the nearest whole number where applicable). If there is only one candidate from a regional group, there shall be no minimum voting requirement for that group.

(c) Each State Party shall vote for a minimum number of candidates of each gender. This number shall be 6 minus the number of judges of that gender remaining in office or elected in previous ballots. However, if the number of candidates of one gender is 10 or less, the minimum voting requirement for that gender shall be adjusted in accordance with the following formula:

Number of candidates	*Minimum voting requirement shall not exceed:*
10	6
9	6
8	5
7	5
6	4
5	3
4	2
3	1
2	1
1	0

21. Each minimum voting requirement shall be adjusted until that requirement can no longer be met, whereupon the use of that requirement shall be discontinued. If an adjusted voting requirement can be met individually, but not jointly, the use of all regional and gender voting requirements shall be discontinued. If, following four ballots, there still remain seats to be filled, these minimum voting requirements shall be discontinued. The minimum voting requirements regarding lists A and B shall be applied until they are fulfilled.

22. Only ballot papers observing the minimum voting requirements shall be valid. If a State Party fulfils the minimum requirements using less than the maximum number of votes allowed for that ballot, it may abstain from voting for the remaining candidates.

23. Once regional and gender voting requirements are discontinued and the minimum voting requirements regarding lists A and B are fulfilled, each further ballot shall be restricted to the most successful candidates of the previous ballot. Before each ballot, the candidate (or, in the event of a tie, the candidates) having obtained the lowest number of votes in the previous ballot shall thus be excluded, provided that the number of candidates remains at least twice the number of seats to be filled.

24. The President of the Assembly of States Parties shall be responsible for the election procedure, including the determination, adjustment or discontinuation of the minimum voting requirements.

25. Ballot papers shall be organized in a manner facilitating such an election process. The minimum voting requirements, the adjusted requirements and the discontinuation of

any requirements shall be clearly indicated on the ballot papers. Before the day of the election, the President shall distribute to all States Parties copies of the instructions and samples of the ballot papers. On the day of the election, clear instructions and sufficient time shall be given for each ballot. In each ballot, before the voting process is concluded, the President shall repeat the instructions and the minimum requirements to allow each delegation to verify that its vote meets those requirements.

26. The Assembly of States Parties shall review the procedure for the election of judges on the occasion of future elections with a view to making such improvements as may be necessary.

C. Judicial vacancies[10]

27. In the event of a judicial vacancy in accordance with article 37 of the Rome Statute, the procedures for the nomination and election of judges shall apply *mutatis mutandis*, subject to the following provisions:

(a) Within one month of the occurrence of the judicial vacancy, the Bureau of the Assembly of States Parties shall fix the venue and date of the election, which should not be later than 20 weeks after the occurrence of the vacancy unless the Bureau decides otherwise after consulting the Court.

(b) The nomination period shall open 12 weeks before the elections and shall last 6 weeks.

(c) If the judicial vacancy reduces the number of judges from list A to below 9 or the number of judges from list B to below 5, only candidates from the underrepresented list can be nominated.

(d) If at the time of the election a regional or gender minimum voting requirement is not fulfilled, only candidates that can satisfy any of the underrepresented regional minimum voting requirements as well as the underrepresented gender minimum voting requirement can be nominated.

(e) A judge elected to fill a vacancy shall serve for the remainder of the predecessor's term and, if that period is three years or less, shall be eligible for re-election for a full term under article 36 of the Statute.

27 *bis.*[11] A judicial vacancy will be declared in accordance with article 37 of the Rome Statute if an elected judge does not make his or her solemn undertaking in accordance with article 45 of the Rome Statute within six months of his or her election.

27 *ter*.[12] If the judicial vacancy occurs during the intersessional period prior to a regular election of six judges, the election to fill that vacancy shall take place at that same session, unless the Bureau decides otherwise after consulting the Court. If the Bureau decides to hold the vacancy election at that same session, the procedures for the nomination and election of judges shall apply *mutatis mutandis*, subject to the following provisions:

(a) Candidates nominated for the regular election shall also be considered as nominated for the vacancy election, unless the nominating State Party decides otherwise. States Parties may also nominate candidates for the vacancy election only, without restriction to any region, gender or list. No separate nomination period is required for the vacancy election.

(b) The judicial vacancy shall not affect the calculation of the minimum voting requirements for the regular election (paragraphs, 11, 20, 21 and 22).

(c) The election to fill the judicial vacancy shall take place after the regular election of six judges has concluded, and at least one day later to allow the early distribution of instructions and sample ballot papers in accordance with paragraph 25.

[10] As amended by resolution ICC-ASP/5/Res.5.
[11] As amended by resolution ICC-ASP/12/Res.8, annex II.
[12] As amended by resolution ICC-ASP/14/Res.4, annex II.

(d) Those candidates that have not been elected in the regular elections shall be included on the ballot paper for the vacancy election, unless the nominating State Party decides otherwise, and subject to paragraphs (e) and (f) below.

(e) If after the regular election the number of judges from list A remains below 9 or the number of judges from list B below 5, only candidates from the underrepresented list shall be included on the ballot paper; others shall no longer be considered as nominated.

(f) If after the regular election a regional or gender minimum voting requirement is not fulfilled, only candidates that can satisfy any of the underrepresented regional minimum voting requirements as well as the underrepresented gender minimum voting requirement shall be included on the ballot paper; others shall no longer be considered as nominated.

(g) A judge elected to fill a vacancy shall serve for the remainder of the predecessor's term and, if that period is three years or less, shall be eligible for re-election for a full term under article 36 of the Statute.

D. Nomination of candidates for the Prosecutor

28. The procedures for the nomination of candidates for judges shall apply *mutatis mutandis* to the nomination of the Prosecutor.

29. Nominations for the post of the Prosecutor should preferably be made with the support of multiple States Parties.

30. Each nomination should be accompanied by a statement specifying in the necessary detail how the candidate fulfils the requirements of paragraph 3 of article 42 of the Statute.

E. Election of the Prosecutor

31. The Bureau of the Assembly of States Parties shall fix the date of the election.

32. The Secretariat of the Assembly of States Parties shall prepare a list of candidates in English alphabetical order.

33. Every effort shall be made to elect the Prosecutor by consensus.

34. In the absence of consensus, the Prosecutor shall be elected, in accordance with paragraph 4 of article 42 of the Statute, by secret ballot by an absolute majority of the members of the Assembly of States Parties.

35. In the interest of a timely conclusion of the election, if after three ballots no candidate has obtained the required majority, the balloting shall be suspended to give an opportunity for any withdrawal of candidatures. Before such suspension, the President of the Assembly of States Parties will announce when balloting shall resume. Upon resumption of balloting, if no candidate obtains in the first ballot the majority required, further ballots shall be taken, which shall be restricted to the candidates obtaining the two largest number of votes.

F. Nomination of the Deputy Prosecutors

36. The Prosecutor shall nominate three candidates for each position of Deputy Prosecutor to be filled, in accordance with paragraph 4 of article 42 of the Statute.

37. For each nomination, the Prosecutor should include a statement specifying in the necessary detail how the candidate fulfils the requirements of paragraph 3 of article 42 of the Statute.

38. In proposing the list of candidates, the Prosecutor should bear in mind, in accordance with paragraph 2 of article 42, that the Prosecutor and the Deputy Prosecutors shall all be of different nationalities. A candidate who could be regarded as a national of more than one State shall be deemed to be a national of the State in which that candidate ordinarily exercises civil and political rights.

39. The Secretariat of the Assembly of States Parties shall place the nominations of candidates for the position of Deputy Prosecutor, the accompanying statements of qualification and other supporting documentation on the Internet web site of the International Criminal Court in any of the official languages of the Court as soon as possible after receiving them.

40. The Secretariat of the Assembly of States Parties shall prepare a list in English alphabetical order of all persons thus nominated, with accompanying documents, and shall circulate it through the diplomatic channel.

G. Election of the Deputy Prosecutors

41. The procedures for the election of the Prosecutor in section E shall apply *mutatis mutandis* to the election of any Deputy Prosecutor.

42. In case of an election for more than one position for the post of Deputy Prosecutor:

(a) The persons elected to the post of Deputy Prosecutor shall be those candidates who obtain the highest number of votes and an absolute majority of the members of the Assembly of States Parties;

(b) If the number of eligible candidates obtaining the required majority for the elections exceeds the number of positions for Deputy Prosecutor so allocated thereunder, the candidates obtaining the highest number of votes to fill the number of seats so allocated shall be considered elected.

Appendix I

Illustrative tables of minimum voting requirements

The following tables are included for illustration purposes only.

Table 1: Minimum voting requirements for list A

If the number of judges from list A remaining in office or elected in previous ballots is:	*... then the minimum voting requirement for list A is:*
9 or more	fulfilled
8	1
7	2
6	3
5	4
4	5
3	6
2	7
1	8
0	9

Table 2: Minimum voting requirements for list B

If the number of judges from list B remaining in office or elected in previous ballots is:	*... then the minimum voting requirement for list B:*
5 or more	fulfilled
4	1
3	2
2	3
1	4
0	5

Table 3: Regional minimum voting requirements

If the number of judges from a given region remaining in office or elected in previous ballots is:	*... then the minimum voting requirement for that region is:*
3 or more	fulfilled
2	1
1	2
0	3

(Further adjustments might be necessary in accordance with para. 20 (b) of the resolution.)

Table 4: Gender minimum voting requirements

If the number of judges from one gender remaining in office or elected in previous ballots is:	*... then the minimum voting requirement for that gender is:*
6 or more	fulfilled
5	1
4	2
3	3
2	4
1	5
0	6

(Further adjustments may be necessary in accordance with para. 20 (c) of the resolution.)

Appendix II

Sample ballot paper: Election of six judges of the Court

This sample ballot paper is included for illustration purposes only.

	VOTE FOR A MAXIMUM OF 6 CANDIDATES			
REGIONAL GROUPS	**LIST A** VOTE FOR AT LEAST **X** FROM LIST A		**LIST B** VOTE FOR AT LEAST **X** FROM LIST B	
	GENDER DISTRIBUTION: VOTE FOR AT LEAST **X** MALES AND **X** FEMALES			
	MALE	**FEMALE**	**MALE**	**FEMALE**
AFRICA VOTE FOR AT LEAST **X** CANDIDATES FROM THIS REGION	☐ Name (Country) ☐ Name (Country)	☐ Name (Country)	☐ Name (Country)	☐ Name (Country) ☐ Name (Country)
ASIA VOTE FOR AT LEAST **X** CANDIDATES FROM THIS REGION	☐ Name (Country) ☐ Name (Country)	☐ Name (Country)	☐ Name (Country)	
EASTERN EUROPE VOTE FOR AT LEAST **X** CANDIDATES FROM THIS REGION	☐ Name (Country)	☐ Name (Country)	☐ Name (Country) ☐ Name (Country)	☐ Name (Country)
LATIN AMERICA/ CARIBBEAN VOTE FOR AT LEAST **X** CANDIDATES FROM THIS REGION	☐ Name (Country)	☐ Name (Country) ☐ Name (Country)	☐ Name (Country) ☐ Name (Country)	☐ Name (Country)
WESTERN EUROPE AND OTHER VOTE FOR AT LEAST **X** CANDIDATES FROM THIS REGION	☐ Name (Country) ☐ Name (Country)	☐ Name (Country) ☐ Name (Country)	☐ Name (Country) ☐ Name (Country)	☐ Name (Country)

Annex II

Tables of minimum voting requirements

1. In accordance with paragraph 2 of the resolution on the procedure for the nomination and election of judges (ICC-ASP/3/Res.6), the Secretariat of the Assembly of States Parties has prepared the following tables to reflect the application of all minimum voting requirements for the first ballot of the elections at the twenty-second session of the Assembly of States Parties. They are based on two assumptions:

(a) That the number of States Parties belonging to the respective regional groups does not change so as to require a readjustment of the minimum voting requirements, in accordance with paragraph 20 (b) of resolution ICC-ASP/3/Res.6. The 125 States Parties are from the following regional groups: 33 from the Group of African States; 19 from the Group of Asia-Pacific States; 20 from the Group of Eastern European States; 28 from the Group of Latin American and Caribbean States; and 25 from the Group of Western European and other States.

(b) That the judges remaining in office on 10 March 2027 are the ones indicated in table 1.

2. In the tables, "N/A" indicates when an adjustment is not applicable. In other cases, parentheses are used to explain how a number has been determined; in a few instances, an adjustment has no practical effect.

A. Composition of the judges

Table 1: Composition of the judges

Judges remaining in office on 10 March 2027				
Region	*List*		*Gender*	
	A	**B**	**F**	**M**
African States				
Miatta Maria Samba (Sierra Leone)	A		F	
Haykel Ben Mahfoudh (Tunisia)		B		M
Asia-Pacific States				
Erdenebalsuren Damdin (Mongolia)	A			M
Keebong Paek (Republic of Korea)	A			M
Eastern European States				
Gocha Lordkipanidze (Georgia)		B		M
Beti Hohler (Slovenia)	A		F	
Iulia Antoanella Motoc (Romaina)		B	F	
Latin American and Caribbean States				
Althea Violet Alexis-Windsor (Trinidad and Tobago)	A		F	
María del Socorro Flores Liera (Mexico)		B	F	
Sergio Gerardo Ugalde Godinez (Costa Rica)		B		M
Western European and other States				
Joanna Korner (United Kingdom of Great Britain and Northern Ireland)	A		F	
Nicolas Guillou (France)	A			M
Total	**7**	**5**	**6**	**6**

B. Minimum voting requirements for list A

Table 2: Minimum voting requirements for list A

If the number of judges from list A remaining in office or elected in previous ballots is:	*... then the minimum voting requirement for list A is:*
9 or more	fulfilled
8	1 (9-8=1)
7	2
6	3
5	4
4	5
3	6
2	7
1	8
0	9

C. Minimum voting requirements for list B

Table 3: Minimum voting requirements for list B

If the number of judges from list B remaining in office or elected in previous ballots is:	*... then the minimum voting requirement for list B:*
5 or more	fulfilled
4	1(5-4=1)
3	2
2	3
1	4
0	5

D. Regional minimum voting requirements

Table 4: Regional minimum voting requirements

*If the number of judges from **African States** remaining in office or elected in previous ballots is:*	*... then the standard minimum voting requirement for that region is:*	*... plus the adjustment of adding 1, in accordance with para. 20 (b), third sentence, of the resolution*	*... then the total minimum voting requirement for that region is:*
3 or more	(2-3= -1)	(-1+1= 0)	fulfilled
2	0	+1	1
1	1	+1	2
0	2	+1	3

(Further adjustments might be necessary in accordance with para. 20 (b) of the resolution.)

Table 5: Regional minimum voting requirements

*If the number of judges from **Asia-Pacific States** remaining in office or elected in previous ballots is:*	*... then the standard minimum voting requirement for that region is:*	*... plus the adjustment of adding 1, in accordance with para. 20 (b), third sentence, of the resolution*	*... then the total minimum voting requirement for that region is:*
3 or more	-1	0	fulfilled
2	0	+1	1
1	(2-1=1)	+1	2
0	2	+1	3

(Further adjustments might be necessary in accordance with para. 20 (b) of the resolution.)

Table 6: Regional minimum voting requirements

*If the number of judges from **Eastern European States** remaining in office or elected in previous ballots is:*	*... then the standard minimum voting requirement for that region is:*	*... plus the adjustment of adding 1, in accordance with para. 20 (b), third sentence, of the resolution*	*... then the total minimum voting requirement for that region is:*
3 or more	-1	0	fulfilled
2	0	+1)	1
1	(2-1=1)	+1	2
0	2	+1	3

(Further adjustments might be necessary in accordance with para. 20 (b) of the resolution.)

Table 7: Regional minimum voting requirements

*If the number of judges from **Latin American and Caribbean States** remaining in office or elected in previous ballots is:*	*... then the standard minimum voting requirement for that region is:*	*... plus the adjustment of adding 1, in accordance with para. 20 (b), third sentence, of the resolution*	*... then the total minimum voting requirement for that region is:*
3 or more	(2-3=-1)	(-1+1=0)	fulfilled
2	0	+1	1
1	1	+1	2
0	2	+1	3

(Further adjustments might be necessary in accordance with para. 20 (b) of the resolution.)

Table 8: Regional minimum voting requirements

*If the number of judges from **Western European and other States** remaining in office or elected in previous ballots is:*	*... then the standard minimum voting requirement for that region is:*	*... plus the adjustment of adding 1, in accordance with para. 20 (b), third sentence, of the resolution*	*... then the total minimum voting requirement for that region is:*
3 or more	(2-3= -1)	(-1+1= 0)	fulfilled
2	0	+1	1
1	1	+1	2
0	2	+1	3

(Further adjustments might be necessary in accordance with para. 20 (b) of the resolution.)

E. Gender minimum voting requirements

Table 9: Gender minimum voting requirements

*If the number of **female** judges remaining in office or elected in previous ballots is:*	*... then the minimum voting requirement for **female judges** is:*
6 or more	fulfilled
5	1
4	2
3	3
2	4
1	5
0	6

(Further adjustments may be necessary in accordance with para. 20 (c) of the resolution.)

Table 10: Gender minimum voting requirements

*If the number of **male** judges remaining in office or elected in previous ballots is:*	*... then the minimum voting requirement for **male judges** is:*
6 or more	fulfilled
5	1
4	2
3	3
2	4
1	5
0	6

(Further adjustments may be necessary in accordance with para. 20 (c) of the resolution.)