

Statement of qualifications

This statement in support of the candidature of Dr. Ute Hohoff is submitted in accordance with article 36 of the Rome Statute of the International Criminal Court and the resolution of the Assembly of States Parties on the procedure for the nomination and election of judges, the Prosecutor and Deputy Prosecutors of the International Criminal Court (ICC-ASP/3/Res.6, as amended).

Germany nominates Dr. Ute Hohoff as candidate for the elections to the International Criminal Court to be held at the twenty-second session of the Assembly of State Parties at the United Nations Headquarters in New York from 4 to 14 December 2023.

In nominating Dr. Hohoff, Germany followed the official nomination procedure provided for in Article 36 (4) (a) (ii) of the Statute of the International Criminal Court. The nomination of the candidate was made by the procedure applicable for candidates for the International Court of Justice. According to Articles 4 and 13 of the Statute of the International Court of Justice, candidates are nominated by the national groups in the Permanent Court of Arbitration. The German national group in the Permanent Court of Arbitration nominated Dr. Hohoff by a respective letter of 21 February 2023. Below follows detailed information according to article 36 of the Rome Statute:

- a) Dr. Ute Hohoff is a person of high moral character, impartiality and integrity and possesses the qualifications that are required in Germany for appointment to highest official offices, as laid down in article 36 (3) (a) of the Statute of the International Criminal Court. She is a highly respected judge at the Federal Court of Justice (Supreme Court) in Karlsruhe. She has devoted her professional career to the service of justice. She was elected to be Judge at the Federal Court of Justice by a judicial selection committee. This committee examined the required special professional and personal qualifications of the highest standards.

Having practised as a judge for over 22 years, Dr. Hohoff is not only eligible for appointment to the highest judicial offices in Germany, but she has already served as Judge at the German Federal Court of Justice, Germany's Supreme Court for criminal and civil matters on appeal, since May 2017.

- b) Dr. Hohoff fulfils the requirements of article 36 (3) (b) (i) of the Statute, especially by way of her extensive competence in criminal law and procedure. Over the years, she practised criminal law in different courts at different levels and therefore possesses the necessary relevant experience in criminal proceedings. As Presiding Judge at the Higher Regional Court, she led first instance proceedings against persons accused of membership of foreign terrorist organizations. As a Judge at the German Federal Court of Justice, she is currently responsible for appeals in cases brought under the German Code of Crimes against International Law. She also handles appeals on points of law relating to all types of crimes, including violent and sexual offences, frequently against women and children.

Occupying a high judicial office and having extensive experience and background in criminal law and international criminal law, Dr. Hohoff is used to managing factually and legally complex criminal cases efficiently with a view to taking just decisions. At the same time, she has a profound academic background, as an active lecturer and an author of commentaries and articles dealing with various aspects of criminal law and criminal procedure, in particular concerning the assessment of victim witnesses in criminal proceedings from the perspective of the psychology of testimonials. She is one of the editors of the upcoming new edition of the special commentary on the law of evidence of the German Code of Criminal Procedure.

Additionally, Dr. Hohoff has also established significant competence in relevant areas of international law and extensive experience in a professional legal capacity which is of relevance to the judicial work of the Court, as required by article 36 (3) (b) (ii) of the Rome Statute. Besides her responsibility for appeals in cases brought under the German Code of Crimes against international Law, she worked on the issue of transitional justice and published her dissertation on this topic (On the boundaries of the definition of the perversion of justice – a study of the cases against GDR lawyers). With regard to her commentary on migration law she is also familiar with the application

of international humanitarian law. During her time as a Judge at the Cologne Higher Regional Court, she was also responsible for the international contacts with partner courts.

- c) Dr. Hohoff is a native German speaker and in addition is fluent in English, having an excellent oral and written command of the language (article 36 (3) (c) of the Rome Statute).
 - d) Dr. Hohoff is being nominated for inclusion in list A for the purposes of article 36 (5) of the Statute. The information relating to subparagraphs (i) to (iii) of article 36 (8) (a) of the Statute is as follows:
 - (i) Dr. Hohoff has been trained, qualified for the bar and continues to practise in a professional legal capacity in Germany which has a Civil Law legal system;
 - (ii) Dr. Hohoff is a national of Germany which is member of the Western European and others States group;
 - (iii) Dr. Hohoff is a female judge.
 - e) Dr. Hohoff has acquired particular expertise within the meaning of article 36 (8) (b) of the Rome Statute in her professional judicial practice with regard to sexual and other violence against women and children, including human trafficking and forced prostitution, as well as the assessment of victim witnesses in criminal proceedings and proceedings against terrorist organizations.
 - f) Dr. Hohoff is a national of Germany and does not possess the nationality of any other State.
 - g) Dr. Hohoff is well aware of the responsibility and the workload that come along with being a judge at the International Criminal Court. In order to be able to devote herself entirely to the new judicial role and to avoid any interferences, Dr. Hohoff, if elected, will resign from her judicial office at the German Federal Court of Justice.
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