

PAEK, Keebong (Republic of Korea)

[original: English]

Statement of qualifications

This statement is 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). The Government of the Republic of Korea has the honour to present the following statement of qualifications of Mr. Keebong Paek as a candidate for the election of judges of the International Criminal Court at the 22nd session of the Assembly of States Parties, United Nations, New York, 4-14 December 2023.

a) Qualifications required for appointment to the highest judicial offices at the national level

The Supreme Court is the highest judicial office in the Republic of Korea. The criteria for becoming a Justice of the Supreme Court are as follows: one must be at least 45 years old, and for at least 20 years have (a) worked as a judge, prosecutor or attorney; (b) been a qualified lawyer engaged in legal affairs at government agencies or institutions; or (c) been a qualified lawyer and worked as a professor in jurisprudence at an accredited college or university.

Mr. Paek is 58 years old and has worked as a prosecutor and as an attorney for over thirty years, demonstrating great legal acumen and expertise, as stated below. Therefore, Mr. Paek is fully qualified to be appointed to the highest judicial offices in the Republic of Korea.

b) High moral character, impartiality and integrity

Mr. Paek has demonstrated high moral character, impartiality and integrity at every juncture throughout his career, while working both as a prosecutor and an attorney.

In recognition of these attributes, Mr. Paek received prestigious awards from the Prosecutor-General and the Minister of Justice for his professional achievements as well as his moral character. The award from the Prosecutor-General recognized Mr. Paek's outstanding accomplishments in combatting violent crimes in Korea while upholding the strictest levels of impartiality. The award from the Minister of Justice highlighted the integrity with which he handled multifaceted international criminal matters at the Ministry.

In addition, as a part of his work as an attorney, Mr. Paek has helped build internal compliance systems for private companies and has provided clients with training and lectures on professional integrity and corporate compliance in the workplace.

After having conducted a thorough review of his professional achievements, reputation and character, it was with great confidence that the Ministry of Justice recommended Mr. Paek to the Ministry of Foreign Affairs to be the Korean nominee for election to the ICC.

c) 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

Mr. Paek has been a well-respected prosecutor and attorney for over three decades.

Mr. Paek has extensive experience working in a number of regional and district prosecutors' offices and at the Ministry of Justice in the Republic of Korea. As a prosecutor, Mr. Paek conducted investigations into a variety of serious criminal cases, such as crimes of murder, assault and sexual violence. Over the course of his career, Mr. Paek also implemented a number of programs to protect the statements and testimony of victims and witnesses during rigorous investigations and trials. He took extra steps to have special physical protection measures in place for those at risk.

Mr. Paek also worked as a state attorney addressing international criminal matters. During his time at the Ministry of Justice, he attended ICC preparatory commission meetings and United Nations Office on Drugs and Crime (UNODC) conferences as a government representative, drafted a bill for the domestic implementation of the Rome

Statue, dealt with extradition and mutual legal assistance requests to and from foreign governments and prepared assessment reports on human trafficking and sexual exploitation in Korea.

For the past nine years, Mr. Paek has worked as a private attorney, handling and presenting various cases before courts and investigative agencies. He has wide-ranging experience, both as defence counsel and in assisting victims of crimes with their participation in the judicial process including, but not limited to, filing complaints, testifying at trial and requesting the preservation or confiscation of assets hidden by the accused. With such experience, Mr. Paek is well-equipped to protect vulnerable witnesses, facilitate reparations and provide assistance to victims and witnesses that are under the jurisdiction of the International Criminal Court.

This varied experience has trained Mr. Paek to clearly understand both the prosecutor's and defence counsel's sides of a case. It has prepared him to not only comprehensively recognize both parties' opposing standpoints, but also to judge criminal cases with fairness and impartiality.

On an international level, Mr. Paek has had first-hand experience working as a legal expert at the UNODC in both Vienna and Bangkok. This allowed him to recognize the different types of challenges each country faces in its legal, investigative and trial systems, and how these can and should be overcome to effectively bring about criminal justice.

Interacting with legal experts from around the world while at the UNODC enhanced Mr. Paek's understanding of the unique culture of international organizations – a culture of intellectual vibrancy, acceptance, tolerance and proactivity. The experience working in this distinctive and dynamic environment ensures that Mr. Paek will be able to actively contribute to the collegial and enterprising culture at the ICC.

Furthermore, Mr. Paek wrote his dissertation on the rule of evidence in international criminal law and has since become an expert in this field, understanding the nuances of the interaction between the civil law and common law systems. He has gone on to write books and articles regarding international criminal tribunals, including the ICC. Most recently, Mr. Paek served as a reviewer for the *International Journal of Criminal Justice* (published in English by the Korean Institute of Criminology and Justice). He actively keeps informed on recent legal developments, offers analysis and feedback and stays up-to-date on emerging trends. His unrelenting pursuit of academic research and knowledge will undoubtedly contribute to the development of international criminal jurisprudence by the ICC.

In sum, by merging his diverse legal background and experience in criminal law and procedure with his academic understanding of international law, Mr. Paek is well-prepared to synthesize established information and create new knowledge, as well as fully comprehend and efficiently manage the challenging cases that will come before the Court.

d) Knowledge of and fluency in either English or French

Mr. Paek has an excellent knowledge of and is fluent in English. He has a basic knowledge of French.

e) Indication of nomination for List A or List B

In light of his experience as a prosecutor and an attorney, Mr. Paek is being nominated for inclusion in List A, with established competence in criminal law and procedure and the necessary relevant experience in criminal proceedings.

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

Mr. Paek will mainly be representing the civil law system, which, in the Republic of Korea, is developing into a 'hybrid system' that absorbs a number of elements of the common law system, such as the hearsay rule and jury trials. Mr. Paek is a male candidate who will represent the Asia-Pacific region.

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

As a former prosecutor, Mr. Paek has ample experience and expertise in prosecuting serious sexual and violent crimes. He has frequently spearheaded initiatives to protect vulnerable witnesses such as women and children. More recently, as an attorney, he has conducted internal investigations in sexual harassment cases on behalf of private companies. He is fully qualified to handle sensitive cases and provide protection and assistance to female and child victims.

h) Nationality under which the candidate is nominated

Mr. Paek is a Korean national and is being nominated by the Republic of Korea.

i) Procedure for nomination

Mr. Paek was 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 Republic of Korea.

Through a fair and transparent selection process, the Republic of Korea invited applications from the Supreme Court, the Ministry of Justice, the Korean Bar Association, the Korean Criminal Law Association, the Korean Society of International Law and the Korea Law Professors Association.

The submitted applications were reviewed by the National Committee for the selection of a national candidate. The National Committee consists of the four Members of the Permanent Court of Arbitration (PCA) nominated by the Republic of Korea and one representative of the Korean Supreme Court. The process was overseen by the Ministry of Foreign Affairs of the Republic of Korea.

The National Committee reviewed the applications and supporting materials, assessed and discussed each applicant's strengths, and selected Mr. Paek as its final nominee.

Zhahyoung Rhee, Director-General for International Legal Affairs of the Ministry of Foreign Affairs, as a coordinator of the nomination process, confirms the accuracy of the information regarding Mr. Paek provided in this Statement of Qualifications.

j) Commitment to take up full-time service

Mr. Paek is fully committed to take up full-time service with the International Criminal Court if elected.
