

Statement of qualifications

Document in support of the nomination pursuant to article 36(3) and resolution ICC-ASP/3/Res.6

a) Fulfilment of the requirements of article 36, paragraph 3 (a), (b) and (c) of the Rome Statute, and article 36, paragraph 4(a), of the Statute:

Having excelled in his university studies and achieved a master's degree in law, candidate Maman Sani Ousseini Djibage then trained for two years to become a judge of the courts in the international section of the prestigious Ecole Nationale de la Magistrature in Paris (France), qualifying as a judge with the highest honours (*mention "très bien"*) in June 1992. He joined the Nigerien judiciary on 1 October 1992 as a judge, third grade, level 1. During the course of a career spanning 31 years, he has been promoted on merit through all the ranks of the judiciary to reach the most senior exceptional grade.

Throughout his career he has specialised in criminal law and procedure, holding only judicial posts as a criminal law judge for over fifteen years at numerous courts as deputy public prosecutor, investigating magistrate, trial judge, sentencing judge and Public Prosecutor. His qualifications, his exceptional sense of duty and his love of a job well done earned him an appointment to the Central Administration of the Ministries of Justice in the posts of National Director, General Director, and Inspector, which are all roles involving the application of criminal law and criminal procedure. He currently chairs the National Committee tasked with the complete overhaul of the Criminal Code and Code of Procedure to ensure, *inter alia*, that it complies with the national standards accepted by Niger.

In addition to his qualifications in criminal law, he also has qualifications in international law, such as international humanitarian law and human rights. On the basis of the various diplomas and certificates he has achieved, and specifically those from the René Cassin International Institute of Human Rights in Strasbourg (France), from 2016 to date he has headed the National Mechanism responsible for preparing Niger's reports to regional and international treaty bodies and for universal periodic review. In this regard he has helped Niger to catch up fully as far as these authorities are concerned. In terms of monitoring the implementation of recommendations made by these authorities, he played a leading role in the ratification of a number of agreements and protocols and in particular the passing of several laws on the promotion and protection of human rights in Niger.

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:

Niger is nominating its candidate for list A, for candidates with the qualifications specified in paragraph 3(b)(i).

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

Niger is a West African state which has a dual legal system, i.e. which applies customary standards and modern statute law. No Nigerien national has yet been elected to the ICC. Niger subscribes fully to the need for equitable geographical representation and to comply with fair gender representation in the recruitment of all Court staff.

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

Niger's candidate specialises in international criminal law, human rights and measures to combat gender-based violence and harmful traditional practices, of which women and children in particular are victims.

e) Indicating under which nationality the candidate is being nominated for the purposes of article 36, paragraph 7, of the Statute:

The candidate holds only Nigerien nationality.

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 nomination:

The nomination of the person in question was submitted in accordance with the procedure for submitting nominations to the highest judicial offices of the State. When the report of the last General Assembly of States Parties, held from 5-10 December 2022, was made to the highest State authorities, the decision was taken to nominate a candidate for election as a judge. Upon receipt of the Note verbale from the ICC, inviting States Parties wishing to do so to nominate candidates, the Ministry of Justice began consultations with a view to identifying a candidate who fulfilled all the criteria. The name of Maman Sani Ousseini Djibage was thus selected and the President, Prime Minister and Minister of State in charge of foreign affairs were informed thereof by the Ministry of Justice in a letter dated 16 February 2023, reference No 000174/MJ/GS/P/MNRS. The authorities gave their approval and instructions were given officially to submit the nomination and to reduce Niger's arrears in its contributions to the ICC budget.

g) 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:

See appended document.

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

See appended document.