

Statement of qualifications

This statement in support of the candidature of Judge Guénaël Mettraux is submitted in accordance with article 36, paragraph 4 (a) of the Rome Statute of the International Criminal Court (Rome Statute) and paragraph 6 of 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).

Switzerland is nominating Judge Mettraux as a candidate for the position of judge at the International Criminal Court (ICC) at the elections to be held during the 25th session of the Assembly of States Parties to the Rome Statute (ASP) in December 2026 in New York.

(a) A candidate fulfilling the requirements in article 36, paragraph 3 (a), (b) and (c) of the Rome Statute

Judge Guénaël Mettraux fulfils all requirements set out in article 36, paragraph 3 of the Rome Statute:

- He is a person of high moral character, respected for his impartiality and integrity, and who possesses the qualifications required for appointment to the highest official judicial offices in Switzerland.
- He is recognised for his high standing both nationally and internationally, including at the Kosovo Specialist Chambers in The Hague, where he has served as a judge since 2017.
- He is a renowned specialist and practitioner in criminal law and procedure with more than 25 years of experience in international criminal justice, managing highly complex and politically sensitive criminal cases.
- He has worked with six major international criminal tribunals, namely the International Criminal Court (ICC), the International Criminal Tribunal for the former Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda (ICTR), the Extraordinary Chambers in the Courts of Cambodia (ECCC), the Special Tribunal for Lebanon (STL) and the Kosovo Specialist Chambers (KSC).
- Having worked for 12 years on a variety of cases with the ICC, he brings in-depth knowledge of the Rome Statute and expertise in the ICC's procedural rules and working methods.
- Having served as a judge, advocate and advisor to prosecution offices in common law, civil law and hybrid systems, he has a profound understanding of the diverse challenges inherent to international criminal proceedings.
- He has published extensively on international crimes and command responsibility and authored expert reports on judicial effectiveness, including in relation to the ICC. He also regularly lectures at renowned universities.
- His proficiency in French (native speaker) and English (advanced level) would allow him to hold hearings in both working languages of the ICC.

(b) Equitable and fair representation of the principal legal systems, regions and genders (article 36, paragraph 8 (a) (i) to (iii) of the Rome Statute)

Over the last 25 years, Judge Guénaël Mettraux has practised extensively in common law, civil law and hybrid systems. For the purposes of these elections, he will represent the civil law system.

He is a male candidate, nominated within the Group of Western European and Other States (WEOG).

(c) Nomination under list A (article 36, paragraph 5 of the Rome Statute)

Judge Guénaél Mettraux is nominated as a candidate under list A pursuant to article 36, paragraph 3 (b) (i) of the Rome Statute.

(d) Wide area of expertise (article 36, paragraph 8 (b) of the Rome Statute)

Genocide, crimes against humanity and war crimes

Judge Guénaél Mettraux is a renowned expert on the law of genocide, crimes against humanity and war crimes – a legal field to which he has devoted his distinguished career (see also para. (a), above). Over the past 30 years, he has participated in some of the most significant international criminal cases brought before the ICC, the ICTY, the ICTR, the ECCC, the STL and, currently, the KSC. He has also advised several states and state organs on international criminal law and delivered training to national judges, prosecutors, advocates and members of the armed forces.

Judge Mettraux is currently serving as a judge on a panel adjudicating a highly complex and political case involving ten counts of crimes against humanity and war crimes against four defendants with over 150 participating victims. Since the commencement of the trial in 2023, the panel has heard or admitted the evidence of 298 witnesses, admitted more than 11,000 exhibits, and rendered hundreds of procedural and evidential decisions. As a result of the panel's strong commitment to procedural efficiency, a judgment will be rendered less than 3.5 years after the start of the trial.

In addition to his work as a legal practitioner, Judge Mettraux has published extensively on the law of genocide, crimes against humanity and war crimes (see further below). He was awarded the Francis Lieber Prize of the American Society of International Law for his doctoral thesis on the law of command responsibility.

Vulnerable witnesses and victims

Judge Guénaél Mettraux has significant experience in dealing with vulnerable witnesses, including participating victims. As a judge, he has heard highly sensitive evidence from vulnerable victims and numerous testimonies from highly protected witnesses. Having dealt with instances of witness intimidation, he has gained extensive experience with protective measures and procedural safeguards tailored to the specific needs of vulnerable witnesses and victims in international criminal proceedings.

Gender-based violence

Judge Guénaél Mettraux has worked on cases involving far-reaching gender-based violence brought before international criminal tribunals such as the ICTY, where he advised judges on the *Kunarac et al.* case, in which three accused were convicted and sentenced to lengthy terms of imprisonment for rape, torture, enslavement and outrages upon personal dignity. He has also worked with national prosecution offices, for instance advising domestic prosecutors in Uganda, inter alia, on gender-based and sexual offences. In addition to his practical experience, he has authored leading commentaries and books on applicable laws governing sexual and gender-based violence and other categories of international crimes.

Efficiency and effectiveness of justice

Judge Guénaél Mettraux is a distinguished expert on effective justice systems. He has authored influential expert reports on judicial effectiveness and the functioning of justice systems, including an Expert Initiative on Promoting Effectiveness at the ICC. He therefore has first-hand knowledge of the ICC's functioning, internal mechanisms and institutional challenges. At the KSC, he has contributed to successfully implementing several procedural mechanisms and practices aimed at ensuring more effective and more focused proceedings, including greater use of orality and a faster turnover of judicial decisions.

International criminal cooperation

Judge Guénaél Mettraux's practice as an advocate in international criminal cases has regularly involved requests for international cooperation from States and international organisations, most notably in relation to criminal investigations and/or extradition proceedings. He has also gained judicial experience in matters of cooperation with States and other stakeholders in his capacity as a judge at the KSC.

Publishing and lecturing

Judge Guénaël Mettraux is a recognised scholar in the field of international criminal justice and has been cited as an authority by various courts and tribunals. He has published extensively on international criminal law and procedure as well as on human rights. His landmark publications include a unique compendium on the law and practice of international crimes published by Oxford University Press. He is also a member of the editorial boards of two influential legal journals.

Judge Mettraux has also lectured at various renowned universities on international criminal law and procedure and provided training to judges, prosecutors, law enforcement agents and the military worldwide.

(e) Swiss nationality (article 36, paragraph 7 of the Rome Statute)

Judge Guénaël Mettraux is a Swiss national, nominated by Switzerland and running as a Swiss candidate. He also holds French citizenship.

(f) Procedure leading to the nomination of Guénaël Mettraux according to article 36, paragraph 4 (a) (ii) of the Rome Statute

Judge Guénaël Mettraux was nominated by the Federal Council, Switzerland's government, which comprises seven heads of departments (ministers), including Switzerland's president, in November 2025.

He was nominated following a competitive selection procedure and after a thorough assessment by an expert panel in accordance with "the procedure provided for the nomination of candidates for the International Court of Justice in the Statute of that Court" foreseen under article 36, paragraph 4 (a) (ii) of the Rome Statute.

More specifically, the Directorate of International Law of the Federal Department of Foreign Affairs of Switzerland, which initiated and oversaw the selection process, issued a public call for nominations in July 2025. The applications received were subsequently examined by a six-member expert panel, comprising the four members of the Swiss national group of the Permanent Court of Arbitration and two legal experts from Switzerland's administration and law enforcement familiar with the ICC, based on the criteria specified in article 36, paragraph 3 of the Rome Statute. In the light of his extensive expertise and in-depth knowledge of international criminal justice and the ICC (including the institutional challenges it faces), and his strong interpersonal and management skills, the panel unanimously proposed Judge Mettraux as Switzerland's candidate to the Federal Council.

(g) Acknowledgement of information provided under sub-paragraph (a) by the chairperson of the nomination panel

I, Franz Perrez, in my capacity as Director of the Directorate of International Law of the Federal Department of Foreign Affairs of Switzerland, and as chairperson of the expert panel responsible for selecting a candidate for the position of judge of the ICC, acknowledge the information provided under sub-paragraph (a) of this statement of qualifications.

(h) Commitment of Judge Guénaël Mettraux

Judge Guénaël Mettraux commits to be available to take up full-time service when the Court's workload so requires. He will also be available for interviews before the Advisory Committee on Nominations of Judges as well as public roundtable discussions facilitated by the Bureau.