

Chizumila, Tujilane (Republic of Malawi)

[Original: English]

Statement of qualifications

1. Introduction

The Government of the Republic of Malawi hereby submits the candidature of **Hon. Justice Tujilane Rose Chizumila** for election as Judge of the **International Criminal Court**.

Justice Chizumila fully satisfies the requirements set out in **article 36(3) of the Rome Statute**. She is a person of high moral character, impartiality and integrity, possessing the qualifications required for appointment to the highest judicial offices in Malawi.

She has served as Judge of the High Court of Malawi and as Judge of the African Court on Human and Peoples' Rights, where she has completed nine years of international judicial service.

Across nearly five decades of legal and public service, Justice Chizumila has served as criminal advocate, international judge, public ombudsman, United Nations officer, diplomat, and legal scholar.

Her personal journey from refugee child to international judge reflects the transformative power of law and reinforces her enduring commitment to justice for victims of the gravest crimes under international law.

2. List A qualifications

Criminal law and procedure

Justice Chizumila qualifies under **List A (Criminal Law and Procedure)**.

She possesses over twenty years of extensive criminal litigation experience, during which she handled numerous and highly serious criminal cases involving complex evidentiary issues and the protection of due process rights.

Her criminal law experience includes:

- **10 years - Criminal Defence Counsel, Tanzania Legal Corporation**, representing accused persons in a wide range of criminal trials before the courts of Tanzania.
- **2 years - Advocate, Chizumila Msisha & Company**, practising criminal defence and representing clients in complex criminal proceedings.
- **1 year - Advocate, Savjani & Company**, handling criminal litigation before the courts.
- **5 years - Proprietor, Chizumila & Company**, establishing and leading the first female-owned legal practice in Malawi, managing complex criminal litigation including serious offences.
- **1.5 years - State Advocate and Legal Aid Counsel** – Ministry of Justice of Malawi, representing the State and providing legal defence to indigent accused persons in criminal proceedings.
- **1.5 years - Judge of the High Court of Malawi**, presiding over criminal and constitutional matters and ensuring the application of fair trial guarantees and due process protections.

Justice Chizumila's criminal law expertise is further grounded in her decade-long service with the Tanzania Legal Corporation, a legal parastatal under the Ministry of Justice, where she represented accused persons in serious criminal prosecutions before Tanzanian courts. During this period, she developed extensive expertise in criminal procedure, evidentiary standards, and the protection of fair trial rights.

Through these roles, Justice Chizumila acquired extensive expertise in:

- Criminal trial procedure
- Evaluation of complex evidence
- Protection of due process and fair trial rights
- Criminal defence and prosecution practice
- Judicial adjudication of serious criminal offences

Her subsequent nine years as Judge of the African Court on Human and Peoples' Rights further involved adjudication of cases concerning grave human rights violations and state responsibility, matters that frequently intersect with international criminal accountability.

3. Independence and integrity

Throughout her nearly fifty years of professional service, Justice Chizumila has demonstrated unwavering commitment to judicial independence, integrity, and the rule of law.

Her record as judge, ombudsman, advocate, and public servant reflects strict adherence to fairness, impartiality, and respect for the rights of all parties before the law, as well as fidelity to the principles of justice embodied in the Rome Statute.

4. Contribution to the work of the Court

Justice Chizumila brings experience across national, regional, and international institutions, including judicial office, diplomatic representation, and humanitarian service.

This background equips her to contribute to the Court's work with a strong understanding of both judicial responsibility and the broader international context in which the Court operates.

Her experience within international and regional institutions enables her to contribute constructively to strengthening dialogue between the Court, States Parties, and affected communities, while maintaining full judicial independence and impartiality.

Her international experience is further enriched by her work with the United Nations system, including with UNHCR and UNICEF, where she addressed issues relating to refugee protection, gender-based violence, and child rights. As a former Ambassador and Permanent Representative to the Southern African Development Community (SADC), she brings valuable diplomatic experience and a strong understanding of multilateral processes and international cooperation.

A former child refugee, Justice Chizumila offers a unique and profound perspective on issues of displacement, conflict, and human vulnerability. This lived experience enhances her judicial sensitivity and reinforces her commitment to justice for victims of the most serious crimes of concern to the international community.

5. African candidacy

Justice Chizumila's candidature reflects Africa's continued commitment to strengthening international justice while ensuring that the perspectives and experiences of African legal systems are constructively reflected within global institutions.

Having served within both national and continental judicial frameworks, she brings a deep understanding of the legal traditions, institutional realities, and aspirations of African States. Her election would contribute to reinforcing confidence in the Court across the African continent while advancing the shared global objective of accountability for the most serious crimes of concern to the international community.

6. Linguistic competence

Justice Chizumila is fluent in English and Swahili, and is fully capable of performing her judicial functions in one of the working languages of the Court.

7. Availability and commitment to serve

If elected, Justice Chizumila will be fully available to assume office and to perform the duties of Judge of the International Criminal Court on a full-time basis in accordance with the Rome Statute.

She is committed to serving the Court with complete independence, impartiality, and integrity, and to devoting her full professional capacity to the work of the Court for the duration of the mandate entrusted to her by the Assembly of States Parties.

8. Conclusion

Justice Chizumila brings to the International Criminal Court:

- Nearly 50 years of cumulative legal and judicial experience
- 9 years of international judicial service
- Over 20 years of criminal litigation experience
- Extensive expertise in international human rights and refugee law
- United Nations humanitarian field experience
- High-level diplomatic service
- Lived experience of displacement and statelessness, strengthening her commitment to justice for victims

Her election would significantly enhance the Court's criminal law expertise, international judicial experience, gender representation, and African judicial leadership.

Justice Chizumila stands ready to serve the Court with independence of judgment, fidelity to the Rome Statute, and dedication to the fair and impartial administration of international justice.