BUREAU OF THE ASSEMBLY OF STATES PARTIES

Procedure for the election of the fourth Prosecutor of the International Criminal Court[1]

Introduction and summary of procedure

1. The post of Prosecutor of the International Criminal Court shall be published on the website of the Assembly and candidates may apply directly for the position. States Parties or groups of States Parties may also submit applications on behalf of individual candidates.

2. All applications received by the deadline will be reviewed by the Advisory Committee on the Nominations of Judges which will serve, pursuant to Terms of Reference to be adopted by the Assembly at its twenty-fifth session, as the Advisory Committee on the Election of the Prosecutor. The Advisory Committee will undertake a preliminary review of all applications, and the candidates who meet the formal qualifications for the post will be published on the website of the Assembly.[2] A due diligence procedure will then be undertaken, pursuant to the due diligence procedure for elected officials adopted by the Assembly.[3] After receiving the report of the Independent Oversight Mechanism ("IOM") under the due diligence procedure, the Advisory Committee will interview the candidates and submit a report containing its assessment of the qualifications of the candidates. The report of the Advisory Committee shall not make a shortlist of candidates and its report shall not include any ranking of the candidates.

3. Public roundtables will then be held with the candidates and a consultation process will be undertaken, led by the Presidency of the Assembly, in order to identify a possible consensus candidate. The Prosecutor will be elected at the twenty-sixth session of the Assembly, to be convened in December 2027 in The Hague, unless the Bureau decides otherwise.

4. The Bureau shall keep the progress of this procedure under review and may make adjustments should the integrity of the process or other circumstances so require.

5. Pursuant to article 42, paragraph 4, of the Rome Statute, the Assembly of States Parties may decide upon a shorter term of office at the time of election of the Prosecutor.

Advisory Committee on the Election of the Prosecutor

6. The Advisory Committee on the Nominations of Judges will serve as the Advisory Committee on the Election of the Prosecutor. The Terms of Reference for the Advisory Committee to take on this additional mandate will be adopted by the Assembly at its twenty-fifth session. The information and analysis presented by the Committee is intended to inform the decision-making of States Parties and is not in any way binding on them or on the Assembly of States Parties. Draft terms of reference, conveyed by the Bureau for the consideration of the Assembly, are contained in annex I.

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[1] Adopted by the Bureau on 26 October 2026.
[2] Article 42, paragraph 2, of the Rome Statute provides that the Prosecutor and Deputy Prosecutor shall be of different nationalities. The Deputy Prosecutors are nationals of Senegal and Fiji, respectively.
[3] ICC-ASP/22/Res.3, annex II, available at: https://asp.icc-cpi.int/sites/default/files/asp_docs/ICC-ASP-22-Res3-ENG.pdf.

Procedure and timeline

7. The vacancy announcement will be published on **31 October 2026,** with a deadline for applications of **31 January 2027** (three calendar months). The vacancy announcement will be published on the website of the Assembly, and States Parties and other stakeholders will be encouraged to facilitate its wide dissemination. Applications will be received directly by the Secretariat. The vacancy announcement, as approved by the Bureau, is set out in annex II.

8. The fact that a due diligence procedure will be applied to all candidates qualified for the post of Prosecutor will be widely publicized, and the opening and closing dates of the confidential channel to report allegations of misconduct will also be widely publicized.

9. The Advisory Committee on the Election of the Prosecutor will review all applications received and identify the candidates which meet the formal qualifications for the post. The final stage of this initial review will be undertaken in-person, at the seat of the Court, from **11 to 13 February 2027**. Candidates that meet the formal qualifications will have their applications posted publicly on the Assembly website on **20 February 2027.** Candidates that do not meet the formal requirements will be informed by the Secretariat that their applications will not be further considered.

10. Candidates determined by the Advisory Committee to meet the formal qualifications for the post of Prosecutor will be subject to the permanent due diligence process adopted by the Assembly in ICC-ASP/22/Res.3, annex II. The Independent Oversight Mechanism (IOM) will commence its work as soon as the list of candidates who meet the formal qualifications for the post has been posted on-line, i.e. on 20 February 2027. The confidential channel will be opened on that date and will close **on 20 April 2027** (60 days).

11. The IOM will submit its report to the Presidency of the Assembly, copied to the Advisory Committee, on **20 June 2027**. If the IOM report identifies any matters that it considers may raise concerns about the high moral character of any of the candidates, the Presidency of the Assembly shall request written observations on such matters from the Advisory Committee.[4]

12. The Advisory Committee will undertake interviews with candidates in the last week of June 2027 (**28 to 30 June 2027**) and submit its report, as well as any confidential written observations pursuant to the due diligence procedure, by the **end of July 2027**. The report of the Advisory Committee will be posted publicly on the Assembly website; any written observations pursuant to the due diligence procedure will be transmitted to the Bureau for further consideration under that procedure.

13. The Bureau will facilitate public roundtable discussions with the candidates during the last week of September 2027 (**27 to 30 September 2027**).

14. The months of **October and November 2027** will be dedicated to the consensus-building process, coordinated by the Assembly Presidency, with the assistance of five focal points, one nominated by each of the regional groups, who will be appointed by the Bureau pursuant to a mandate given by the Assembly at the twenty-fifth session of the Assembly. The consensus-building process will end by **19 November 2027.**

15. Formal nominations of candidates by States Parties would be invited during the period from **22 to 26 November 2027**, with the election of the Prosecutor taking place at the twenty-sixth session of the Assembly, in The Hague, unless otherwise decided by the Bureau.

[4] ICC-ASP/22/Res.3, annex II, para. 29.

16. The Bureau shall keep the progress of this procedure under review and may make adjustments, including to the timeline and the venue of the election, should the integrity of the process or other circumstances so require.

Indicative timeline for election at the twenty-sixth session of the Assembly of States Parties

31 October 2026
- Vacancy announcement published
- Information about due diligence process and confidential channel publicized
- Terms of Reference for the Advisory Committee circulated to the NYWG and HWG

7 December 2026
- Terms of Reference of the Advisory Committee on the Election of the Prosecutor adopted by the Assembly at its twenty-fifth session
- Mandate given by the Assembly to the Bureau for the appointment of focal points on the basis of a nomination from each regional group

31 January 2027
- Deadline for applications from individuals or States Parties on behalf of individuals

11 to 13 February 2027
- Applications reviewed by Advisory Committee

20 February 2027
- Candidates determined by the Advisory Committee to be formally qualified for the post have their applications posted online
- IOM confidential channel opens and IOM commences due diligence process for all qualified candidates

20 April 2027
- IOM confidential channel closes

20 June 2027
- IOM completes due diligence process and submits report

28 to 30 June 2027
- Advisory Committee meets and interviews candidates

July 2027
- Advisory Committee publishes its report and submits any confidential written observations to the Assembly Presidency

27 to 30 September 2027
- Public roundtables with candidates

Months of October and November 2027
- Assembly Presidency and focal points undertake consultations to identify a possible consensus candidate

Formal nominations by States Parties
- 22 to 26 November 2027

December 2027
- Election of the Prosecutor, at the twenty-sixth session of the Assembly in The Hague or as otherwise decided by the Bureau

Budgetary implications

17. In order to implement this procedure additional resources will be required in 2027 for Major Programme IV: Secretariat of the Assembly (approximately €100.0 thousand, to cover the costs of travel for the members of the Advisory Committee for two in-person meetings in The Hague as well as the costs of translation and interpretation) and for Major Programme VII-5: Independent Oversight Mechanism (approximately €60.0 thousand to cover the costs of the due diligence procedure). Details of these budgetary implications will be submitted, as soon as possible, in an addendum to the proposed programme budget for 2027.

Annex I

Draft Terms of Reference of the Advisory Committee on the Election of the Prosecutor of the International Criminal Court[5]

A. Composition

1. The Advisory Committee on the Nominations of Judges, established by the Assembly of States Parties in resolution ICC-ASP/10/Res.5, shall exceptionally serve in the capacity of the Advisory Committee on the Election of the fourth Prosecutor of the International Criminal Court.

2. Except as otherwise provided in these Terms of Reference, the provisions of the Terms of Reference of the Advisory Committee on Nominations of Judges[6] shall apply *mutatis mutandis* to the Advisory Committee in the discharge of this exceptional mandate.

3. The exceptional assignment of this mandate to the Committee shall not affect or amend the standing mandate or Terms of Reference of the Advisory Committee on Nominations of Judges.

B. Mandate

4. The Committee is mandated to assist the Assembly of States Parties in its consideration of candidates for election as Prosecutor of the International Criminal Court, with a view to facilitating the election of the highest-qualified candidate in accordance with article 42, paragraph 3, of the Rome Statute.

5. To that effect, the Committee shall:

(a) review all applications for the post of Prosecutor received by the Secretariat of the Assembly of States Parties and conduct a preliminary assessment as to whether each candidate is formally qualified by reference to the criteria outlined in the vacancy announcement;

(b) inform the Secretariat of the names of any candidates who do not meet the formal requirements for the post, so that the Secretariat can inform those candidates that their applications will not be further considered;

(c) develop a common questionnaire for all candidates which the Committee determines to have met the formal requirements for the post, asking them to outline their: (i) experience in investigating and prosecuting complex criminal proceedings; (ii) experience in public international law; (iii) specific experience in gender and children matters; (iv) track record of impartiality and integrity; and (v) fluency in one of the working languages of the Court; and shall provide all candidates the option to make their answers to the questionnaire public;

(d) request candidates to demonstrate their legal knowledge by presenting relevant evidence;

(e) check candidates' references and any other information publicly available;

[5] These draft Terms of Reference, which are conveyed by the Bureau for the consideration of the Assembly, have been prepared on the basis of the Terms of Reference for the Advisory Committee on Nominations of Judges, with appropriate adjustments.
[6] The Terms of Reference of the Advisory Committee on Nominations of Judges were adopted by the Assembly of States Parties via resolution ICC-ASP/10/Res.5, para. 19, and subsequently amended by resolutions ICC-ASP/13/Res.5, annex III, ICC-ASP/18/Res.4, annex II, and ICC-ASP/21/Res.2, annex IV, section A.

(f) take into account, as appropriate, any information made available through the Assembly-established due diligence process;[7]

(g) develop a standard declaration for all candidates to sign that clarifies whether they are aware of any allegations of misconduct, including sexual harassment, made against them;

(h) undertake interviews with all candidates;

(i) assess practical skills such as the ability to work collegially; knowledge of different legal systems; and exposure to and understanding of regional and sub-regional political, social, and cultural environments;

(j) endeavor to assess, in accordance with article 42 paragraph 3 of the Rome Statute, the competence and practical experience of the candidate in the prosecution or trial of criminal cases; assess the candidate against the other requirements of article 42(3), as applicable;

(k) submit a report to the Assembly, which will be made public on the Assembly website, reporting on all the above aspects.

6. The work of the Committee shall be based on the applicable provisions of the Rome Statute and its assessment of the candidates shall be based strictly on the requirements of article 42, paragraph (3). The Committee shall not create a shortlist of candidates and shall not rank candidates.

C. Working methods

7. The Committee shall convene in person, by correspondence, or via remote link, as soon as applications have been received through the Secretariat. The Committee shall convene in person to conduct the preliminary assessment of candidates and to conduct the interviews with candidates.

8. The members of the Committee shall ensure the confidentiality of all communications during the process.

9. The Committee may communicate with all candidates, both orally and in writing, with regard to their qualifications in accordance with the Rome Statute.

10. The Committee may only proceed to interview candidates after receiving the final due diligence report of the Independent Oversight Mechanism

11. The evaluation procedure of the Committee shall be transparent. To that purpose, the Committee shall regularly and in detail brief the Bureau on its activities. The States Parties to the Rome Statute would be kept informed through the reporting procedures of the Bureau, and by briefings to the New York and The Hague Working Groups.

12. Once the Committee has completed its work, it shall prepare a thorough and detailed report, of a technical character, that will include for each candidate:

(a) information collected in accordance with paragraph 5; and

(b) qualitative evaluation, information, and analysis, strictly on the suitability or unsuitability of each candidate for the role of Prosecutor in light of the requirements of article 42 paragraph 3, of the Rome Statute, including detailed reasons for the Committee's assessment;

[7] Resolution ICC-ASP/22/Res.3, annex II.

13. The Committee may request candidates to provide any further information that it requires to consider and evaluate the candidate's suitability as the Prosecutor of the International Criminal Court.

14. The report of the Committee shall be made available, by submission to the Bureau and publication on the website of the Assembly, at least 16 weeks before the elections, for thorough subsequent consideration by the Assembly of States Parties.

15. The information and analysis presented by the Committee is intended to inform the decision-making of States Parties and is not in any way binding on them or on the Assembly of States Parties.

Annex II

Vacancy Announcement

Job Title: Prosecutor (Under-Secretary General equivalent)

Deadline for Applications:	31 January 2027
Organisational Unit:	Office of the Prosecutor (OTP)
Duty Station:	The Hague, the Netherlands
Type of Appointment:	Fixed-term appointment
Contract Duration:	Nine years, unless a shorter term is decided by the Assembly at the time of election[8]

Special Notice

The position of the Prosecutor of the International Criminal Court is currently vacant. The Bureau of the Assembly of States Parties, acting pursuant to the mandate of the Assembly under article 112 of the Rome Statute of the International Criminal Court (the Rome Statute), has initiated a publicly transparent and inclusive procedure for the election of the next Prosecutor. It is seeking to attract the most qualified candidates for the position of Prosecutor of the International Criminal Court. Article 42, paragraph 3, of the Rome Statute sets out the main criteria to be fulfilled by candidates for the position.

The details of the procedure adopted by the Bureau for the election of the fourth Prosecutor are available on the website of the Assembly at the following link: https://asp.icc-cpi.int/elections/prosecutor/Prosecutor2027.

The application procedures are detailed at the end of this vacancy announcement. Applicants are requested to comply with the procedures when applying. **Applicants who do not comply will have their applications excluded from further consideration.**

In accordance with the Rome Statute, the ICC aims to achieve fair representation of women and men for all positions, representation of the principal legal systems of the world for legal positions, and equitable geographical representation for positions in the professional category.

THE ORGANIZATION

The International Criminal Court (ICC), an independent international institution governed by the Rome Statute, is the first permanent, treaty based, international criminal court established to help end impunity for the perpetrators of the most serious crimes of concern to the international community. Its seat is at The Hague, The Netherlands.

THE OFFICE OF THE PROSECUTOR

The Office of the Prosecutor (OTP) is one of the four principal organs of the ICC. It is an independent organ responsible for examining situations under the jurisdiction of the ICC where genocide, crimes against humanity, war crimes and the crime of aggression appear to have been committed, and carrying out investigations and prosecutions against individuals for whom there are reasonable grounds to believe that they are most responsible for those crimes.

[8] Under article 42 of the Rome Statute, "[u]nless a shorter term is decided upon at the time of their election, the Prosecutor … shall hold office for a term of nine years and shall not be eligible for re-election".

THE PROSECUTOR

The Prosecutor, who heads the OTP, is one of three principals of the ICC. Pursuant to article 42, paragraph 3, of the Rome Statute, the Prosecutor shall be a person of high moral character, be highly competent in and have extensive practical experience in the investigation, prosecution or trial of criminal cases. They shall have an excellent knowledge of and be fluent in at least one of the working languages of the Court (English and French). The Prosecutor shall not seek or act on instructions from any external source, such as a government, international organisation or others.

The Prosecutor, assisted by two Deputy Prosecutors, shall serve on a full-time basis and shall be responsible for receiving referrals and any substantiated information on crimes within the jurisdiction of the ICC, for examining them and for conducting investigations and prosecutions. He or she shall have full authority over the management and administration of the OTP, including the staff, facilities and other resources thereof. The Prosecutor shall not engage in any activity which is likely to interfere with his or her prosecutorial functions or to affect confidence in his or her independence. Nor shall he or she engage in any other occupation of a professional nature.

Under the Rome Statute, in carrying out his or her functions, the Prosecutor shall:

a) in order to establish the truth, extend his or her investigation to cover all facts and evidence relevant to an assessment of whether there is criminal responsibility under the Statute, and, in doing so, investigate incriminating and exonerating circumstances equally;
b) take appropriate measures to ensure the effective investigation and prosecution of crimes within the jurisdiction of the ICC, and in so doing, respect the interests and personal circumstances of victims and witnesses, including age, gender and health, as well as take into account the nature of the crime, in particular where it involves sexual violence, gender violence or violence against children; and
c) fully respect the rights of persons arising under the Statute.

DUTIES AND RESPONSIBILITIES

The main duties of the Prosecutor will be to provide excellent strategic and effective leadership for the OTP and to ensure the efficient conduct of all its work, in accordance with the relevant requirements of the Rome Statute. The primary focus of the job will be to lead and manage the carrying out of complex criminal investigations and prosecutions of the crimes within the jurisdiction of the ICC, including the preparation, presentation and management of case files for the purposes of the prosecution, trial and appeal phases of the criminal justice process.

Alongside ensuring the OTP's compliance with the applicable provisions of the Rome Statute and all other rules and regulations of the ICC, the Prosecutor's duties will include, but not be limited to, the following:

- Providing overall strategic and management guidance, direction and leadership in relation to the investigations and prosecutions of complex crimes in diverse crime bases and geographic contexts as well as establishing relevant policies and priorities for the OTP;

- Hiring the qualified staff required for the performance of the independent functions of the OTP. In the employment of his/her staff, the Prosecutor shall ensure the highest standards of efficiency, competency and integrity and should be capable of serving as a role model of adherence to professionalism and the highest ethical standards of the legal profession;

- Participating in the governance of the ICC, as one of its principals, in accordance with the relevant provisions of the Rome Statute including liaising with, as appropriate, the Presidency, Registrar and the Office of the Public Counsel for the Defence and others while maintaining his or her independence;

- Representing the OTP in external relations in and outside the ICC, including the submission of proposed annual budget to the Assembly of States Parties and periodic reports to the United Nations Security Council regarding the situations referred by it; and

- Ensuring the optimal use of prosecutorial resources, thereby advancing cost-efficiency and procedural economy.

EDUCATION

An advanced university degree (Master's degree or equivalent) in law. The candidate should have a specialization in criminal law and procedure as well as advanced knowledge of public international law including comparative criminal law, human rights law, humanitarian law, and international criminal law. A first-level university degree in combination with a relevant combination of academic and qualifying experience may be accepted.

Applicants must possess the qualifications required in their respective States for appointment to the highest prosecutorial offices, and extensive experience in a professional legal capacity which is of relevance to the work of the Court. Familiarity with multiple legal systems, especially common law and civil law, will be an asset.

QUALIFICATIONS AND EXPERIENCE

The successful candidate will have extensive and proven practical experience, in particular as a prosecutor, in the investigations, trials and appeals of complex criminal cases; a demonstrated record of independence, impartiality and commitment to upholding justice, accountability and human rights, and ensuring gender equality; demonstrated management and leadership experience; and an in-depth knowledge of national or international criminal law and procedure, international humanitarian law and public international law.

He or she must possess the following competencies and skills to the highest standard, including progressively responsible experience in criminal law practice, whether at a national or international level, including substantial experience in senior prosecutorial, judicial or equivalent legal leadership roles:

- **Professionalism** – extensive knowledge and experience in the investigation and prosecution of serious crimes in domestic and or international criminal courts and tribunals, including proven track record in managing complex investigations/trials in light of the relevant standards of proof in the pre-trial, trial and appeals phases of the criminal justice process; understanding of the relevance, credibility and admissibility of evidence, including scientific, electronic and digital evidence; excellent courtroom experience; strong conceptual, analytical and problem solving skills, with the ability to identify problems and propose solutions; high level of commitment and understanding of the various functions of an international public prosecutor taking into account the rights of victims, witnesses and others as well as commitment to the fair trial and fair treatment of all persons including suspects and defendants; conscientious efficiency in honouring commitments, meeting deadlines and achieving results; excellent interpersonal skills.

- **Judgement/decision making** – independence, impartiality and mature judgement; initiative, imagination and resourcefulness; energy and tact; proven ability to identify key issues in complex and sensitive situations and to take appropriate decisions.

- **Integrity** – high moral character; high commitment to the values and guiding principles of the ICC and impeccable personal and professional integrity; respect for diversity in all its forms including gender, race, religion, nationality, sexual orientation, disability etc.

- **Strategic awareness** – ability to identify strategic issues, opportunities and risks and to generate and communicate broad and compelling investigation/prosecution strategies/directions and objectives relating to such matters to all stakeholders; ability to identify challenges, in particular, those arising from and related to the specific nature of the ICC and respond effectively thereto; demonstrable ability to provide strategic direction and the development and or review of organisational policies and strategies.

- **Leadership** – proven and demonstrable track record of independence, impartiality and discretion as well as excellent management and technical, legal and leadership skills; ability to deal effectively with sensitive and contentious matters under pressure; proven ability to develop clear goals that are consistent with the agreed strategies and to establish good relationships and build team spirit with staff of the ICC and a broad range of people.

- **Financial competencies** – established financial and budgetary competencies (as demonstrated by previous experience in efficient and effective management of funds).

- **Planning and Organizing** – excellence in successful planning with strong managerial skills; proven ability to plan and establish priorities and to ensure effective work structure to maximize efficiency and effectiveness and to achieve goals.

- **Communication** – excellent oral and written communication and negotiation skills with proven ability to communicate with diverse audiences and stakeholders and ability to establish and maintain effective interpersonal relationships in a multi-cultural, multi-ethnic environment with sensitivity.

- **Digital Technology** – an understanding of the challenges and opportunities associated with coherent effective information management strategies and emerging technologies, including in the preparation and management of cases and the conduct of investigations.

KNOWLEDGE OF LANGUAGES

The candidate shall have an excellent knowledge of and be fluent in at least English or French, the two working languages of the ICC. A working knowledge of the other language would be considered an asset. Knowledge of another official language of the ICC (Arabic, Chinese, Russian, Spanish) would be considered an added advantage and asset.

APPLICATION PROCEDURES

Applicants are requested to submit their applications via email to the Secretariat of the Assembly of States Parties at asp@icc-cpi.int.

The following documents shall be submitted with the application:

1. Cover letter, including a statement outlining the reasons and motivation for the application and a summary of relevant experience (2 pages maximum, in Word format)
2. Curriculum Vitae (6 pages maximum, in Word format)
3. Letters of reference from a supervisor, a peer and a supervisee (one (1) letter from each).

If an application is submitted by a State Party (or group of States Parties) it shall also be accompanied by a note verbale clearly specifying the State Party or States Parties submitting the application.

Applications will be assessed against the job requirements by an Advisory Committee on the Election of the Prosecutor.

Applicants deemed not qualified by the Advisory Committee will be informed by the Secretariat of that determination.

Applicants who are found to be qualified by the Advisory Committee will have their applications (items 1 to 3 above) published on the website of the Assembly of States Parties.

All applicants found qualified will be interviewed and assessed by the Advisory Committee. The report of the Advisory Committee on the qualifications of the applicants will be made publicly available and posted on the Assembly website.

All applicants found qualified by the Advisory Committee will be subject to a due diligence process carried out by the Independent Oversight Mechanism ("IOM") in accordance with resolution ICC-ASP/22/Res.3, annex II. The due diligence process includes a confidential channel for the IOM to receive allegations of misconduct against applicants. Any allegations found by the IOM to be credible, reliable and verifiable may exclude an applicant from further consideration in the process. The Bureau of the Assembly of States Parties will inform States Parties of any adverse findings by the IOM against an applicant where that information has led to the exclusion of the applicant from further consideration. Applicants who are excluded from further consideration will have their applications removed from the Assembly website.

All applicants found qualified by the Advisory Committee will be required to participate in public roundtables to present their candidacy and to answer questions from States Parties and civil society.