

Statement submitted to support the nomination of Dr. Antoine Kesia-Mbe Mindua as judge of the International Criminal Court.

My country, the Democratic Republic of the Congo, has suffered recently from the throes of the war and it is still experiencing, especially in the eastern provinces, serious breaches of international humanitarian law and human rights, particularly against women. Our people are now convinced that impunity is one of the reasons for these repetitive violations. Recognizing the importance of the international criminal justice system, especially for Africa, my country was the sixtieth to ratify the Rome Statute of the International Criminal Court (“the Court”), allowing the latter to enter into force. My Government has agreed to transfer to the Court’s Detention Unit at The Hague its nationals indicted by the Prosecutor; and they constitute today the majority of the Court’s detainees. Moreover, my country collaborates very closely with the International Criminal Tribunal for Rwanda (ICTR) on the arrest of the accused and suspects. However, my country has never had the honour of having one of its nationals elected judge of the Court.

Personally, I am a believer and fervent defender of the Rule of Law. I am committed to the ideals of human rights. That is why I have always been a human rights activist both at a national as well as at an international level. My university background and my career certainly demonstrate this. As a former Legal Officer of the ICTR in Arusha, I personally took part in the work of international justice in Rwanda. Today, I also contribute to the work of justice and reconciliation in the former Yugoslavia in my capacity as judge of the International Criminal Tribunal for the former Yugoslavia (ICTY). The Government of the Democratic Republic of the Congo has always encouraged my personal commitment as well as my international judicial activities. My profound conviction is that the law, particularly international humanitarian law, must be used to protect the most vulnerable, and that its judicial implementation is crucial to put an end to the vicious circle of violence, through the end of impunity.

As a professional of criminal courts of law in my country and within the United Nations system, and in accordance with my personal convictions, being an ICC judge would be the logical outcome of my struggle in the service of the weak. If I am elected judge, I will greatly contribute to the work of this high jurisdiction whose challenges I know very well, such as the slowness of the proceedings with the consequences of excessive expenses, as well as its current disrepute in some public opinion. My practical experience in the judiciary, military and diplomacy as well as my academic background have prepared me for this post. Actually, it is essential that the international (criminal and humanitarian) law be implemented in a diligent and responsible manner. Peace and development depend on this,

Done at The Hague,
11 May 2011

Dr. Antoine Kesia-Mbe Mindua