

**APPLICATION OF MRS. REINE ALAPINI-GANSOU, PROPOSED BY
THE GOVERNMENT OF THE REPUBLIC OF BENIN FOR THE POST
OF JUDGE AT THE INTERNATIONAL CRIMINAL COURT.**

INTRODUCTION

The Republic of Benin has ratified the Rome Statute of the International Criminal Court in January 2002. In collaboration with the Benin Coalition for the International Criminal Court, the Government works towards the adoption of a law for the domestication of the Rome Statute.

a- Criteria of the moral character, impartiality and integrity of Mrs Reine ALAPINI-GANSOU

Mrs. Reine ALAPINI-GANSOU is a Benin citizen. Her application is submitted by the Government of the Republic of Benin by virtue of Article 36 of the Rome Statute of the International Criminal Court and Resolutions ICC-ACP/3/Res -6 amended by resolutions ICC-ASP/5/Res 5 and ICC-ASP/12 Res-8 adopted by the Assembly of States Parties on 10 September 2004, 1 February 2007 and 27 November 2013 respectively.

She was born in Abidjan, Côte d'Ivoire on 11 August 1956. She holds a joint Diploma of Advanced Studies (DEA) of the University of Maastricht in the Netherlands, Bhutan and Lomé in Togo. Besides, she holds a Master Degree in Business Law and judicial Careers of the National University of Benin. Mrs. Reine ALAPINI-GANSOU studied in the civil law system but she got a law degree in Common Law from the University of Lyon 3 in France.

In view of her career in the field of International Human Rights Law and Humanitarian Law, Mrs. Reine ALAPINI-GANSOU obtained several diplomas in the field of Development, Environmental law and Women Rights. For her great contribution serving the cause of human rights, she received numerous awards including:

- 1- The Human Rights Award of the fiftieth anniversary of African States independence awarded by the “Académie des Sciences d'Outre-Mer” Sorbonne, France, 27 November 2010;
- 2- The Prize of the 25th anniversary of the African Commission on Human and Peoples’ Rights for her contribution serving the cause of Human Rights in Africa, 25 October 2012, Yamoussoukro, Côte d'Ivoire;
- 3- Prize for her contribution to the fight against discrimination based on sexual orientation against homosexuals, Geneva, UNAIDS, 16 May, 2014.

b- Skills for judicial functions at the national level

- In the academic field:

Mrs. Reine ALAPINI-GANSOU is a research lecturer and a PHD candidate at the Faculty of Law and Political Science of the University of Abomey – Calavi, Benin. In this capacity, she wrote a paper on “*the strict interpretation of criminal law: the role of the World Trade Organization for the protection of the environment*”. In 2002 at the scientific Congress in Lomé, she presented a paper titled “*The new dimensions of guiltiness in penal procedures*”. She is also an associate lecturer of law and legislation at the Institute of Human Rights and Democracy and the Faculty of Health Sciences in Benin. She is currently taking part in the preparation of a syllabus for nurses in Benin.

She is the author and co-author of several publications including:

- ✓ « De l'article 64 à l'article 122-1 du code pénal : une réforme à mi-chemin ». Published in the annual review of the Mental Health Support in Africa «Réalités Africaines» 1999;
- ✓ « Aspects Psycho-pathologique du viol en Afrique : Cas du BENIN et du CONGO » ;
- ✓ "Violences faites aux femmes: intérêt de la mise en place d'une cellule de prise en charge médico-psycho-juridique". Published in Bénin Médical nos 39/ 40 – 2008 ;
- ✓ « Le code des personnes et de la famille du Benin à l'épreuve de l'application » (2012) (to be published) ;

In the area of Bar:

- She is a Lawyer admitted to the Bar of Benin since 1986 (actually she is registered as the 24th member of the Bar Association of Republic of Benin) ;
- Former intern for the International Bar Association Conference in Paris (1988) ;
- Former intern of the International Development Law Organization in Rome, Italy from 2000 to 2002 ;

- She took part in the project "Justice for all in Rwanda" after the 1994 genocide for Lawyers without Borders Association of Belgium in 2001 ;
- Member of the International Criminal Bar Association and the International Association of Defence Counsel ;
- As a lawyer, she was appointed, since 2012, as trainer at the International Training Centre for Francophone Lawyers on the procedures before the International Criminal Court ;
- As a lawyer she was actively **involved in advocating for the repeal of Article 336 of the Penal Code relating to adultery** which was unconstitutional as it discriminated against women ;
- In Benin, she has been a member of the National Commission of Codification and Legislation and served as a consultant for the Cell Analysis and Planning of the National Assembly of Benin for the reform of the new Criminal Procedure Code of Benin.

c- Competences in the fields of criminal law, criminal procedure, criminal proceedings and in international law

i. Competences in the field of Criminal law and Criminal Procedure

- ✓ Mrs. Reine ALAPINI-GANSOU teaches Criminal Law and Criminal Procedure at the University of Abomey Calavi in Benin since 2001 ;
- ✓ Trainer at the International Training Centre for Francophone Lawyers on the procedures before the International Criminal Court since 2012.

ii. Competence in the field of International Law

- ✓ Since her election in 2005 and re-election in 2011 as member of the African Commission on Human and Peoples' Rights (ACHPR), Mrs. Reine ALAPINI-GANSOU **held various senior positions in this quasi-judicial institution ;**
- ✓ Mrs. ALAPINI-GANSOU **was the Chairperson of the African Commission on Human and Peoples' Rights (2009 –2011).** In this capacity, she headed several human rights promotion missions in Africa

namely in the Democratic Republic of Congo, in Mauritania, in Algeria, in Tunisia, in Libya and in Togo ;

- ✓ She has been many times Chair or member of the **Moot Court** organised by the African Center for Human Right of Pretoria University ;
- ✓ She instigated the referral to the African Court on Human and Peoples' Rights of massive violation of Human Rights that occurred in Libya in 2010 ;
- ✓ **She has been the Chairperson of the ACHPR's Committee on the Protection of the Rights of People Living with HIV and those at Risk, Vulnerable to and Affected by HIV (2009-2011) and she is still a member.** In this regard, she is an expert consultant for the UNAIDS on the rights of people living with HIV, vulnerable people and sexual minorities ;
- ✓ **As a member** of the Working Group on the Rights of Older Persons and Persons with Disabilities in Africa since 2007, she is taking part in the elaboration of two legal instruments on the promotion and protection of the rights of older persons and persons with disabilities in Africa ;
- ✓ **Mrs. Reine ALAPINI-GANSOU is Special Rapporteur on the situation of Human Rights Defenders in Africa from 2005 to 2009, and from November 2011 to date.**
 - In this capacity, she participated in several seminars on various topics related to the promotion, protection and capacity building of Human Rights Defenders. She contributed to editing textbooks and workbooks as well as a communication tool for the rights of human rights defenders. She organized several seminars on human rights ;
 - As Special Rapporteur on human rights in Africa, Mrs. Reine ALAPINI-GANSOU lead two studies on the situation of women Human Rights defenders and on Freedom of Association and peaceful Assembly respectively. She is also drafting **Guidelines of Human Rights and Countering Terrorism.**
- ✓ **She is a Member of the Permanent Court of Arbitration of the United Nations in The Hague** since 9 July 2011 ;
- ✓ **Mrs. Reine ALAPINI-GANSOU was appointed member of the fact finding mission on the electoral violence in Côte d'Ivoire in May to June 2011;**

- ✓ At the time of her application, Mrs. Reine ALAPINI-GANSOU is **head of the Human Rights Component of the International African Support Mission in Mali and for MISAHÉL** since 1st April 2013.

d- Languages

Though from a Francophone background, Mrs. Reine ALAPINI-GANSOU has a good knowledge of English and is able to speak and write in English. Throughout her mandate as a member of the African Commission and as Special Rapporteur on the Situation of Human Rights Defenders in Africa, she has had the opportunity to make use of these skills and improve it. She has a good knowledge of computers.

e- list application

For purposes of paragraph 5 of Article 36 of the Rome Statute, Mrs. Reine ALAPINI-GANSOU is proposed by the Government of the Republic of Benin for the post of judge at the International Criminal Court on the **list B** of applications

f- Specialized legal expertise

- ✓ She was a consultant for the World Health Organisation (WHO) to develop a bill on the promotion and protection of Human Rights of the mentally ill (2008);
- ✓ She was a consultant for the International Labour Organisation (ILO) on the Human Rights of the mentally ill and people living with HIV in the workplace;
- ✓ She is a Qualified Arbitrator at the Chamber of Commerce and Industry of Benin;
- ✓ She is a Qualified Arbitrator at the Cotton Inter-professional Association of Benin;
- ✓ As a member of the Coalition for the ICC-Benin, she has developed and implemented a project aiming at drafting a law for the domestication and implementation of the Rome Statute in Benin;

- ✓ She is a member of several women's associations. As a former member of the Association of Women Lawyers of Benin, a founding member of WILDAF – Benin (Women in law and Development in Africa) and ABDD (Association Béninoise pour le Droit de Développement), she initiated several laws protecting women in Benin. Among them are the following:
 - Law on the repression of female genital mutilation, n° 2003-03 of 3rd March, 2003;
 - Family Law Code n° 2002-07 of 24th August, 2004;
 - Law on the protection of people living with HIV n° 2005-31 of 5th April, 2006;
 - Law on the repression of sexual harassment in Republic of Benin n°2006-19 of 5th September, 2006;
 - Law on the promotion and protection of the mentally ill in Benin.

To date, she is a Legal counsel for women victims of violence at the Centre for Law and Development of Women of WILDAF-BENIN network. In this line, she handled more than 200 matrimonial cases, succession, and rapes assault and battery either through amicable settlement or before the courts.

g-Indication of nationality

Mrs. Reine ALAPINI-GANSOU is Benin citizen as evidenced by her, attached, certificate of nationality.