

# COALITION FOR THE INTERNATIONAL CRIMINAL COURT

*This questionnaire has been developed by civil society to complement the assessment process conducted by the Advisory Committee on Nominations of Judges (ACN) for candidates seeking election as judges of the International Criminal Court (ICC) in 2026.*

*The questionnaire seeks to provide additional information on candidates' professional experience, judicial philosophy, approach to independence and integrity, understanding of victims' rights, leadership and workplace culture, and broader vision for the Court.*

**Name of Candidate: Mette Lyster Knudsen**

**Date: 31 August 2026**

**Motivation:**

1. What motivates you to seek election as a judge of the International Criminal Court at this particular moment in the Court's development?

We live in a time where the rule of law is threatened and challenged. The International Criminal Court is facing several serious challenges such as sanctions, numerous reports of poor work climate inside the Court, a large number of outstanding arrest warrants, and a small number of convictions.

The International Criminal Court is a central pillar of the international criminal justice system, and it remains the key institution to provide justice for victims of the most atrocious crimes.

As president of the Danish Association of Judges and from my leadership positions within the European and International Association of Judges, I believe it is essential to fight for the rule of law and the international criminal justice system.

I have dedicated my whole career to uphold the rule of law, fighting impunity, and to bring justice to victims of the most serious crimes. I would be honored to be appointed and to contribute to fulfilling the mission of the Court through my work as a judge. If elected, I would contribute to fostering a strong, collegiate working environment and focus on creating the highest degree of legal professionalism which in turn would lead to a stronger and better Court.

2. In your view, what are the ICC's greatest institutional and legal challenges over the next decade, and how could judges contribute to addressing them?

It is evident that the ICC faces a number of serious challenges.

I would by way of example point to the following challenges:

- The low number of convictions since 2002.
- The slow pace the Court is working at.
- Sanctions and campaigns against the Court.
- Non-cooperation by States Parties.
- Lack of universality and withdrawals of states parties.
- The lack of impact in ongoing conflicts, including the weak enforcement of arrest warrants.
- The Court's case-law on specific legal issues.
- How to handle victim rights and reparations under the Rome Statute, reflecting the practice of the Court and the circumstances of the specific situation.
- The Court's role vis-à-vis peace processes.
- Reports of poor workplace culture inside the Court.

I do not believe that these challenges are easily dealt with, and some of the most serious challenges such as sanctions and non-cooperation by States Parties are ultimately not something that judges can handle as they obviously involve political issues.

However, as a senior judge and with my long career of legal service, I do believe as legal professionals that judges have an important role to play. In my view, it is vital for any court to be perceived as delivering justice and bearing in mind that justice must not only be done but must also be seen to be done.

The way forward to improving the perception of the Court in the eyes of the international community in my view involves several ways forward focusing

on the one hand on building a stronger Court from within and on the other hand on the relationship and communication with relevant stakeholders and the international community in a broader sense.

As judges, we set the tone through our conduct, our case-management, and the quality of our decisions. We create the work environment at our court, and we communicate to the outside world through the quality and tone of our decisions and case-law.

As mentioned above, if elected, I would contribute by fostering a strong, collegiate working environment and focus on creating the highest degree of legal professionalism which in turn would lead to a stronger and better Court.

3. How would your professional background, expertise, and personal experience contribute to the effectiveness, legitimacy, and diversity of the Court?

I have more than 30 years of hands-on experience in the Danish legal system, including senior positions both in the Judiciary, the Ministry of Justice, and the National Police and Prosecution Services. I am confident I would be able to contribute, if elected, from day 1 to the effectiveness of the Court.

Since 1995, I have been an adjunct professor at the University of Copenhagen in the Law of Evidence and Witness Examination and thus have special expertise and practical experience in the area of evidence and its role in trials. I have dealt professionally with all phases of a criminal case, and as a judge with both the pre-trial, trial and appellate phases.

I have extensive courtroom experience both from my years as a prosecutor before the largest District Court in Denmark and the Court of Appeal, and as a judge for more than 11 years, and a High Court Judge for 7 years.

I have extensive experience as Presiding Judge and as deputy Presiding Judge in a large number of cases involving all categories of criminal cases, including murder, terrorism, organized and cross-border crime, cybercrime, rape, serious violence including against women and children, and a large number of cases involving interpretation and application of the European Convention of Human Rights, EU law, and the UN Convention on the Rights of the Child.

I have extensive experience with complex and highly technical evidentiary assessments in comprehensive, sensitive and complex cases involving specialized investigations and prosecutors. I have comprehensive experience

managing such cases successfully as well as the needs and expectations of witnesses and victims. I am a strong consensus-builder and team-player, putting the integrity and legal quality of the court's work first.

As also stated in The Paris Declaration on the Effectiveness of International Criminal Justice, I know the importance of Presiding Judges, in addition to their purely judicial activities, to fulfill their managerial role in preparation of any hearing and in the conduct of proceedings. As both Presiding Judge, Pre-Trial Judge, Pre-Appeal Judge, and Appeal Judge, I have played and play an active role prior to the opening of the case and during the course of the proceedings, in close consultation with the parties, to continuously determine the number of witnesses to be heard, the modalities of hearings, and the time required for the presentation of evidence. Furthermore, I practice provisional but continuing deliberations after the testimony of each witness, rather than postponing all deliberations until the final stage.

I believe that what characterizes an efficient and competent Presiding Judge is a blend of legal mastery, managerial leadership, and personal temperament: Patience, open-mindedness, empathy, courtesy, tact, courage, punctuality, firmness, and a mindset for process improvement.

In addition, I am confident I also would be able to strengthen the Court's legitimacy and diversity.

As President of The Danish Association of Judges and active in leading positions in both the European and International Association of Judges, I am highly respected among my peers, and I have experience in working with judges from different backgrounds and different legal systems. Diversity and legitimacy are not only about numerical representation but also about ensuring that a diverse set of views and backgrounds is utilized to produce the strongest possible outcome. I come from a country based on the rule of law and a very strong tradition for an independent judiciary. Denmark and the Nordic countries consistently rank at the very top of European and global indices measuring the quality, efficiency, and independence of justice systems, and in 2025, Denmark ranked 1st globally in the World Justice Project Rule of Law Index.

I will approach the work at the Court and fellow judges and staff as I already work with my national and international colleagues in a spirit of openness, respect, and curiosity. I will strive to learn from others and seek common ground and consensus in deliberations using the differences to strengthen the quality of the work of the Court. In my experience, such legal dialogue can lead

to a consensus, which ultimately strengthens the legal findings and their standing outside the Court.

Regarding diversity I would also add that since the creation of the International Criminal Court in 2002, I would only be the second Nordic judge and the very first Danish judge. If elected, I would be able to bring the hallmarks of the Nordic legal profession to the Court, namely an exceptionally high level of societal and institutional trust, and a focus on consensus-building and delivering real-world results.

**Relevant experience as a criminal law practitioner (List A) or international law expert (List B)**

Please respond to the questions below depending on your relevant experience and background.

**List A – Criminal Law Practitioners**

4. Please describe your experience as a judge, prosecutor, defence counsel, or other criminal law practitioner in domestic and/or international criminal proceedings.

Please include:

- the types and complexity of cases handled;
- your specific responsibilities;
- experience managing lengthy or complex proceedings; and
- examples of difficult legal substantive or procedural challenges you encountered and how you addressed them.

I have been a judge for more than 11 years.

From 2014 to 2015, I was appointed as Acting High Court Judge. In 2015, I was appointed Judge in next largest District Court of Denmark, and in 2019, I was appointed High Court Judge in the Eastern High Court in Copenhagen. The High Court mainly processes cases of appeal from the District Courts and certain cases of a principal nature.

As District Court Judge, I had pre-trial duties such as conducting hearings on confirming arrest, reviewing detention and granting or denying the police/prosecution certain investigative measures such as search, seizure, and wiretapping. I was also elected by my colleagues as head of the section responsible for preparing criminal trials. I was responsible for all categories of

criminal cases, including terrorism, organised and cross-border crime, cybercrime, rape, homicide, deprivation of liberty, serious violence (including against women and children).

As High Court Judge, I have been dealing with all categories of criminal cases, including terrorism, organised and cross-border crime, cybercrime, rape, homicide, deprivation of liberty, serious violence (including against women and children), and cases concerning the lawfulness of police use of force. I have also heard a large number of cases involving interpretation and application of the European Convention on Human Rights, EU law, and the UN Convention on the Rights of the Child. Many of the cases involved complex issues regarding, inter alia, expulsion, deprivation of liberty, administrative detention (including psychiatric involuntary detention and mechanical restraint), and rights of children, e.g. when they are victims of domestic abuse and violence and may be called to testify in the case against their parents.

I have long-standing experience in complex and highly technical evidentiary assessment in comprehensive cases and lengthy proceedings involving specialized investigations and prosecutors.

I have extensive experience as Presiding Judge and Deputy Presiding Judge. In this capacity, I also have extensive experience with case management and administrative duties such as reviewing case papers, conducting preliminary hearings, approving final court orders, managing cases through technology, both in court and in chambers, and managing legal processes to ensure efficient progression. Moreover, I have extensive experience in legal leadership: Ensuring fairness, maintaining courtroom order, and providing leadership within the judicial system to ensure the efficient dispatch of business.

Over the years, I have dealt with all types of objections and motions from prosecutors, defence counsel, and victims counsel.

As a prosecutor, I dealt with mainly the following categories of criminal cases: Rape, child pornography, violence (including against women and children, and in relation to gang-related and organized crime), robbery and aggravated theft. Apart from prosecuting these cases before the courts, I also had the responsibility of following the police district's criminal investigations in all phases and advised on procedural rules etc.

During my time as Head of Section in The Danish Ministry of Justice, I, inter alia, contributed to Danish interventions before international courts.

As a judge for many years and especially working as part of a panel of judges, I address difficult legal substantive or procedural challenges by focusing on extensive preparation and study of the applicable legal framework and relevant case-law, in some cases with close and guided cooperation with legal assistants and administrative staff, and ensuring that the prosecutor, the counsel for the defence and where relevant also counsel for the victim(s) have the opportunity to be heard and submit their views both on fact and the law.

I always make an effort to ensure that findings and decisions are clearly and precisely articulated. Furthermore, I focus on creating a culture of deliberation among the judges as well as seeking consensus. I believe that promoting consensus is a strength which builds on the intellectual curiosity to understand the other arguments and points of view – engaging in a dialogue and utilizing judicial independence. In my experience, this does not only ultimately enhance the quality of the legal findings and decisions but also enhances the standing of the findings and decisions outside the Court and the perception of justice not only being done but also being seen to be done.

5. Please describe any experience you have applying:

the Rome Statute;  
international criminal law;  
international humanitarian law;  
domestic legislation incorporating international crimes;  
the jurisprudence of the ICC or ad hoc tribunals; or  
universal jurisdiction.

My extensive judicial career has focused on domestic criminal law and procedure. That said, I have throughout my career been working with international law issues pertaining to domestic criminal law and procedure.

Early on, as Head of Section in the Danish Ministry of Justice, my duties included assessment of new Danish legislation regarding compatibility with international human rights and EU law obligations. As mentioned above, I also made contributions to Danish interventions before international courts.

As Head of and Deputy Head of Department in the Danish Ministry of Justice, I chaired inter-ministerial working groups on implementation of EU legislation, inter alia, in the field of international criminal law. During the Danish EU Presidency in 2002, I was responsible for the coordination of

initiatives in the fields of international criminal law and co-operation in police matters.

In 2012, I was Chair of the EU working group on information exchange and data protection during the Danish EU Presidency.

As Deputy Police Director, I was the representative of Danish Police in an international programme organized by civil society partner Dignity, focusing on the prevention of torture in Jordan.

From 2023 to 2024, I was Chair of a government-appointed Expert Committee mandated to analyse Danish legislation and propose legislative amendments concerning the independent criminalisation of war crimes and other international crimes in the Danish Penal Code in accordance with the Rome Statute. In that capacity, I was responsible for the committee's legal analysis, drafting work, and preparation of legislative proposals which were subsequently presented by Government and within six months passed by a broad majority in parliament. I was also responsible for the committee's interactions with various ministries and national authorities as well as the dialogue with Danish and international civil society.

Both as a District Court Judge and as a High Court Judge, I have heard a large number of cases involving interpretation and application of the European Convention on Human Rights, EU law, and the UN Convention on the Rights of the Child.

6. Please identify any judicial decisions, legal opinions, or pleadings you authored or contributed to that are particularly relevant.

I can refer to the cases listed above under question 4 as I either authored or contributed to those judicial decisions.

### **List B – International Law Experts**

7. Please describe your experience in public international law, international humanitarian law, international human rights law, and/or international criminal law, including:

- litigation;
- legal advisory work;
- investigations;
- treaty interpretation; or
- institutional practice.

8. Please identify publications, legal opinions, submissions, or other professional work you authored or co-authored that are particularly relevant to the work of the ICC.

I am the co-author of the 300+ pages expert report on the independent criminalization of the Rome Statute crimes under the Danish penal code and the question of how to integrate the Kampala amendments and other additions to the Rome Statute. The report served as the background to the addition of a stand-alone chapter on international crimes to the Danish penal code which was the most comprehensive update to this area of law in over a hundred years.

### **Victims' Rights**

Victim participation is a defining feature of the Rome Statute system and central to the legitimacy of the International Criminal Court. However, civil society and victims' representatives have raised concerns regarding increasingly restrictive approaches to participation, inconsistent jurisprudence, and procedural barriers that undermine meaningful engagement.

9. What, in your view, are the principal obstacles to meaningful victim participation and reparations before the ICC, and how should judges address them in practice?

As candidate under list A, my own experience with victim participation and reparations stems from the domestic criminal law and procedure of my own country Denmark.

In our domestic system, victims do not have general standing as independent parties to direct the criminal prosecution. The state decides whether to charge, indict, or drop a case. Under the Administration of Justice Act, the police must inform victims of case progress, support services, and their right to legal representation paid for by the state. Victims of serious crimes (such as sexual assault, serious violence, or robbery) are typically assigned a legal advocate by the court free of charge. This lawyer assists during police interviews, prepares civil claims, and supports the victim through the trial. Victims frequently participate as key witnesses during the trial, and in specific cases, the court can order that certain measures be taken to protect their dignity and safety. With regard to reparations, a victim can ask the police or the court to include a civil claim for financial damages (compensation for personal injury, lost wages etc.) directly during the criminal trial. If the offender is unknown, insolvent, or acquitted, or if insurance does not cover the loss, victims can apply to the Criminal Injuries Compensation Board pursuant to the State Compensation to Victims of Crime Act.

In the context of my work on the implementation of the Rome Statute crimes in the Danish penal code, I have learnt about the special role of victim participation and reparation for the ICC. Therefore, I am familiar with the criticism that concerns restrictive judicial interpretations, fragmented jurisprudence across different chambers, and procedural barriers regarding, inter alia, limited legal aid, tight filing deadlines, and limited access to core court documents, and that these factors might undermine the victims' right to meaningful participation in the proceedings. I am also familiar with the criticism that concerns the Court's ability to manage expectations, navigate operational realities, and secure sustainable funding.

With regard to victims' participation in the proceedings, article 68 (3) of the Statute allows for the Court to permit the views and concerns of the victims to be presented and considered at the appropriate stages of the proceedings and in a manner that is not prejudicial to or inconsistent with the rights of the accused and a fair and impartial trial.

The Rules of Procedure and Evidence also set out important rules for the rights of victims, and I also take note of the general principle in rule 86 that needs of all victims and witnesses shall be taken into account when making any direction or order, in particular with regard to children, elderly persons, persons with disabilities and victims of sexual or gender violence.

As noted in the report of the Internal Expert Review, the rules on victims' participation created a "novel participatory regime" that leaves considerable scope for judicial flexibility. This regime is intended to give victims a meaningful role with substantial impact but always ensuring that the implementation does not result in an unfair trial.

The Chambers Practice Manual also has rules on a procedure for admission of victims to participate in the proceedings and sets out a system for admission of victims to participate in proceedings which will generally be applicable at all stages of proceedings.

As a Judge, I will apply those rules conscientiously and in light of the multifaceted intentions behind the rules and the relevant case-law - drawing on my experience as a Judge.

It is always difficult to judge such a defining feature of a court without detailed knowledge of the internal daily workings of the Court. However, in my experience, transparency in judicial proceedings and coherence in

jurisprudence are absolutely central. Specifically, regarding reparations, the further development of consistent and coherent principles and incorporation in the Chambers Practice Manual of standardised, consistent and best practices in the reparations phase may help to address some of the concerns raised.

In my opinion, early, effective and intensified information and outreach with regard to identifying, facilitating, registering, and processing victims and application forms for participation and reparations would also enhance victims' rights.

10. How can judges ensure that proceedings and trials remain accessible and meaningful for affected communities while respecting the rights of the accused?

As a Judge for many years, I carefully balance the rights of an accused person and the rights of victims on a daily basis.

This balance must be guided by the fundamental principles of a fair and expeditious trial, including the presumption of innocence, and the right of the accused to confront evidence and present evidence. These fundamental principles are also enshrined in the Rome Statute, article 66, on the presumption of innocence, and article 67 on the rights of the accused.

Article 68 (1) of the Statute on the protection of the victims and their participation in the proceedings directs the Court to take appropriate measures to protect the safety, physical and psychological well-being, dignity and privacy of victims and witnesses. Article 68 (3) allows for the Court to permit the views and concerns of the victims to be presented and considered at the appropriate stages of the proceedings and in a manner that is not prejudicial to or inconsistent with the rights of the accused and a fair and impartial trial.

The Rules of Procedure and Evidence also set out important rules for the rights of victims, including rule 88 on special measures, rule 89 (1) on application for participation of victims in the proceedings, which may include making opening or closing statements, and rule 93 on a Chamber seeing the views of victims or their legal representatives.

I would be guided by these rules and by the jurisprudence of the Court and also draw upon my many years of professional experience in this regard.

For victim participation to become a real possibility and to secure victims' rights, I believe it is important to focus on early outreach, sufficient legal aid and legal representation and thus on all stages of the proceedings. It is also important to focus on managing expectations of victims, and to navigate operational realities. At the same time, as a judge I must apply the relevant rules as a whole and also ensure respect for the rights of the accused and the goal of expeditious proceedings.

11. Please provide examples of how you have incorporated victim-centered or trauma-informed approaches in your professional work.

The Rome Statute gives victims agency and rights, and as a judge I will apply those rules conscientiously.

I have heard many cases where victims and their testimony have been central. As a prosecutor, I have interviewed hundreds of victims. I have the utmost respect for victims and their strength to enter the courtroom, perhaps face their wrongdoers, and to recount their horrific experience. Talking about a victim-centered approach is in itself not enough.

I have special expertise and practical experience regarding violence against women and children and in working with witnesses, survivors, and victims of sexual and gender-based violence having worked on numerous cases in this area both as a prosecutor, and as a judge.

Since 1996, I have taught at the University of Copenhagen as an adjunct professor and done research in the law of evidence and witness examination, including with a special focus on children and other vulnerable or traumatized victims and witnesses,

Since May 2024, I have trained senior and specialised prosecutors and investigators in the field of complex domestic violence and abuse as well as rape, including methods of interviewing and assessing the credibility of vulnerable and traumatised victims.

I have prosecuted and presided in cases involving grave sexual offences committed against women and children.

Most recently, I have been invited to contribute to a research project at the University of Copenhagen, which aims to expand knowledge about the work with cases of psychological violence and related forms of crime, including stalking, harassment and rape. The aim of the work is to come up with a

number of research-based recommendations that will be able to support the work on criminal cases concerning these types of abuse.

As a professional judge, I cannot comment on concrete cases, but I draw upon my experience and expertise both as a practitioner and as an academic and I bring this experience, knowledge and research into the courtroom.

## **Defence Rights**

12. Please describe your experience safeguarding fair trial rights, including:

- equality of arms;
- disclosure obligations;
- presumption of innocence;
- granting interim release;
- protection against undue delay; and
- the rights of detained persons.

The right to a fair trial is a fundamental human right and a basic principle of criminal justice. This key notion of the rule of law is also essential for the Danish criminal law and procedure and therefore a central part of my own professional experience.

As a prosecutor and Deputy Police Director, I have focused on conducting investigations and securing successful prosecutions while always ensuring that the rights of the defense are respected and upheld. This means, for example, to prioritize the pursuit of truth over winning a case, ensuring that evidence is gathered legally and presented objectively. It also means underlining the importance on full compliance with disclosure laws, ensuring the defense has timely access to all material evidence, including exculpatory evidence.

As a Judge for many years, I ensure that the rights of the defence are upheld, and I carefully balance the rights of an accused person and the rights of victims on a daily basis. This balance must be guided by the fundamental principles of a fair and expeditious trial, including the presumption of innocence, and the right of the accused to confront evidence and present evidence.

As District Court Judge, I had pre-trial duties such as conducting hearings on confirming arrest, reviewing detention and granting or denying the police/prosecution certain investigative measures such as search, seizure and

wiretapping. I was also elected by my colleagues as head of the section responsible for preparing criminal trials.

Also in my current role, at the Danish Eastern High Court, I work on a daily basis with defence teams and ensure as judge in complex criminal cases their rights.

As President of the Danish Association of Judges, I have close cooperation with the Danish Bar Association and The Danish Association of Defense Lawyers with regard to – on a politically neutral bases – securing the rights of the defence, improving the rule of law for the benefit of citizens and enterprises and for a well-functioning society based on the rule of law.

### **High Moral Character, Independence, and Impartiality**

13. Article 36 of the Rome Statute requires judges to be persons of “high moral character, impartiality and integrity.” What do these qualities mean in practice, and how have you demonstrated them throughout your career?

I have more than 30 years of experience from senior positions both in the Danish Judiciary, the Ministry of Justice, and the National Police and Prosecution services. During my whole career I have focused on not only how I conduct myself professionally but also in my private life, I have strived towards always doing what is fair, just and kind.

I am a strong consensus-builder and team-player, putting the integrity and legal quality of my court's work first.

Both when I was Head of Section in the Ministry of Justice, when I was a prosecutor with the Prosecution Service at the Copenhagen Police, and as High Court Judge, I have been elected by my peers to be their representative and negotiator in matters involving work conditions and workplace conflicts acting as a liaison to the respective senior management.

For two years in a row, I have been elected unanimously by all Danish Judges to represent them in all matters that pertains to the rule of law and the working conditions of judges. I have also been asked to run for a third period as President of the Danish Association.

I am highly regarded for my expertise and collegiality also internationally, which is reflected, inter alia, in the leadership positions that my peers have

elected me to assume in both the European and International Association of Judges.

14. Have you ever been subject to (whether professionally or personally):

- disciplinary proceedings;
- allegations of misconduct;
- allegations of harassment, bullying, discrimination, abuse of authority, or sexual misconduct;
- investigations concerning professional ethics; or
- allegations of fraud

If yes, please explain the circumstances and outcome.

In 2013, when I was Director of Administration in the Danish Security and Intelligence Service (PET), representatives for the Police Union at PET made a complaint in relation to my execution of my managerial tasks. It concerned alleged misconduct in relation to a decision regarding my Chief of Staff and, separately, inaction in response to alleged misconduct of my superior, the Director General. The Police Union simultaneously submitted separate complaints about the Director General and the Director of Legal Services.

The complaint did not involve allegations of harassment, bullying, discrimination or sexual harassment, and there were no investigations concerning professional ethics or allegations of fraud.

No disciplinary proceedings were initiated. The complaint was examined by both the Ministry of Justice and the national Independent Police Complaints Authority. Both dismissed the complaint against me as totally unfounded.

I have not before or since been the subject of any disciplinary, administrative, civil or criminal proceedings.

15. Have you ever taken a leave of absence or been suspended from a position following allegations or concerns relating to professional conduct or workplace behavior? If yes, please explain.

No.

16. Please describe a situation in which you faced political, institutional, or personal pressure that could have affected your professional independence. How did you respond?

As senior judge on sensitive criminal law matters, I am used to working under pressure from mainly politicians, the media and the wider public. I have been assigned as Presiding Judge and Deputy Presiding Judge in a number of high-stake criminal cases with a lot of attention from politicians, the media and thus the wider public, e.g. in cases involving organized and gang-related crimes, including cases involving expulsion orders.

As a professional judge, I cannot comment on concrete cases. However, I have experience dealing with political pressure and how to respond to such pressure and maintaining my independence as a judge.

It is a duty for any judge to make sure that you discharge your functions without any undue pressure or influence from parties in the case or external factors such as political pressure. As a judge for many years, I adhere to those standards.

If elected to the International Criminal Court, I will continue to discharge my functions based solely on the evidence presented by the parties and in accordance with the relevant legal framework.

## **Management and Workplace Culture**

17. The ICC has faced sustained concerns regarding workplace culture, including allegations of bullying, harassment, discrimination, retaliation, and abuse of authority. What role should ICC judges play in addressing these issues?

I am familiar with these concerns and with the surveys about staff satisfaction. In April 2026, I had the opportunity to meet with representatives from the Staff Union Council at the International Criminal Court and civil society experts to learn more about this matter.

I strongly believe in a healthy work environment and in the teamwork of a court and that a healthy and safe work environment contributes to a high degree of legal professionalism.

Creating and sustaining a healthy and safe work environment is not only a matter of securing a set up for dealing with complaints of poor work environment but requires a continued focus on creating an everyday healthy and inclusive work environment both within chambers and across the Court as an institution.

As mentioned in the proposal from the Study Group on Governance, I agree that to improve workplace culture it is necessary to focus on efforts both of a managerial nature and an institutional nature.

In my experience, from my many leadership positions, as representative for fellow colleagues, and in my current position as High Court Judge and President of the Danish Association of Judges, a good judge creates an inclusive and secure working environment by the way he or she communicates with and treats legal and administrative staff and fellow judges. It also has to do with the ability to manage the courtroom in a respectful manner.

In my experience, what characterizes an efficient and competent presiding judge is a blend of legal mastery, managerial leadership, and personal temperament.

If elected, I will strive towards creating a more cohesive organizational culture, securing equal and respectful treatment of all staff, and strengthening judicial collegiality and the importance of deliberation.

18. Please describe your experience managing teams or institutions, including:

- promoting respectful workplaces;
- responding to misconduct allegations;
- supporting diversity, equity, and inclusion;
- addressing power imbalances within institutions; and
- improving workplace culture or staff wellbeing.

From my numerous leadership positions within the Ministry of Justice, the police, and the judiciary, I have extensive experience managing teams or institutions.

In my leadership positions within the police and the Security and Intelligence Service, I was, inter alia, responsible for the occupational health and safety organization, and in that capacity also responsible for developing a strategy and furthering mechanisms to ensure a safe and healthy work environment focusing also on the psychosocial work environment. I also had the overall responsibility for human resources and personnel and budgetary management, including recruitment strategies and responding to misconduct allegations. With regard to human resources, I was responsible for developing a strategy based on, inter alia, diversity and inclusion.

As mentioned above, when I was Head of Section in the Ministry of Justice, a prosecutor with the Prosecution Service at the Copenhagen Police, and as High Court Judge I have been elected among my peers to be their representative in matters involving workplace culture and staff wellbeing as well as with regard to issues of a more structural institutional nature. In the High Court, I have also been elected as president of the social union organizing various events across the Court to create a more cohesive organizational culture.

For two years in a row, I have been elected unanimously by all Danish Judges to represent them in all matters that pertains to the rule of law and the working conditions of judges. I have also been asked to run for a third period as President of the Danish Association.

As District Court Judge, I was elected by my colleagues as head of the section responsible for preparing criminal trials which involved, inter alia, the responsibility of organizing the cooperation between judges and supporting staff and working with legal assistants and administrative staff on a team-basis.

## **Thematic and Intersectional Expertise**

19. What do you consider to be the most important developments in ICC jurisprudence concerning:

- sexual and gender-based crimes;
- crimes against children; and
- gender-competent and intersectional approaches to investigations and adjudication?

As chair of the Danish expert committee on the implementation of the Rome Statute crimes into the Danish penal code, I have begun to study the case-law of the ICC and learnt about the significant changes that have taken place in these areas of international criminal law. Based on my current understanding I would point to the following three developments:

- 1) In terms of sexual and gender-based crimes, the judgment in the Ongwen case comes to mind. Here, the Court, amongst others, held for the first time that forced marriage and forced pregnancy could constitute distinct crimes against humanity. This finding was an important recognition of the specific

violence and suffering experienced by victims in Northern Uganda and therefore welcomed in many places and among victims and survivor. The decision led in my own country to the adaptation of the relevant draft legislation amending the Danish penal code to include relevant acts as separate crimes against humanity, demonstrating the impact the ICC can have with its decisions far beyond the specific case and relevant situation countries. The case also made use of Article 56 in the Rome Statute regarding pre-trial testimony to preserve evidence of vulnerable witnesses.

- 2) Regarding crimes against children, I found it remarkable to learn how the Rome Statute and the Court through its work have strengthened this category of international criminal law which in the past hadn't received much attention. The ICC itself broadened its approach from the very first case – where children only figured as victims of child soldiering – to capturing in recent arrest warrants other crimes committed against children such as their forcible transfer from Ukraine to Russia. I have also taken note that the Court in reparation orders has highlighted the need to address the enormous impact atrocity crimes have on children in terms of marking their future, for example through stigmatization or by depriving them of their education.
- 3) Finally, concerning gender-competent and intersectional approaches, I would point to the Abd-Al-Rahman Case being the first case with a conviction specifically for the crime against humanity of gender-based persecution since this offence was included in the Rome Statute in 1998. In October 2025, Mr. Abd-Al-Rahman was convicted of the crime against humanity of persecution of men and boys from the Fur tribe, as they were targeted through torture and killings due to their ethnic identity, as presumably affiliated with Fur rebel groups and for their perceived gender role as fighters. The judgment recognized these political, ethnic and gender grounds and thus the intersecting nature of multiple forms of discrimination. Importantly, the judgment thereby determined that gender persecution can be committed without sexual violence and not only against women and girls. There are more judgements forthcoming in this regard so this remains a space in which the ICC will shape important developments.

20. What challenges continue to impede accountability for these crimes before international courts?

Securing accountability for sexual and gender-based violence remains very difficult despite progress under the Rome Statute. Despite efforts like the Office of the Prosecutor's updated Policy on Gender-based Crimes and its Policy on Slavery Crimes, significant challenges remain to successful prosecutions.

Again, some of these issues are for me, as national judge, difficult to analyze from the outside. The challenges that I am aware of have to do with questions on evidentiary issues and legal thresholds, inter alia, with regard to proving command responsibility, and operational barriers and safety for victims.

Investigations are often initiated years after atrocities occur. Physical and medical evidence is rarely preserved, forcing prosecutors to rely entirely on witness memory. Also, intensive cross-examinations within formal trial structures can re-traumatize survivors, risking victims withdrawing from proceedings.

In addition, as an international institution, The ICC has no police force. It depends entirely on the cooperation with States Parties to safeguard victims, which often leaves local witnesses vulnerable to severe community backlash, intimidation, or violence if they testify.

In addition, some of these crimes such as gender persecution have not yet generated much case-law, leaving new questions to be discussed and adjudicated. In this regard I noted that in the Al Hassan case these (and other) issues generated three individual opinions by a panel of three judges. Similarly for crimes against children, it is my sense that it will take a further increased understanding of the relevant issues to fully reflect these atrocities in the work of the Court.

21. Crimes are rarely experienced along a single axis of identity. How would you approach a case where victims were targeted on the basis of intersecting identities – such as gender, age, disability, ethnicity or sexual orientation – and how would you use the legal tools offered within the Rome Statute to capture that complexity?

As a judge, I have heard cases where victims were targeted on the basis of intersecting identities. In my experience, for a judge awareness and case-specific knowledge of this complex issue are absolutely central. Expert

testimony on intersectionality and systemic bias can be of particular importance when it comes to understanding in a specific situation the complexity of intersecting identities and how these traits possibly made victims more vulnerable to the crimes. In this regard, expert testimony can be an important part of the evidence presented at the trial and the appeals' stage, but it is also important during sentencing and reparations phases.

With regard to the legal tools in the Rome Statute. Judges have a range of different options, applying to all phases of the proceedings. This includes the aforementioned question of expert testimony, applies to the confirmation of charges hearing and so on. Obviously, as judge I would have to weigh the use of any such tools carefully, on a case-by-case basis, together with my fellow judges.

In my experience, analytical support for legal assistants and staff is also of importance when identifying intersectional factors and questions. Information sharing between Chambers and divisions is also vital for enhancing knowledge across Chambers and consistency of the Court's jurisprudence.

22. What is your understanding of and views about outreach at the ICC, including during preliminary examinations? What role should the judiciary play in ICC outreach?

It is my understanding that the responsibility for outreach primarily lies with the Office of the Prosecutor and the Registry.

With regard to the role of the judiciary in outreach, active participation in outreach may risk compromising the perception of impartiality and neutrality.

As a judge for many years, I believe it is essential that judges maintain absolute independence and impartiality and must not in any way conduct themselves in any way that may question the appearance of impartiality and neutrality.

However, judges can contribute by ensuring transparency in all phases of the proceedings, by ensuring fair trials and by clear and consistent rulings and decisions on victim participation, and by enhancing public communication about the proceedings and findings and decisions.