

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: Tujilane Chizumila

Date: 16/09/2026

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?

My motivation to seek election to the International Criminal Court is rooted in a professional life that has been devoted to justice, human dignity, accountability and the protection of vulnerable persons, and in my conviction that the ICC remains an indispensable institution in the international quest to end impunity for the gravest crimes.

I come to this candidature from several complementary perspectives. I began my career as a criminal-law practitioner and advocate, representing accused persons and appearing in criminal proceedings. I subsequently served as a State Advocate, practiced privately, served as a High Court Judge, and have served as a judge of the African Court on Human and Peoples' Rights. I have also served as Ombudsman of Malawi, diplomat, and in international humanitarian and child-protection work with organizations including UNHCR, UNICEF and Save the Children. These experiences have given me an unusual opportunity to understand justice from the perspective of

the accused, the victim, the judge, the State and the international humanitarian community.

My commitment to the ICC is also personal. Having experienced displacement as a refugee child, I understand in a very direct way that conflict and political violence are not abstract concepts. They alter childhoods, families, communities and futures. My subsequent work with refugees, children and vulnerable communities reinforced my belief that accountability is ultimately about restoring human dignity and affirming that those who suffer the gravest violations have not been forgotten.

I seek election at this particular moment because the Court faces a critical test of legitimacy. It must demonstrate that it can deliver independent, fair, credible and timely justice despite political pressure, resource constraints, complex conflicts and growing public expectations. I would bring to the Court not only judicial experience, but a lifelong understanding that the ultimate measure of justice is whether law is capable of protecting human beings while simultaneously safeguarding the fundamental rights of every participant in the process.

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?

The ICC's challenges are both institutional and legal. They include dependence on State cooperation for arrests and evidence gathering; political pressure and external attacks on the Court; questions of institutional accountability and internal governance; limited resources and lengthy proceedings; the practical difficulties of complementarity where national systems are weak; persistent perceptions of selectivity; complex questions of jurisdiction; protection and meaningful participation of victims; and the increasing sophistication and volume of digital and other evidence.

The starting point for judges must be to recognise the limits of the judicial function. Judges cannot themselves remedy failures of State cooperation, determine the Court's budget or resolve political disputes. They can, however, strengthen the institution within their constitutional and statutory mandate.

First, judges must maintain uncompromising independence and impartiality. Cases must be decided according to the Rome Statute, applicable law and evidence; not according to political considerations, media pressure or external expectations. Equally, judicial independence requires restraint: judges must remain within their mandate and respect the institutional boundaries between the judiciary, the Prosecutor, Registry and Assembly of States Parties.

Second, judges can improve the Court's credibility through consistent jurisprudence. Stable, carefully reasoned approaches to jurisdiction, admissibility and complementarity promote predictability and reduce unnecessary fragmentation. A Court whose reasoning is principled, transparent and coherent is more difficult to portray as arbitrary or politically driven.

Third, judges must exercise robust case management. Article 64 provides important tools to narrow issues, control proceedings, establish realistic calendars and avoid unnecessary delay. Efficiency, however, must never become a substitute for fairness. The objective is disciplined proceedings that preserve equality of arms and the integrity of the evidentiary process.

Fourth, judges should ensure that victims can participate meaningfully without allowing participation to undermine the rights of the accused or paralyze proceedings. Participation must be practical, proportionate and sensitive to the realities of mass victimization.

Finally, judgments themselves are an important source of institutional legitimacy. They should be legally rigorous, comprehensible, transparent and sufficiently reasoned to demonstrate how the Court reached its conclusions. International criminal justice will ultimately be judged over decades, not news cycles. My aim as a judge would be to leave behind jurisprudence that is coherent, principled, restrained and worthy of confidence.

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

My principal contribution would be the breadth and combination of my professional and judicial experience.

I have served as a criminal-law practitioner and defence counsel, State Advocate, private practitioner, High Court Judge, Ombudsman, diplomat and international human-rights judge. I have also worked with UNHCR, UNICEF and Save the Children in humanitarian and child-protection settings.

Each role has shaped my understanding of justice. As defence counsel, I learned the practical importance of testing evidence, challenging unreliable material and protecting an accused person against the immense power of the State. As State Advocate, I understood the corresponding duty to prosecute responsibly, fairly and ethically. As a judge, I learned that judicial authority must be exercised with independence, impartiality, restraint and courage, particularly where decisions have profound consequences for individuals and communities.

As Ombudsman, I saw how institutional power affects ordinary people and how accountability mechanisms influence public confidence. Through my service on the African Court, I have developed substantial experience in international dispute adjudication and in applying international and regional human-rights law. My humanitarian work exposed me directly to the realities of displacement, conflict, vulnerability and the needs of refugees and children.

I therefore bring a perspective that bridges criminal justice, human rights, humanitarian protection and lived experience. I believe this combination can contribute to the effectiveness, legitimacy and diversity of the ICC by ensuring that rigorous legal analysis remains connected to the human realities to which international criminal law responds.

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.

My professional formation is fundamentally grounded in criminal law. I spent approximately eighteen years in criminal litigation and courtroom practice in Tanzania and Malawi, including service with the Tanzania Legal Corporation, where I worked as counsel and represented clients in criminal matters. I subsequently practiced privately and served as a State Advocate before becoming a High Court Judge.

- This experience exposed me to criminal proceedings from different and sometimes competing perspectives. As defence counsel, I understood the practical importance of testing prosecution evidence, challenging unlawful or unreliable material, protecting due process and ensuring that the presumption of innocence remained real and a living tool for justice. As State Advocate, I understood the obligation to

present cases fairly, responsibly and ethically. As a judge, I assumed the responsibility of ensuring that proceedings remained lawful, balanced and fair to all parties.

- My judicial career subsequently involved complex criminal, constitutional and human-rights questions, with my current service at the African Court deepening my experience in international adjudication. I have therefore progressed from advocate to State counsel, to trial judge and ultimately to international judge.
- This progression is directly relevant to the ICC. It has taught me that justice cannot be understood from only one side of the courtroom. It has also taught me to distinguish advocacy from adjudication: an advocate advances a case; a judge must remain open to every legitimate submission, assess the evidence objectively and decide according to law.
- My professional formation is fundamentally grounded in criminal law. I spent approximately eighteen years in criminal litigation and courtroom practice in Tanzania and Malawi, including service with the Tanzania Legal Corporation, where I worked as counsel and represented clients in criminal matters. I subsequently practiced privately and served as a State Advocate before becoming a High Court Judge.
- This experience exposed me to criminal proceedings from different and sometimes competing perspectives. As defence counsel, I understood the practical importance of testing prosecution evidence, challenging unlawful or unreliable material, protecting due process and ensuring that the presumption of innocence remained real and a living tool for justice. As State Advocate, I understood the obligation to present cases fairly, responsibly and ethically. As a judge, I assumed the responsibility of ensuring that proceedings remained lawful, balanced and fair to all parties.
- My judicial career subsequently involved complex criminal, constitutional and human-rights questions, with my current service at the African Court deepening my experience in international adjudication. I have therefore progressed from advocate to State counsel, to trial judge and ultimately to international judge.
- This progression is directly relevant to the ICC. It has taught me that justice cannot be understood from only one side of the courtroom. It has also taught me to distinguish advocacy from adjudication: an advocate advances a case; a judge must remain open to every legitimate submission, assess the evidence objectively and decide according to law.

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 experience has developed principally through criminal-law practice, judicial work in international human-rights law, humanitarian work and continuing engagement with international legal standards.

- As a judge of the African Court on Human and Peoples' Rights, I have applied international and regional human-rights instruments and jurisprudence and addressed questions of State responsibility, accountability, remedies and fundamental rights. My humanitarian work with refugees, children and communities affected by conflict has given me practical exposure to the human consequences underlying concepts such as persecution, displacement, violence and vulnerability.
- I also recognize the importance of doctrinal discipline. The ICC is a criminal court with a distinct statutory mandate under the Rome Statute. If elected, I would approach every question of jurisdiction, admissibility, modes of liability, evidence and procedure from the Statute and applicable law, using comparative and international jurisprudence where appropriate but never importing principles uncritically from another jurisdiction.
- I would also bring to the ICC the perspective of a judge experienced in international adjudication, accustomed to treaty interpretation, reasoned decision-making and balancing individual rights with broader international legal obligations.

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

The selection should prioritize:

- African Court judgments where you were a member of the Bench;
- decisions involving victims, vulnerable persons, fair trial rights or remedies;
- significant criminal-law judgments from your High Court service;
- constitutional or human-rights decisions demonstrating judicial independence;
- important opinions/pleadings from your advocacy career.

As a continental jurist serving on the African Court on Human and People's Rights, I have participated in numerous landmark human rights judgments, separate and dissenting opinions, rulings, and provisional measures addressing state compliance with the African Charter on Human and Peoples' Rights. These judicial works demonstrate my capacity for legal analysis, evidence assessment, procedural fairness, reasoned decision-making and principled adjudication.

These judgments, opinions and orders are compiled in official anthologies, including the **African Court Law Reports** published by Pretoria University Law Press (PULP), which cover the Court's jurisprudence on fair trial rights, freedom of expression, unlawful

detention and government accountability across Member States. Decisions and opinions of particular relevance to the work of the International Criminal Court include:

- **African Commission on Human and Peoples' Rights v. Republic of Kenya**, Application No. 006/2012, Judgment (Reparations), 23 June 2022. The application was filed on 12 July 2012 by the African Commission on Human and Peoples' Rights on behalf of the Ogiek, an indigenous minority ethnic group in the Republic of Kenya which had received a thirty (30) day eviction notice, issued by the Kenya Forestry Service, to leave the Mau Forest.
- **African Commission on Human and Peoples' Rights v. Republic of Kenya**, Application No. 006/2012, Order (Compliance), 4 December 2025.
- **Matoke Mwitwa and Masero Mkami v. United Republic of Tanzania**, Application No. 007/2016, Joint Dissenting Opinion of Justices Ben Kioko, Tujilane R. Chizumila and Dennis D. Adjei, on admissibility, 13 June 2023.
- **APDF and IHRDA v. Republic of Mali**, Application No. 046/2016, 11 May 2018. The Court found Mali's Law No. 2011-087 breached international obligations concerning minimum marriage age, consent, inheritance discrimination, and failure to eliminate harmful cultural practices.
 - **Treaties Violated:** The [Maputo Protocol](#), the African Charter on the Rights and Welfare of the Child, and CEDAW.
 - **Recognition:** As a member of the bench of the African Court on Human and Peoples' Rights that decided **APDF and IHRDA v. Republic of Mali**, I was a recipient of the Gold Gavel Award at the 2018 Gender Justice Awards. The decision was nominated by Women's Link Worldwide for upholding the rights of women and girls under international law.

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.

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?

Meaningful victim participation requires the Court to reconcile two imperatives that must never be treated as competitors: the rights and dignity of victims and the fair-trial rights of the accused.

The obstacles are both structural and procedural. Victims may face geographical distance, trauma, language barriers, fear of retaliation, displacement, limited information and the complexity of proceedings. At the reparations stage, additional difficulties arise from the scale of victim populations, the identification and verification of beneficiaries, the causal connection between individual harm and crimes proven before the Court, and the practical availability of resources to implement reparations.

Judges should therefore design participation and reparations procedures that are meaningful but administrable. In mass-atrocity situations, collective or community-based reparations, complemented where appropriate by individual measures, may provide a more realistic route to meaningful relief than a system requiring every victim to undergo an individual process. Registration and outreach should begin early, rather than waiting until years after conviction.

Judges should also be realistic about implementation. A reparations order should not create expectations that the institution cannot fulfil. Where implementation depends on the availability of resources or cooperation, the judgment and order should explain that reality candidly while preserving the legal entitlement of victims.

Most importantly, the Court should never lose sight of the purpose of reparations: restoring dignity and addressing harm. My humanitarian experience has taught me that persons who have suffered grave violations seek more than a declaration that a crime occurred. They seek recognition, accountability, dignity and a meaningful opportunity to rebuild their lives. At the same time, every reparation determination must remain grounded in the Rome Statute, evidence and the rights of all parties.

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

The answer is not to choose between victims and accused persons. The legitimacy of the ICC depends upon both.

Judges should ensure that proceedings are conducted through appropriate interpretation, accessible explanations and procedures that affected communities can understand, while maintaining strict control over admissibility, relevance and presentation of evidence and ensuring equality of arms.

Clear judicial reasoning is particularly important. Decisions should be legally rigorous while communicating the essential findings in language that non-specialists can understand. Accessibility must never dilute legal standards; rather, it should make the Court's reasoning visible and intelligible.

My experience as both advocate and judge has taught me that fairness is strengthened, not weakened, when participants understand the process, are able to participate effectively and know why a decision has been reached.

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

My humanitarian and child-protection experience is particularly relevant. Through UNHCR, UNICEF and Save the Children, I worked with refugees, children and vulnerable persons whose experiences of displacement, violence, loss and insecurity could not be understood solely through conventional institutional procedures.

That experience shaped my understanding that trauma can affect memory, communication, behaviour and engagement with institutions, without diminishing the seriousness of the underlying experience. As a judge, I have learned to be sensitive to vulnerable witnesses, and see the need for appropriate procedural arrangements, and particular vigilance regarding children and survivors of sexual and gender-based violence.

At the same time, a trauma-informed approach cannot replace evidence or lower the applicable legal standards. Compassion and legal rigour must coexist. The role of a judge is to create conditions in which evidence can be presented and assessed fairly, without allowing either stereotypes or assumptions about trauma to determine the outcome.

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.

My professional history gives me a particularly valuable three-dimensional understanding of fair-trial rights.

- I began my legal career **as a criminal practitioner and defence counsel**. I therefore understand from direct experience the practical importance of equality of arms, disclosure, the presumption of innocence and the right to challenge the prosecution case. **As a State Advocate**, I came to understand the corresponding obligation of the prosecution to act fairly, disclose material in accordance with law and present its case responsibly. **As a judge** at both the High Court of Malawi and the African Court, I have had to move beyond the interests of either side and ensure that the proceedings remain fair. Indeed, I have gained immeasurable experience dealing with fair trial rights as most of the applications involve alleged violations of fair trial rights under the African Charter on Human & Peoples' Rights and the International Covenant on Civil and Political Rights.
- If elected, I would regard the presumption of innocence as a substantive judicial discipline, not merely a formula. The prosecution must bear its evidentiary burden; the defence must have a genuine opportunity to challenge the case; detention and interim-release decisions must be determined according to law and individual circumstances; and proceedings must be managed actively so that delay does not itself become an injustice.
- Efficiency and fairness are not opposites. Good case management should remove avoidable delay while protecting the rights that give criminal proceedings their legitimacy.

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?

For me, integrity means that a judge's principles remain constant whether a decision is popular or unpopular. Independence means deciding according to law and evidence even when governments, institutions, media, civil society, colleagues or personal relationships may prefer a different outcome. Impartiality means approaching each matter with an open mind and resisting the temptation to decide first and reason afterwards.

My career has repeatedly placed me in positions where independent judgment was essential—as criminal practitioner, State Advocate, High Court Judge, Ombudsman, diplomat

and international judge. These roles have taught me both the importance of independence and the discipline required to exercise it responsibly.

I have also taught and trained others in these standards. I have served as a trainer on ethics, including ethics in the workplace: at the court I trained staff, including support staff and drivers, and I have taught students at Makumira University and at the College of Accountancy, both in Arusha. Teaching ethics requires a person to state plainly what integrity demands and then to be held to that standard by those they have taught.

Judicial courage is not simply the willingness to make difficult decisions. It is the willingness to make the right decision for the right legal reasons, even where doing so carries personal, political or institutional consequences. At the ICC, where cases may involve powerful States, armed groups and highly polarised political environments, that principle is indispensable.

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.

No, I have not been subject to disciplinary proceedings or findings of professional misconduct, harassment, bullying, discrimination, abuse of authority, sexual misconduct, fraud investigations or other professional-ethics proceedings of the nature identified in this question.

There was, however, an allegation in 2012 while serving as Ombudsman concerning the alleged use of the equivalent of approximately USD Nine (9) by me while serving as a public servant. The matter was subsequently addressed through the competent processes. The relevant High Court judgment and audit report exonerated me, and I was compensated in relation to the false allegation. I would, if required to do so, provide the CICC with the relevant judgment and audit documentation so that the matter can be considered as part of the official record.

I believe transparency is essential to judicial integrity. I therefore do not seek to minimize the existence of an allegation; rather, I distinguish clearly between an allegation and an established finding. In this instance, the competent evidence and judicial determination resolved the matter in my favour.

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. I have not taken a leave of absence or been suspended from a position as a consequence of allegations or concerns relating to professional conduct or workplace behaviour. The matter referred to in Question 14 did not result in such a measure.

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?

I have served in positions where political, institutional and public expectations could potentially influence professional judgment, including as Ombudsman and as a member of an international judicial body. These experiences have reinforced my conviction that institutional independence is meaningful only when it is exercised in practice.

I have learned to distinguish between respect for institutions and submission to institutional pressure. A judge must listen to every legitimate submission, consider the evidence carefully and apply the law, but ultimately decide independently.

This principle is especially important at the ICC. Cases may involve powerful States, armed groups, international organizations and highly polarized political environments. A judge must neither become an instrument of political power nor an instrument of political opposition. The judicial task is narrower and more demanding: to apply the law impartially to the facts established before the Court, and to explain the decision through reasons capable of independent scrutiny.

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?

Judges have a responsibility to uphold the integrity of the institution both in the courtroom and in the workplace. Judicial independence cannot flourish in an environment characterized by intimidation, retaliation, discrimination or abuse of authority.

Judges should therefore lead by example: treating colleagues and staff with dignity and respect, avoiding misuse of judicial authority, addressing inappropriate conduct when it comes to their attention, and supporting legitimate institutional mechanisms for reporting and addressing misconduct. At the same time, judges must respect the distinct

responsibilities of the Registry and other competent institutional mechanisms and must not assume functions that do not belong to the judiciary.

A professional workplace is not one without disagreement. It is one in which disagreement can be expressed without fear; junior personnel can raise legitimate concerns; power is exercised responsibly; and allegations are addressed through fair, confidential and accountable procedures. That culture protects not only staff wellbeing but also the independence and credibility of the Court itself.

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.

My leadership experience spans judicial, governmental, diplomatic and institutional roles, including my service as Ombudsman and my work in international judicial institutions. These responsibilities have required me to work with people from different professional backgrounds, nationalities, cultures and levels of authority.

- My approach to leadership is founded on dignity, accountability and inclusion. A healthy institution permits disagreement without intimidation, enables junior personnel to raise concerns, exercises power responsibly and addresses misconduct rather than concealing it.
- I have also delivered ethics training within institutions, including workplace ethics training for court staff at every level. That work has given me practical experience of translating standards of conduct into guidance that personnel can apply, rather than leaving them as statements of principle.
- My humanitarian and social-work experience has reinforced the connection between institutional culture and institutional effectiveness. People who are respected and safe are better able to discharge their responsibilities with professionalism and integrity.
- If elected, I would bring to the judicial workplace the same standards I expect in the courtroom: respect, fairness, accountability, restraint and openness to legitimate criticism.

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?

A significant development in international criminal law has been the recognition in Article 7 .1(g) of the Rome Statute that sexual and gender-based crimes are grave international crimes rather than secondary or peripheral harms. The decisions of the ICC on alleged rape, sexual slavery, forced prostitution, forced pregnancy, and enforced sterilization or any other form of sexual violence of comparable gravity have galvanized attention to these crimes and resulted in changes to national law in some countries. I would approach such cases with close attention to the context in which crimes occur, the vulnerability of victims, the relationship between individual acts and broader patterns of criminality, and the need to avoid stereotypes about how victims of sexual violence should behave.

- My child-rights experience is particularly relevant to crimes against children. Children are not simply smaller versions of adult victims. Their age, dependency, psychological development and relationships with perpetrators can fundamentally affect how crimes are committed, perceived and experienced.
- Intersectionality is equally important. A victim may experience violence or persecution through the interaction of gender, age, ethnicity, disability or another characteristic. Judicial analysis should therefore avoid artificially separating harms that were experienced together.
- At the same time, intersectionality must remain anchored in the Rome Statute and the elements of the offence charged. It should deepen the Court's understanding of context, vulnerability and harm; it must not be used to create criminal liability beyond the applicable legal framework. The task of the judge is to combine sensitivity to lived reality with rigorous legal analysis.

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

Accountability for sexual and gender-based crimes and crimes continues to be impeded by under-reporting, stigma, fear of retaliation, trauma, witness-protection concerns, destruction or absence of evidence, difficulties obtaining evidence in conflict zones, cultural barriers and the tendency of investigations to overlook crimes affecting women, children and other marginalized persons.

These challenges are compounded by the technological and evidentiary complexity of contemporary conflicts. Digital evidence, open-source material, satellite imagery and other

technological sources can expand the evidentiary record, but they also raise questions of authenticity, chain of custody, reliability and unequal access to technical expertise. Courts must remain open to new forms of evidence while applying rigorous standards of relevance, reliability and fairness.

There are also structural challenges beyond the courtroom. International courts lack their own coercive enforcement machinery and depend upon State cooperation. Political pressure and non-cooperation can impede investigations, arrests and evidence-gathering. The strength of the Court therefore depends not only on the quality of its jurisprudence but also on the willingness of States Parties to support the system.

My experience in humanitarian and child-protection work reinforces one lesson: what is difficult to see is not necessarily insignificant. Often the most vulnerable victims are precisely those whose experiences are least likely to be documented. Judicial discipline requires neither credulity nor skepticism as a substitute for evidence; it requires careful assessment of all reliable evidence in its proper context.

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?

I would begin with the evidence and ask what it demonstrates about the circumstances in which the victim was targeted, rather than assuming in advance that one identity was the sole cause.

The Rome Statute provides legal tools capable of addressing complex forms of persecution and other crimes, but the analysis must remain anchored in the elements of the specific crime charged and the applicable evidentiary standard. I would examine whether intersecting characteristics influenced the perpetrator's conduct, the victim's vulnerability, the manner in which the crime was committed, the targeting of the victim, or the consequences suffered.

My human-rights and humanitarian experience would assist me in understanding the social and contextual complexity of such cases. My criminal-law background would provide the necessary discipline to ensure that contextual understanding is translated into legally sound findings.

The judicial challenge is therefore to recognise complexity without losing legal precision: to see the whole person and the whole context while determining liability only where the statutory elements have been established beyond the applicable standard of proof.

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?

Outreach is essential to the Court's legitimacy, but the institutional roles must remain clear. Outreach is principally a Registry responsibility within the Court's framework, while the Office of the Prosecutor has responsibility for preliminary examinations, investigations and prosecutions. Judges must remain institutionally separate from those functions because their central responsibility is adjudication.

Outreach is particularly important during preliminary examinations because it can help affected communities and national authorities understand what the Court is doing, what it can and cannot do, and what may realistically be expected. At that stage, expectations can be especially fragile: a preliminary examination does not guarantee an investigation or prosecution. Poorly calibrated communication can therefore create either unrealistic expectations or a vacuum in which misinformation and fear flourish.

The judiciary should not conduct outreach as advocacy or as a means of promoting a case. Judges must avoid commenting on pending matters or creating any appearance of prejudgment. But judges have an important indirect and principled role.

First, judgments and decisions should themselves be a form of legitimate communication: clear, well-reasoned, accessible and, where appropriate, supported by understandable summaries and relevant languages.

Second, judges can explain judicial processes and the Court's legal role in institutional settings, provided they do so without commenting on pending matters.

Third, judges can establish procedural conditions that enable the Registry's outreach to be accurate and meaningful, for example, by giving timely and clear directions concerning victim participation, protective measures and the conduct and pace of proceedings.

My guiding principle would be simple: outreach must inform, not persuade; adjudication must judge, not advocate. The best contribution of the judiciary is therefore to produce decisions and procedures that are sufficiently clear, timely and principled that communities can understand how justice has been administered and why.