

**Coalition for the International Criminal Court (CICC)
Questionnaire for ICC Judicial Candidates
December 2017 Elections**

Please reply to some or all of the following questions as comprehensively or concisely as you wish.

To fill in the document please click in the grey box, which will then expand as it is filled in.

Name:
Nationality:
Nominating State:
Legal Background (<i>mark as appropriate</i>): List A <input type="checkbox"/> B <input type="checkbox"/>
Gender: Female <input type="checkbox"/> Male <input type="checkbox"/>

Background

1. Why do you wish to be elected a judge of the International Criminal Court (ICC)?
2. What do you believe are the most important challenges and achievements of the ICC in its first 15 years?
3. What do you believe are some of the major challenges confronting the ICC and Rome Statute system in the coming years?

Nomination Process

4. What are the qualifications required in the State of which you are a national for appointment to the highest judicial offices? Please explain how you meet these qualifications.
5. Have you provided the statement required by Article 36(4)(a) of the Rome Statute and by the nomination and election procedure adopted by the Assembly of States Parties? If not, please provide an explanation for this omission.

You may send your completed questionnaire by email to judicial-elections@coalitionfortheicc.org;
by fax to 1 212 599 1332 or by mail to:

Coalition for the International Criminal Court
708 Third Avenue, Suite 1715
New York, NY 10017, USA



Legal System

6. The Rome Statute seeks judges representing all of the world's major legal systems.
- a) Which legal system is your country part of?
 - b) Please describe any knowledge or experience you have working in or with other legal systems.

Language Abilities

7. The Rome Statute requires every candidate to have excellent knowledge of and be fluent in English or French.
- a) What is your native language?
 - b) What is your knowledge and fluency in English? If it is not your native language, please give an example of your experience working in English.
 - c) What is your knowledge and fluency in French? If it is not your native language, please give an example of your experience working in French?

List A or B Criteria

8. Your response to this question will depend on whether you were nominated as a List A candidate or a List B candidate. Since you may have the competence and experience to qualify for both lists, please feel free to answer both parts of this question to give the reader a more complete view of your background and experience.
- a) For **List A** candidates:
 - Briefly describe your qualifications as a List A candidate.
 - How would you describe your competence in criminal law and procedure?
 - How would you describe your experience as a judge, prosecutor, counsel, or in another similar capacity, in criminal proceedings?
 - b) For **List B** candidates:
 - Briefly describe your qualifications as a List B candidate.
 - How would you describe your competence in relevant areas of international law, such as international humanitarian law and international human rights law?

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- How would you describe your professional legal experience that is of relevance to the judicial work of the ICC?

Other Expertise and Experience

9. Please describe the aspects of your career, experience or expertise outside your professional competence that you consider especially relevant to the work of an ICC judge.
10. Please provide examples of your legal expertise in other relevant areas such as the crimes over which the ICC has jurisdiction, the management of complex criminal and mass crimes cases, or the disclosure of evidence.
11. The ICC is a unique institution, and ICC judges will face a number of unprecedented challenges (including managing a regime of victims' participation and witness protection in situations of ongoing conflict). Even judges with significant prior experience managing complex criminal trials may not necessarily possess requisite skills and knowledge needed to manage these challenges.
 - a) Are you willing to participate in ongoing workplace training aimed at promoting legal innovation and coordination among all judicial chambers in adjudicating complex questions relating to law and policy?

- a) Do you consider such training to be important?

Experience (and perspective) related to gender crimes and crimes of sexual violence

12. Historically, many of the grave abuses suffered by women in situations of armed conflict have been marginalized or overlooked. Please describe any experience you may have in dealing with sexual and/or gender-based crimes and where you have applied a gender perspective, i.e. inquired into the ways in which men and women were differently impacted.

Victims-related work

13. Victims have a recognized right to participate in ICC proceedings and to apply for reparations under Article 75 of the Rome Statute. Please describe any experience that you may have relevant to these provisions and that would make you particularly sensitive to/have understanding of the participation of victims in the courtroom.
14. How would you address the need for a balance between victims' participation with the rights of the accused to due process and a fair and impartial trial? Do you have any relevant experience in dealing with this issue?

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Human rights and Humanitarian Law experience

- 15.** Do you have any experience working with or within international human rights bodies or courts and/or have you served on the staff or board of directors of human rights or international humanitarian law organizations? If so, please briefly describe this experience.
- 16.** Have you ever referred to or applied any specific provisions of international human rights or international humanitarian law treaties within any judicial decision that you may have issued within the scope of your judicial activity or legal experience?

Implementation of the Rome Statute and International Criminal Law

- 17.** During the course of your judicial activity, if any, have you ever applied the provisions of the Rome Statute directly or through the equivalent national legislation that incorporates Rome Statute offences and procedure? Have you ever referred to or applied jurisprudence of the ICC, *ad hoc*, or special tribunals? If yes, please describe the context in which you did.

Other matters:

- 18.** Have you ever resigned from a position as a member of the bar of any country or been disciplined or censured by any bar association of which you may have been a member? If yes, please describe the circumstances.
- 19.** It is expected that a judge shall not, by words or conduct, manifest or appear to condone bias or prejudice, including, but not limited to, bias or prejudice based upon age, race, creed, color, gender, sexual orientation, religion, national origin, disability, marital status, socioeconomic status, alienage or citizenship status.
- a) Do you disagree or have difficulty with this expectation?
- b) Have you ever been found by a governmental, legal or professional body to have discriminated against or harassed an individual on these grounds? If yes, please describe the circumstances.
- 20.** Article 40 of the Rome Statute requires judges to be independent in the performance of their functions. Members of the CICC and governments are concerned about the difficulties a judge may experience in independently interpreting articles of the Rome Statute on which his or her government has expressed an opinion.
- a) Do you expect to have any difficulties in taking a position independent of, and possibly contrary to, the position of your government?



b) Article 41 requires a judge's recusal "in any case in which his or her impartiality might be doubted on any ground." Do you feel you could participate in a judicial decision involving a matter in which your government has an interest, such as on whether an investigation by your government into a matter of which the ICC was seized was genuine?

21. The Rome Statute requires that judges elected to the ICC be available from the commencement of their terms, to serve a non-renewable nine-year term, and possibly to remain in office to complete any trials or appeals. A judge is expected to handle legal matters for at least seven hours per day, five days per week.

a) Do you expect to be able to serve at the commencement and for the duration of your term, if elected?

b) Do you expect to be able to perform the judicial tasks described above on your own or with reasonable accommodation? If no, please describe the circumstances.

22. If there are any other points/issues you wish to bring to the attention of the CICC in this questionnaire, please feel free to address them here.

Thank you.