

Questionnaire to Candidates for the Position of Registrar of the International Criminal Court

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Conscious of the critical importance of the role of the Registrar of the ICC, we have prepared the following as a questionnaire for candidates for this position.

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

Name: Indhrambal Goberdan (Preferred Name: Indra)

Nationality: South African

Vision for the ICC and the Registry:

1. Why do you wish to be elected as the Registrar of the International Criminal Court (ICC)?

The mandate of the Court is to hold persons accountable for the most serious crimes of international concern, namely, crimes of genocide, war crimes, crimes against humanity and crimes of aggression. Having fallen victim to the crime of apartheid, I cannot think of a better way to serve justice than to work at an International Court, which serves as a beacon of hope for thousands of victims who have had to endure these most heinous crimes.

Women in leadership at other international and national courts have shown to be highly effective advocates and managers.

With twenty-two years of experience of working in the courts, seventeen of which involved management of the courts, makes me a good fit for the position of Registrar. With my record of accomplishment showing excellent management skills, I believe that my leadership will add value to the Court. With the Court still being at an adolescent stage of growth, it would be a privilege for me to contribute to the creation of a world-class court.

2. Article 43 of the Rome Statute states that the Registrar shall be a person of “*high moral character, be highly competent and have an excellent knowledge of and be fluent in at least one of the working languages of the Court*” (French and English). Please describe briefly how you meet these criteria.

I have held the positions of district control prosecutor, regional control prosecutor, senior prosecutor and currently hold the position of deputy director of public prosecutions. The positions that I have held are all management positions which entail the management of a staff of prosecutors and an administrative component which support the prosecution section. As a manager, I am also responsible for the efficient

and effective running of the courts. This management position entails communicating on a daily basis with the different role players such as the judiciary, court services, legal aid, the police, the accused, the victims and other government departments and non-governmental organizations. Effective communication, respect for other stakeholders, and the ability to consistently deliver an above satisfactory performance proves that I am highly competent. I was recently awarded a commendation certificate from The South African Police Services, in recognition of my contribution to combatting the scourge of gangsterism. The certificate notes in particular, that my “leadership and dedication reflects an individual of high integrity and moral standard and is an example to all”.

My experience in the functioning of the courts, the management of staff, administration and HR issues demonstrates that I meet the requirements of Article 43 of the Rome Statute.

I am fluent in English.

3. What do you believe are the most important achievements of the ICC in its first 15 years?

The Kampala Amendment to the Rome Statute in respect of the definition of the crime of aggression is, in my view, an achievement as it shows that the court as well as the Assembly of State Parties is flexible in its approach and this flexibility is crucial in a constantly changing world.

Research has shown that to many victims of crime it is not about “winning or “losing”. The focus on reparations, for harm suffered by the victims, in the form of the Trust Fund for Victims, is the first of its kind. The ICC is a victim-centered court with its ability to deliver restorative and retributive justice. Not only are victims able to participate in proceedings, like national justice systems, but they are also able to receive reparations which allow them to rebuild their lives and move forward.

4. What do you believe are some of the major challenges confronting the ICC and Rome Statute system in the coming years?

The ICC is wholly dependent upon the effective co-operation of State Parties in preparing its criminal cases. Without an accused, there is no trial. In recent years, the reluctance by State Parties in surrendering persons who are arraigned before the Court has had a negative impact on the productivity or success of the court. The Assembly of State Parties gives the ICC its “teeth” and must in the coming years throw its full weight and support behind the ICC and enforce compliance with the ICC’s requests.

Consideration in respect of the creation of a police force to effect the arrest of persons who are not handed over to the ICC and an amendment to the Rome Statute is a challenge that the Court may face in the coming years.

The International Community must convince the super powers and as many countries as possible to ratify the Rome Statute and in this way gain global support for the Court. The Rome Statute, our moral compass, must be seen as the World Constitution that binds every state.

5. What do you believe are some of the current challenges the Registry specifically faces and how would you address them? What are some of the qualitative indicators you might consider when assessing the performance of the Registry and what would you suggest to enhance efficiencies?

In light of the fact that I have not previously worked for the Registry it would be difficult at this stage to properly assess the performance of the Registry and identify challenges. Only a proper study and evaluation of the Registry would hold me in good stead to be able to make an informed decision on the challenges that currently face the Registry.

The Registry's delivery time impacts greatly on the Office of the Prosecutor as well as the Judiciary. To be an effective support service it is imperative that services are delivered timeously.

Expeditionousness would therefore be a qualitative indicator used to assess performance. In this regard, I would consider the effectiveness of services delivered in respect of interpretation, witness- related services, transcriptions etc. Efficiency is closely linked to fairness. The Registry being a neutral organ must ensure its fairness when interacting or providing services to all parties of the court. In this regard, fairness would be measured by the allocation of resources to the court, the treatment of witnesses and victims as well as the treatment of the defence.

I would describe the victim as being the heartbeat of the court. They are the reason for the existence of the court. The Registry's ability to impact on the victim's access to court is an indicator I would consider in assessing performance. The number of staff present in the affected country; efforts in creating discussions with the affected community; awareness activities to educate the community and victims are factors that I would consider.

The Registry has recently embarked on streamlining its organizational structure and has completed its Re-vision Project. The purpose for this was no doubt the creation of a more efficient and effective registry.

A fundamental goal of performance management is to improve employee effectiveness.

An effective performance management system starting with when the job is defined and ending with when the employee exits the organization would in my view enhance the efficiency of the Registry.

An effective performance management system will establish a true "pay for performance" culture. There should firstly be clear job descriptions. The implementation of a New Employee Orientation Program to welcome the employee

into the organization and the allocation of a mentor to integrate the employee into the organizations culture, are ways to start on the right foot.

Individual goals should be aligned to the strategic goals of the organization. I would recommend constant monitoring of performance in achieving the set targets. Management should provide training, coaching, mentoring, development plans to ensure that the targets are achieved. Regular interaction with the employee should take place. Positive or constructive feedback is integral in ensuring success of the system. Should the performance exceed the set standards, rewards should be allocated and should the performance fall below the set standards development plans must be created to address the gap. This management system will assist in retaining top performers as well as encourage employees to team together to achieve a common goal.

Career development and job shadowing will encourage retention of staff and thus avoid the “brain drain” effect that takes place with exodus of staff. The system will also improve accountability of the staff and empowerment.

Due to the many organs of the court that the Registry serves, I pause at this point to consider whether a 360-degree feedback process should be included. In this way, employees at the Registry will get a broader perspective of how they are perceived by others and how they impact on others; both positively and negatively.

Effective communication and transparency is key to the success of the Registry. I believe that there will always be room for growth in respect of these two factors and a focus on this will certainly improve the efficiency of the Registry.

6. All Court officials must perform their functions with full independence and should not act under the instruction of any State or external actor. Do you expect to have any difficulties in taking a position independent of, and possibly contrary to, the position of your government or any external actor?

As a prosecutor serving under the National Prosecuting Authority for the past 22 years I have become acutely aware of how important it is to prosecute without fear, favor or prejudice. As a manager, I must “walk the talk” and will most certainly have no difficulty in maintaining my integrity and independence.

7. The Registry is a neutral organ of the Court that provides services to all other organs so the ICC can function and conduct fair and effective public proceedings. How would you describe the relationship of the ICC Registrar with the ICC President; the Office of the Prosecutor; the ICC Chambers, and the Assembly of States Parties?

Article 43(2) of the Rome Statute, provides that the Registrar shall exercise his/her functions as a principal administrator of the Court “under the authority of the President of the Court”. The Presidency is responsible for the administration of the Court and therefore oversees the work of the Registry. Although the Registry is the Courts official channel of communication, the Presidency represents the Court to the outside world and promotes public awareness and understanding of the Court. Close

co-operation and effective communication would best describe the relationship between the President and the Registrar.

The Registry is responsible for the non-judicial aspects of the administration of the courts. The Office of the Prosecutor is an independent organ of the Court. Some of the functions of the Registry include witness protection, legal aid and detention. The Registry operates as a service provider and therefore a supportive role to the Office of the Prosecutor. Co-operation and effective communication forms the heart of this relationship.

I would describe the relationship between the Chambers and the Registry as a supportive relationship. One of the key responsibilities of the Registry is to provide support for the judicial activities, such as, transcription services, translation and interpretation, seeking judicial co-operation for the enforcement of judicial decisions, etc. The Registry must provide support to the Chambers so that it can exercise its judicial functions fairly and transparently.

The Assembly of State Parties is the Courts oversight and legislative body. It elects officials, decides on the budget and can amend the Statute. There must be a close relationship of co- operation with the ASP and continuous communication with the ASP on matters relating to governance of the courts etc.

8. Please describe any specific expertise of relevance to the work of the ICC that you may have, including, but not limited to, gender equality and violence against women or children. How would you ensure that women and children have access to justice and are cognizant of what the Rome Statute is seeking to achieve?

In May 2017, Statistics South Africa stated that one out of every five women experienced physical violence in their lifetime. The rate of sexual violence in South Africa is amongst the highest in the world. As a prosecutor, there is seldom a day that goes by that I have not dealt with victims of sexual or gender based violence.

I created a sexual offences office in East London, which dealt exclusively with all sexual offences cases against women and children. I collaborated with Business against Crime (Businesses joined together on the request of Nelson Mandela to give support to government in crime related matters) to make the office and the closed circuit television room more user friendly for children. Whilst at the sexual offences office, I worked with all sexual offences cases that came into the justice system from first appearance of the accused until the matter was finalized.

Consultations were done as soon as possible after the arrest of the accused. Referral to a psychologist or social worker, at an early stage of the proceedings to ensure that the victim was competent to testify (especially in the case of tender age of the victim or retardation); assessment with regard to the need of the victim to testify through the services of an intermediary; recommendation that the victim testify *in camera*, the use of the court preparation officers to assist the victim to familiarize himself or herself with the court environment were all crucial steps taken towards preparing the victim for court. The court preparation officer plays an important role in explaining the roles of the judge, prosecutor, defence counsel, interpreter, psychologist and intermediary

to the victim. The court preparation officer is also responsible for taking the victim to the court and showing him/her the set up of the court, assisting him/her to compile a victim impact statement as well as referral of the victim for counselling.

Giving priority to sexual offences matters meant that these matters were finalized sooner than other matters on the court roll, thus allowing for the victims to eventually have closure. When there was a shortage of intermediaries, I approached different schools to seek the assistance of teachers to act as intermediaries on a voluntary basis.

A senior prosecutor is assigned with the ultimate decision to withdraw a matter on the request of the victim in domestic violence related matters. I have dealt with hundreds of matters of domestic violence, which necessitated me perusing the case docket and having to consult with the victim and convince the victim to proceed with the matter. Ensuring that the victim is taken to a place of safety was first on my mind as this often reduced the chances of intimidation and threats as well as withdrawals.

I have found that the more access to justice that the victim has, the more prepared he/she is when it comes to the eventual testimony in court. Outreach programs or activities, sessions with a psychologist, time spent with a court preparation officer, books printed with basic information with regard to the court process, the rights of victims and what to expect at court, age appropriate videos/clips on the court process are all ways of taking the court to the victim and ensuring access to justice.

Experience in Management and Budgetary Processes:

9. How would you describe your management skills and experience that would be of relevance to the effective management of the ICC's human resources, including hiring and retaining highly-qualified staff and ensuring their satisfactory performance, as well as addressing the chronic imbalance in geographical representation of its staff and that of women in higher levels?

I have been involved in the recruitment of prosecutors and recommendation of appointment of prosecutors since 2003 and through the years have gathered sufficient skill in this regard. Through performance management of staff, I have acquired considerable skill in effective management. The following is what I consider relevant to ensure a highly effective management of ICC human resources:

In order for the ICC to achieve its strategic goals, it needs to have a highly skilled and competent workforce. Simply put, the goal of management is to employ the "right" people at the "right" places at the "right time. This starts with a clearly defined job description. Proper and transparent recruitment policies and processes such as proper screening, shortlisting, pre – selection and a review board involved in the final shortlisting is essential. Building relationships with universities and other organizations similar to your own would ensure that you attract the right people for the positions. This would create a candidate pool before you even need it.

Looking at in- house candidates and providing promotional opportunities for staff is one way of retaining highly qualified staff. This also boosts the morale of the current staff as they feel that their capabilities are recognized and appreciated. This

strengthens their loyalty to the organization. Creating career pathing would assist in retaining highly qualified staff.

Including gender-based preferences in the advertisement will assist in attracting woman to address the imbalance. Shortlisting woman candidates and increasing the number of women candidates especially in the selection rounds will also serve to eventually redress the imbalances. Mentoring and skills empowerment in respect of highly qualified women will stand them in better stead to be able to apply for higher positions in the organization.

To address the imbalance in geographic representation I would consider increasing advertising of the vacancies in countries that are under-represented. Through the ASP, the ICC can make those members states aware that geographic representation is low and they can encourage applicants to apply.

Employees are the assets of any organization. An effective performance management system contributes to the retention of highly qualified staff. It also increases accountability. An effective performance management system, that constantly tracks and monitors the performance of staff, in which staff are required to prove that they are gainfully employed, goes a long way towards ensuring satisfactory performance. The development of plans to address under-performance will assist to achieve satisfactory performance of staff. Training programs is another way to build capacity. Rewards for workers who excel in performance also contributes to the retention of highly qualified staff. A proper appeal process and properly trained managers to deal with performance management effectively will result in a workforce that delivers satisfactory performance.

10. Please describe your experience preparing and being responsible for a large budget, including whether you have experience in working with a results-based budgeting system. What are the size of the budgets and staff you have supervised in past positions? What strategies would you undertake in relation to the preparation, submission and examination of the ICC budget to ensure support by the Committee on Budget and Finance and States Parties?

Part of my responsibilities as a senior manager in a government department is to manage a budget and institute risk management in order to achieve the strategic organizational objectives. The current budget is 95 million rands and the staff supervised would be approximately fifty.

Resources are directly linked to the quality of prosecutorial, judicial and administrative performance of the court. Justice comes at a price and this can be seen through the impact that resources have on many court institutions around the world. With the Registry being a services provider to the other organs and performing a supportive role, it is therefore important to understand what the operational needs of each organ is. Once the operational needs are understood, preparation of the budget must then be in keeping with those needs. Forecasting on a monthly or quarterly basis would be one of the tools used to ensure alignment with the budget.

I would undertake the following strategies to secure the support of the Committee on Budget and Finance:

- Aligning the cash flow projections to the actual expenditure;
- Managing and monitoring risks;
- Constantly looking at new opportunities to obtain and save funds;
- Ensuring effective utilization of the financial resources.

Regular communication with the Committee on Budget and Finance and the ASP is essential

Experience in External Affairs:

11. One of the core challenges identified for the Court is obtaining a positive and effective response to its requests for cooperation. Please describe experience you may have that is relevant to address cooperation challenges for the ICC Registry.

Working at the courts with the different stakeholders, always presents with co-operation challenges, as each stakeholder has different goals and objectives and you are dependent upon stakeholders for your success. One of the most important requisites to win stakeholders over is trust. Recognizing and respecting the rights of stakeholders, open and clear communication, constant interaction or engagement, sincerity, being true to your word, are tools that I have used with the different stakeholders to be able to achieve the organization's goals and objectives.

The efficiency of the court is dependent upon state co- operation. Despite the peremptory provision in the Rome Statute placing an obligation on State Parties to fully co-operate with the work of the Court, we have seen in practice that it is not as simple as that. Having staff in the field from early stages of the investigation will assist the Court in building a relationship with the State. In this way, challenges with cooperation will be identified at an early stage and strategies can be put in place to mitigate these challenges or obstacles. Constant engagement or discussions with the State is therefore a prerequisite to gaining cooperation for the execution of the courts requests.

12. The Registrar has a special mandate vis-à-vis the outreach activities of the Court, especially regarding victims and affected communities. Please elaborate on any experience relevant to fulfilling this mandate, as well as your philosophy regarding the role of the ICC's field presence.

The adage "justice must not only be done but seen to be done" finds relevance here. Outreach activities are vital to create understanding and show transparency of proceedings. I have often collaborated with the police, community policing forums and non-governmental organizations in holding outreach programs with the communities and schools regarding bail proceedings, information sessions relating to testimony in court, etc.

The quote "knowledge is power" comes to mind. When we educate ourselves, we are able to make better decisions and improve our lives and the lives of people around us.

The increase in violence against women necessitated the promulgation of the Domestic Violence Act aimed to protect women against violence and abuse. Booklets were printed which educated and provided basic information relating to domestic violence and the Domestic Violence Act. Engaging with the community and providing as much information as possible so that they are able to understand the courts processes has led to the community having faith and trust in the justice system.

I have found that the more information the affected victims or communities have, the greater our chances of success. Distributing pamphlets or booklets, in the language of the affected communities, on basic information that communities can take home, study, and share with others; radio or television programs regarding specific topics to clear doubt and apprehension assists in empowering the community to participate in the courts processes.

The ICC's field presence is crucial, as it is one of the ways in ensuring access to justice. It is one of the ways of taking the court to the people, especially since the Court proceedings are not held in the country in which the atrocities took place. The presence of staff in the field would result in increased communication with the local media, better support of victims and witnesses, more accountability and supervision and will reduce costs for the Registry.

13. The ICC has established constructive and long-term relationships with nongovernmental organizations (NGOs). Please describe any previous experience you have working with NGOs.

NGO's have direct or first contact with the victims and are able to build a relationship of trust with them. NGO's are also invaluable to the courts as they provide a broader picture of the context in which violations occur.

I have worked with Masimanyane Women Support Center which is a social justice NGO aimed at eradicating gender based violence. I have often referred women and children for counselling to Masimanyane, as well as requesting Masimanyane to assist victims in obtaining Domestic Violence Protection orders.

As explained earlier, as senior prosecutor, I exercised a discretion to withdraw a domestic violence matter. The cycle of violence endured by the victim meant that it would only be a matter of time before she would re- enter the justice system. I was also aware of the social circumstances in which the victim lived, as she was fully dependent upon the perpetrator and shared children with him. Consequently, I developed a close working relationship with NICRO (South African National Institute for Crime Prevention and Reintegration of Offenders). When a victim approached me to seek a withdrawal in the matter, I consulted with both the victim and the accused with a view to mediation as an alternative dispute resolution. As a condition to the withdrawal, the victim and offender were referred to NICRO to attend a 13- week domestic violence program as well as family group conferencing. Once a report was received from NICRO, I then took a decision in respect of withdrawal of the matter.

I often referred a victim of domestic violence to Living Waters, which was a safe house for women of gender-based violence and aimed at rebuilding lives.

I partnered with Family and Child Welfare and Lifeline who often assisted with counselling of victims and support to victims through the court process.

14. How would you see your role with regards to increasing the visibility of the Court?

The Court will only be effective if the victims are aware of the court, understand its purpose and have access to justice.

There is an overlap between the different organs in respect of the functions they perform to ensure access to justice and accessibility of the court. The President is seen as the “face of the court” and provides information in the international sphere regarding the courts mandates and activities. The OTP provides information regarding its policies and activities. The Registry, being the channel of communication of the court, provides basic information on the court, makes proceedings accessible to the public and through public outreach programs, communication with local media, etc, aims to create understanding for the courts work and provide access to judicial proceedings.

The Registrar plays a very important role in increasing visibility of the court. In the narrow sense, the Registry would play a supportive role in respect of victims and witnesses participating in the proceedings. In the broader sense, the Registry would provide as much information as possible regarding the different stages of the judicial proceedings, engaging with the local media and ensuring field presence; all of which contributes towards the visibility of the court.

Experience in Judicial Support:

15. Please describe your experience and/or expertise in dealing with victim participation in proceedings. How would you manage the Registry’s role to ensure that the statutory right of victims to participate in proceedings is achieved in the most meaningful manner whilst ensuring efficiency and expediency?

Participation of the victim is crucial to the successful finalization of a case. Understanding that the court environment is foreign, intimidating and scary to victims who enter the justice system will go a long way to ensuring the proper preparation and participation of the victim.

The use of a court preparation officer at the initial stage of meeting the victim will leave the victim with basic information regarding his/her role in the proceedings. The court preparation officer’s duties would entail explaining the roles of the different parties in court, taking the victim to court and showing him/ her the set-up of the court environment and where he/she will testify as well as answering any questions and noting any concerns that the victim may have. This is then communicated to the prosecutor. Consultation with the victim gives the prosecutor an understanding of the level of trauma suffered by the victim. Reports from a psychologist or social worker with regard to the ability of the victim to testify, in open court or via the services of an intermediary, as well as victim impact statement reports will assist in determining

steps to be taken in ensuring that the victim does not suffer secondary trauma during the court process.

Providing as much information regarding the court proceedings, court room familiarization, assistance provided through the Office of the Public Counsel for Victims, advising the Chambers on measures which can be implemented to prevent secondary trauma and undue mental stress to the victim are steps that can be taken to ensure meaningful victim participation.

16. The ICC Registrar is responsible for establishing the eligibility and qualifications of defense counsel, providing support to them, and working with the Court to promote the rights of the defense. Please describe your experience with these issues, including with respect to Defense access to necessary facilities and resources in proceedings ('equality of arms'), including in addressing issues such as gaps in gender equality on ICC Defense counsel teams?

The quality of legal representation has an impact on the fairness of the judicial process. The defence is a key component of a fair trial. In instances where the accused is indigent and cannot afford the services of defence counsel, one is appointed for him, by the court. Legal Aid South Africa employs defence counsels in every province and region in the country who provide legal services to accused persons. Ensuring that the defence has copies of the case docket which makes up the prosecution's case, a full and detailed indictment setting out the summary of substantial facts, assisting with securing the defence witnesses for the defence to consult, assisting in arranging a facility for the defence to consult in are duties that I am involved in or assist when enrolling a matter for trial.

The Registry plays an important support role as it provides administrative and logistical support for the defence. The Office of the Public Counsel for the Defence(OPCD), which is independent and falls within the Registry for administrative purposes, researches the rights of the defence and goes a long way towards realizing the "equality of arms" throughout the different stages of the proceedings. Ensuring confidentiality, dissemination of information and case law to the defence, constant interaction with the Bar Association, and a Code of Conduct for defence counsels are duties that are incumbent upon the Registrar.

Including gender- based preferences in the advertisement, bringing the gaps in gender equality to the attention of Bar Associations so that they can encourage applications will assist in addressing the gaps.

17. Article 68(1) of the Rome Statute provides that the Court "*shall take appropriate measures to protect the safety, physical and psychological well-being, dignity and privacy of victims and witnesses.*" Please describe the experience or vision you may have with regards to the protection of victims and witnesses, particularly women, at the ICC?

I manage the gang task team, dealing with all gang related cases in the Northern Areas in Port Elizabeth. Gang cases has its own dynamics in respect of victims and witnesses. Victims and witnesses in a matter today may become accused in a matter tomorrow

because of the inter- gang shooting in the drug war to create drug territory for each gang.

Remaining objective and treating witnesses with respect and dignity is key to securing their evidence in court. Due to the fact that many of the cases are dependent solely on eye- witness testimony, gangs intensify their search for witnesses in order to threaten, intimidate, bribe and execute witnesses to avoid them facing trial. The safety and protection of the witnesses are therefore of paramount importance. Blotting out the names and details of the witnesses before the copies of the dockets are given to the defence, arranging with witnesses for them to be removed from the area and live with a family member or relative outside the danger area for the duration of the proceedings, ensuring trauma counselling for the victim are some of the methods implemented to ensure the safety and well being of the victims and witnesses.

I currently manage the prosecution section in the province that relates to the recommendation of victims and witnesses to enter into the Witness Protection Program. This entails removal and relocation of the witnesses.

A victim's evidence in court is the best piece of evidence that the court can use. It is imperative that victims are respected and treated with dignity so as not to discourage them from testifying. The entire court process is daunting and this is exacerbated by the fact that the victim is required to stand in court and share details regarding a highly traumatic sexual crime that was perpetrated against her with people that she does not know.

In sexual offences matters dealt with by me, my experience relates to the following measures put in place to secure the safety and psychological well being of victims:

- Referral of the victim to a psychologist in respect of trauma counselling;
- Request for a report to assist the prosecution and the court with regard to the ability of the victim to testify in court or through the services of an intermediary;
- The use of a court preparation officer to ensure that the victim is familiar with the court set up and environment and the role of the different parties in court;
- Requests for reports regarding the manner in which the victim should testify to ensure that she does not suffer undue mental stress during her testimony viz: *in camera* proceedings, audio- visual testimony, usage of a one way mirror to shield the victim from having to face the perpetrator;
- Ensuring that the victim has a support person with her in court during her testimony;
- Ensuring different waiting rooms and passages to be used by the victim to avoid all contact with accused or his family;
- In the case of women who are victims of domestic violence I have often assisted in finding them shelter so that they are protected and do not face intimidation during the process of the trial proceedings;
- Constant interaction with the victim, keeping the victim updated with regard to the proceedings assists in making the victim part of the proceedings and reducing apprehension and stress;
- When deciding whether to lead the evidence of the victim one must consider whether the process will bring her a benefit or cause her more harm. For many

victims, testifying is a means of closure, whilst for others it brings more psychological harm. In this regard, I am guided by the reports of expert psychologists when making that decision.

Human rights means that each person should be treated with respect, dignity and equality. The ability to access justice is a human right itself. For women who are victims of sexual and gender based violence this road to justice is a long and bumpy one.

There must be effective communication and close co-operation between the Office of the Prosecutor and the Registry to ensure the protection and well-being of victims.

The implementation of a strategic and operation plan as well as a manual of basic rights of the victims and steps to ensure protection and safety of victims would, in my view, be essential.

I would ensure that the staff have the necessary skills, knowledge and sensitivity to be able to carry out or fulfill their functions in relation to the victims. Ongoing training, sensitization of staff and regular monitoring of the support staff are functions I would implement to ensure that the rights and dignity of the victims are respected.

Miscellaneous:

18. Have you ever been found, after an administrative or judicial hearing, to have discriminated against or harassed an individual on the grounds of actual or perceived age, race, creed, color, gender, sexual orientation, religion, national origin, disability, marital status, socio-economic status, and/or alienage or citizenship status? If yes, please describe the circumstances.

No

19. Do you know of any factors that would adversely affect your ability to competently serve as the Registrar, to comply with ethical responsibilities, or to complete the responsibilities that the Registrar is required to assume? If yes, please explain. Are there any other issues or comments you would like to address?

No

Thank you.