

## Questionnaire for candidates to the 2020 Election of the ICC Prosecutor

Civil society<sup>1</sup> plays an important role in monitoring the election of International Criminal Court (ICC) officials. We promote fair, merit-based, and transparent elections.

*Please answer the questions below. These questions are aimed at complementing questions posed during the public hearings held with candidates on 29-30 July 2020.*

Name:

Date:

### COMMITMENT AND VISION

1. What vision will animate the work of the ICC Office of the Prosecutor (OTP), if you are elected Prosecutor?
2. How will you define the Court's legacy in situations where investigations are undertaken? How will you achieve that legacy?
3. What is your assessment of the resources available to the Court? If you are elected Prosecutor, how will you achieve the Court's mandate in light of available resources?

### PRELIMINARY EXAMINATIONS, INVESTIGATIONS AND PROSECUTIONS

4. What do you believe are the main challenges facing the OTP in terms of:
  - a. preliminary examinations;
  - b. investigations; and
  - c. prosecutions?

How would you overcome them?
5. Please describe your vision for addressing misconceptions related to sexual and gender-based violence that might impede the investigation and prosecution of SGBCs.
6. Please describe your experience in addressing crimes against and affecting children and related issues, including dealing with child witnesses.
7. The 2016 OTP Policy Paper on case selection and prioritization lays down several areas of serious crimes under national law which the OTP will take into consideration when investigating core crimes under the Rome Statute. These include the illegal exploitation of

<sup>1</sup> This questionnaire is endorsed by the following organizations: African Center for Democracy and Human Rights Studies, UNA Sweden, Alhaq, ALTSEAN-Burma, Amnesty International, Asian Legal Resource Centre, The Australian Centre for International Justice, Colombian Commission of Jurist, Congo Peace Initiative, FIDH, Georgian Coalition for the International Criminal Court Human Rights Watch, Justice International, Nigerian Coalition for the ICC, No Peace Without Justice, Odhikar, Open Society Justice Initiative, Parliamentarians for Global Action, REDRESS, Reporters sans frontiers, StoptheDrugWar.org, The Swedish Foundation for Human Rights, World Citizen Foundation, Women's Initiatives for Gender Justice, World Federalist Movement/Institute for Global Policy, and the World Renewers Organization. This questionnaire was developed with the assistance of the Coalition for the International Criminal Court Secretariat.

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natural resources, arms trafficking, human trafficking, terrorism, financial crimes, land grabbing or the destruction of the environment. Could you please provide an example of your experience in any of these areas?

8. To date, the crime against humanity of enforced disappearance has not been charged. Are there aspects of the Rome Statute, including crimes within its jurisdiction, that you consider have been underutilized and would form part of the Office's prosecutorial strategies, if elected?
9. Under the Rome Statute, the Prosecutor has unilateral authority to investigate offences against the administration of justice (Article 70 cases). As Prosecutor, what policy considerations would guide your implementation of the Article 70 mandate in a clear and consistent manner?

### **COMMUNICATION AND OUTREACH**

10. The ICC's work is of concern globally and to multiple audiences.
  - a. What experience do you have in prioritizing and successfully conveying key yet complex information to different audiences? Please provide specific examples.
  - b. What kind of communications strategies and tools will you put in place as Prosecutor?

### **VICTIMS AND AFFECTED COMMUNITIES**

11. Please describe your vision of the prosecution's role in supporting the rights of victims in ICC proceedings as per the Rome Statute.
12. How will you pursue accountability for those crimes that have a particularly serious impact on future generations of affected communities?
13. How do you view the OTP's relationship with affected communities? How would you seek to maximize the impact of the Office's work and that of the Court more broadly for affected communities?

### **DEFENCE RIGHTS**

14. Please describe your experiences in ensuring the rights of the accused to a fair and impartial trial.

### **IMPARTIALITY, INDEPENDENCE, AND COOPERATION**

15. How have you demonstrated your ability to carry out previous mandates with independence and impartiality? Please provide specific examples.
16. How will you act in cases where significant political or other external pressure is exerted upon you and the Office you lead?
17. How will you secure cooperation in the arrest of individuals wanted by the Court?

### **HIGH MORAL CHARACTER**

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18. Are you aware of any formal allegations made against you related to professional misconduct, including allegations of sexual harassment, discrimination, or bullying, or any investigations regarding your alleged professional misconduct related to the same? If so, please explain.
19. Are you aware of any formal allegations made about you related to financial mismanagement or fraud? If so, please explain.

**LEADERSHIP AND MANAGEMENT**

20. How would you describe your leadership style? Please describe a situation where you have demonstrated this in your work.
21. How would you describe your management style and experience, including your approach to decision making, delegation of authority, and accountability? Please describe a management challenge, and how you addressed it.
22. Diversity is critical to the success of the ICC. Please explain how diversity has played a role in your past and present professional activities, community engagement, and your lived experience.

**OTP OFFICE CULTURE**

23. What is your assessment of the current working culture within the OTP and what measures would you take to improve it?
24. How would you address any issues that disproportionately affect women or minorities and people of colour? Please describe a situation where you have demonstrated this in your work to date.

**Thank you.**