

Short overview of the Croatian election procedure of the candidate for the judge of the International Criminal Court

The Republic of Croatia at the very beginning accepted and supported the idea and activities aimed at the establishment of a permanent International Criminal Court (ICC). The Republic of Croatia, as one of the first state that gave support to the establishment of the ICC, adopted *Law on Ratification of the Rome Statute of the ICC* in March 2001, and by doing so became a State Party of the Rome Statute. The Republic of Croatia also ratified amendments adopted on the Review Conference in Kampala. The Rome Statute is fully implemented in national legislation and all necessary preconditions for the prosecution of the most serious crimes within the jurisdiction of the ICC have been fulfilled.

As a support to the activity of the ICC the Croatian Government so far on three occasions, including the ongoing selection procedure, proposed a candidate for a judge of the ICC.

Overview of the current procedure:

In the beginning of 2017 the Croatian Government made a decision to nominate its candidate for judge of the ICC. Ministry of Justice of the Republic of Croatia was designated as an institution competent to conduct the process of Public Call and to collect the applications. Final decision on the selection of a candidate was the competence of the Government itself.

Following that decision, in March 2017 the Ministry of Justice announced through its web page and through letters send to all the second instance Courts, State Attorney's Office, Judicial Academy, Faculties of Law, Croatian Bar Association that it will publish Public Call for nomination.

On 19th of April 2017 a Public Call for nomination was published in the Official Gazette of the Republic of Croatia and in daily newspaper and all interested persons had an opportunity to submit the application and the documentation that proves that they are suited candidates in line with conditions laid down in Article 36(3) of the Rome Statute:

3. (a) The judges shall be chosen from among persons of high moral character, impartiality and integrity who possess the qualifications required in their respective States for appointment to the highest judicial offices.

(b) Every candidate for election to the Court shall:

(i) Have established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings; or

(ii) Have established competence in relevant areas of international law such as international humanitarian law and the law of human rights, and extensive experience in a professional legal capacity which is of relevance to the judicial work of the Court;

(c) Every candidate for election to the Court shall have an excellent knowledge of and be fluent in at least one of the working languages of the Court.

Potential candidates had a period of eight days from the publication of Public Call for the submission of their application to the Ministry of Justice.

Based on the submitted applications and the assessment of the candidates against the above criteria, the Government of the Republic of Croatia on 25th of May 2017 selected Professor Zlata Đurđević as a Croatian candidate for the post of a judge of the ICC. Later on she was officially nominated as a candidate for the post of a judge of the ICC.