



Coalition for the International Criminal Court

MEDIA CONTACTS:

In New York: Mr. William Pace,
Convenor, Coalition for the ICC
Tel: +1-646-465-8533
pace@coalitionfortheicc.org

Ms. Brigitte Suhr
Director of Regional Programs,
Coalition for the ICC
Tel: +1 (646) 465-8540
suhr@coalitionfortheicc.org

Mr. Tobias Hanson
Legal Officer, Coalition for the ICC
hanson@coalitionfortheicc.org
Tel: + 1 646 465 8519

In The Hague: Ms. Oriane Maillet
Head of Communications, Coalition for the ICC
Tel: +31 (0) 70-3111082
maillet@coalitionfortheicc.org

MEDIA ADVISORY
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**ASP Search Committee Releases Shortlist for the Position
of ICC Prosecutor**

WHAT: Today, 25 October 2011, the Search Committee for the position of International Criminal Court (ICC) Prosecutor released the names of the four candidates it has short-listed for the December 2011 election of the chief prosecutor. The ICC is the first permanent international court capable of trying perpetrators of genocide, crimes against humanity, and war crimes.

WHO: The Search Committee for the position of ICC Prosecutor presented the following names to the Bureau of the Assembly of States Parties to the Rome Statute of the ICC (ASP): Fatou B. Bensouda, currently Deputy Prosecutor, International Criminal Court; Andrew T. Cayley, currently International Co-Prosecutor, Extraordinary Chambers in the Courts of Cambodia; Mohamed Chande Othman, currently Chief Justice of Tanzania; Robert Petit, currently Counsel, Crimes Against Humanity and War Crimes Section, Department of Justice, Canada. The Search Committee had received expressions of interest, or otherwise identified, 52 individuals, 8 of whom were interviewed. The individuals on the short-list published today have been recommended by the Search Committee to the Bureau of the Assembly of States Parties (ASP), the Court's governing body.

WHY: The term of the first ICC Prosecutor, Luis Moreno-Ocampo, is due to expire in June 2012 and cannot be renewed. Unless a shorter term is decided upon at the time of the election his successor will be elected for a nine-year term at the tenth session of ASP to be held on December 12-21 at UN Headquarters in New York. In February 2011, the Bureau of the ASP established the Search Committee for the Prosecutor of the ICC to facilitate the nomination and election by consensus of the next prosecutor.

HOW: The Committee is composed of states parties' representatives from each UN regional grouping: H.R.H. Prince Zeid Ra'ad Zeid Al-Hussein (Asian Group), H.E. Mr.

Baso Sangqu (African Group), H.E. Mr. Miloš Koterec (Eastern Europe Group), Mr. Joel Hernández García (Latin American and Caribbean States (GRULAC)), and Sir Daniel Bethlehem (Western European and Others Group (WEOG)). Until the cut-off date of 9 September 2011, the Search Committee received informal 'expressions of interest' for the position of ICC prosecutor submitted by candidates themselves or on their behalf by third parties (NGOs, associations, States, individuals and so forth). In addition to this process, the Search Committee sought to identify highly qualified candidates for the position. By 9 September 2011, the Search Committee had received a total of 52 expressions of interest, of these at least 12 candidates were publicly identified as female, 30 were male; 21 were nationals of the African Group, one from the Eastern European Group, three from GRULAC and 16 from WEOG. The Committee then conducted interviews with 8 of the candidates from 10-13 October in New York to finally recommend the top four candidates to the Bureau on 25 October 2011.

NEXT STEPS: Through informal consultations amongst all states parties, one of the four candidates will be identified for formal nomination and election by consensus at the ASP in December 2011. However, under the Rome Statute rules governing the prosecutor's election, any state party can still formally nominate a candidate for the position of prosecutor. If multiple states parties nominate candidates, the prosecutor will need to be elected by an absolute majority of the ASP in December 2011.

BACKGROUND: The 2011 prosecutorial elections will impact almost every aspect of the ICC for years to come. The new prosecutor will take responsibility for all ongoing and future investigations. This includes the cases currently before the ICC in relation to situations in Central African Republic, Cote d'Ivoire, Darfur, Democratic Republic of Congo, Kenya, Libya and Uganda, as well as the numerous preliminary examinations undertaken in Asia, Africa, Europe, Latin America, and the Middle East. Two of the ICC's first trials may be completed prior to the election, but the appeals and reparations phases for these trials are expected to be ongoing after the election.

As part of its global campaign on ICC elections launched in December 2010, the Coalition has been actively monitoring the Search Committee process and advocating for further transparency, greater information sharing - including on gender and regional statistics - and further opportunities for civil society participation. The Coalition, while not taking a position on candidates, has also been actively encouraging its individual members to identify potential candidates from all regions and submit their names to the Search Committee.

The ICC is the world's first permanent international court to prosecute war crimes, crimes against humanity, and genocide. Central to the Court's mandate is the principle of complementarity, which holds that the Court will only intervene if national legal systems are unwilling or unable to investigate and prosecute perpetrators of genocide, crimes against humanity and war crimes. There are currently seven investigations before the Court: Central African Republic; Cote d'Ivoire; Democratic Republic of the Congo; Darfur, the Sudan; Uganda; Kenya; and Libya. The ICC has publicly issued 18 arrest warrants and nine summonses to appear. Three trials are ongoing. The ICC prosecutor has also made public that it is examining eight situations on four continents: Afghanistan, Colombia, Georgia, Guinea, Honduras, Republic of Korea, Nigeria and Palestine.

The Coalition for the International Criminal Court is a global network of civil society organizations in over 150 countries working in partnership to strengthen international cooperation with the ICC; ensure that the Court is fair, effective and independent; make justice both visible and universal; and advance stronger national laws that deliver justice to victims of war crimes, crimes against humanity and genocide. For more information, visit: www.coalitionfortheicc.org

For more information on prosecutorial elections, visit:

<http://www.coalitionfortheicc.org/?mod=electionprosecutor>

Members of the Coalition are available for background information and comments on these issues. Experts list available upon request to: communications@coalitionfortheicc.org

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