

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

*Conscious of the critical importance of the Registrar of the ICC role, 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: Herman von Hebel

Nationality: Dutch

Vision for the ICC and Registry:

1. What is your vision for the ICC and how would your leadership of the Registry contribute to that vision for the Court?

Although this is a question that could justify a very lengthy response, I will try to be as brief as possible. For my vision for the ICC, I am of course in the first place guided by the ICC Statute itself and the principles laid down in this Statute, such as fighting impunity, accountability for perpetrators of crimes laid down in the Statute and fair trial rights.

In institutional terms, this means, amongst others: (i) strong and effective prosecutorial policies in relation to investigations and prosecutions, (ii) effective functioning of Chambers, (iii) guaranteed fair trial rights for accused persons, including but not limited to a strong position of defence counsel, (iv) effective participation of victims, (v) effective support and protection of witnesses, (vi) strong press and outreach activities, (vii) detention facilities meeting international standards, (viii) functioning of all staff under safe and secure conditions and (ix) effective cooperation between the ICC and states parties.

The Registry is first and foremost a services providing organ of the Court. Its task is to create preconditions for the effective functioning of all organs of the Court and all parties to the proceedings. As Registrar of the SCSL and STL, I have always put a lot of efforts in establishing and maintaining effective lines of communication with the President and the Prosecutor and contributing to an atmosphere of trust and cooperation amongst the organs and respect for each other responsibilities. A leadership based on these parameters will set an example for the institution as a whole. The Registrar is furthermore responsible for an effectively functioning Registry. This requires leadership

and vision on the responsibilities of the Registry, in which all Registry sections are able to function collaboratively and effectively.

2. How would you evaluate the performance of the ICC Registry to date?

As I have not been part of the ICC Registry and can only look at the performance of the ICC Registry from an “outsider” perspective, I hesitate to pass on a judgment on this performance. A full evaluation needs to be based on a complete factual analysis and I am not in a position to have such an analysis. Against this background I would like to make three brief observations, also based on my experience as a Registrar for the SCSL and STL, but do not claim that this represents a full picture on the performance of the ICC Registry.

In the first place, I would observe that there seems to be a high number of sections and staff within Registry, seen in isolation and in relation to the Court as a whole. It may be useful to thoroughly reassess the organization of the Registry and its present financial needs, in comparison with the other organs of the Court. In the second place, I have noted that a substantial number of highly qualified staff members of the ICC, and in particular from the Registry, have left the organization over the last years and sought and found employment with other (ad hoc) courts and tribunals. Such staff members have been critical of the functioning of the Registry. It is safe to assume that such a “brain drain” affects institutional knowledge and effective functioning of the Registry. And in the third place, the website of the ICC may need an overhaul and improvement. The website is a first point of contact for many people throughout the world that are interested in the work of the Court. The present website is regularly difficult to access, does not invite to stay logged on and does not present relevant information in an easy and inviting manner.

3. What are its principal achievements and how would you build on them? What do you believe are some of the current challenges the Registry faces and how would you address them?

Also here, my answer needs to be of a preliminary nature, given my position as an “outsider”. After ten years of operation, it can be expected that the Registry is fully operational and able to provide full support and services to all organs and parties involved in the ICC functions. In my view, an issue of constant attention for any Registry is communication. This includes internal communication, communication between the organs of the Court and external communication, such as with the Assembly of States Parties and the NGO community. Strengthened communication may assist in further developing and improving levels of cooperation between and effectiveness of all Registry sections, assist in ensuring optimum services to other organs and parties and assist in achieving optimum understanding for the needs of the ICC in terms of financial support and cooperation.

Challenges also exist in relation to the unpredictability of activities for the coming years and the need to always ensure adequate levels of support and services in rapidly developing needs of all ICC organs. In addition, one may think of challenges in relation to widely diverging issues as security of staff in the field, information security, protection and support of witnesses and victims, cooperation of states, adequate language and courtroom services, political support for and credibility of the Court etc.

Qualifications and experience in court administration:

4. 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 ICC (French and English). Please describe briefly how you meet these criteria.

Since 1995, I have on a daily basis been involved in the setting up and functioning of international and hybrid courts and tribunals. I participated in the 1998 Rome Conference and in all preparatory and follow up diplomatic sessions from 1995 until the end of 2000. I served as a chairman of many deliberations on the definition of crimes, in particular war crimes. As of 2001 up to the present, I have served in three different international and hybrid courts and tribunals: the ICTY (Senior Legal Officer in Chambers, 2001-2006), SCSL (Deputy Registrar and Registrar, 2006-2009) and STL (Deputy Registrar and Registrar, 2009-present). This provides me with a very solid background and experience in relation to the functioning of such courts and tribunals. I have dealt with and continue to deal with all aspects of such functioning, including budget and finance, external relations, host state matters, administration and HR issues, court management, witness protection and support, victim participation, detention, language services, enforcement of sentences and other forms of cooperation with states, etc. etc.

I am fluent in English and am able to communicate effectively in French.

5. All Court officials must perform their functions with full independence and should not act under the instruction of any country or external actor. How would you ensure independence in the functioning of the Registry?

It is important that the Registrar sets an example for all staff. Although I have been an employee of the Dutch Ministry of Foreign Affairs between 1991 and 2000, I do not have any formal ties with this Ministry or other parts of the Dutch government. In order to ensure independence of all Registry staff, adequate measures have to be put in place such as transparent recruitment policies, effective and objective performance appraisal mechanisms, transparent staff rules and regulations and codes of conduct, fair and effective internal investigation mechanisms in case of any alleged violations of such rules or codes and financial disclosure programs for higher level staff members and staff working in the area of finance, procurement etc.

6. Please describe any specific expertise of relevance to the work of the ICC you may have, including, but not limited to, gender equality and violence against women or children.

As described above, I have been involved in the elaboration and functioning of four different international and hybrid courts and tribunals: ICC, ICTY, SCSL and STL. I have participated in the development of the definition of crimes included in the ICC Statute, in particular war crimes, in relation to various forms of violence against women and children. During my time as Senior Legal Officer at Trial Chamber II of the ICTY, I contributed to the drafting of decisions and judgments relating to such crimes. And when I served as Deputy Registrar and Registrar of the SCSL in Freetown, Sierra Leone, I played a role in many outreach events focused on the violence against women and violence against children, child soldiers etc. during the Sierra Leonean conflict. As women and children are always one of the major victims of crimes under the jurisdiction

of the ICC, it is of great importance that such crimes are actively prosecuted, that such categories of victims are properly heard in ICC cases and that effective outreach and press activities are developed with specific focus on these categories of victims.

Management experience:

7. The Registrar will manage a large number of staff, divided into various units, sections and field offices, dealing with a broad range of responsibilities. How would you describe your management abilities and experience, and how are those qualities relevant to the management of the ICC Registry?

As Deputy Registrar and Registrar of the SCSL from 2006-2009 and of the STL since 2009, I have experience in the management of a Registry for more than 6 years. In these positions I have had the opportunity to deal with all aspects of the functioning of a Registry. This includes the sections that provide support to the judicial operation of the Court. It also includes sections that deal with the administration of the Court or with security, press and outreach. And it includes sections and functions that relate to external relations, fundraising, cooperation with host states and other states and conclusion and implementation of agreements in the field of enforcement of sentences and protection of witnesses. At the SCSL, I gained experience with processes of downsizing, as the SCSL was coming closer to the completion of its mandate. At the STL, I have gained experience with the process of building up, as I joined the STL a few months after its establishment and it is now practically ready for trial. Both institutions have a sub-office of considerable size and I gained experience in the implementation of effective forms of coordination and cooperation between Head Office and sub-office.

8. Please describe your experience preparing and being responsible for a large budget. Have you had experience in working with results based budgeting systems?

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?

Both at the SCSL and the STL, I have been responsible for the preparation of the budgets. At the SCSL, I developed the first "completion budget", i.e. a multi-annual budget, matching the budgetary needs of the SCSL with its completion strategy. I was subsequently responsible for the half yearly updates of the completion budget until my departure in May 2009. In 2009, I was responsible for the preparation of the first budget for the STL and recently submitted the fourth annual budget for the STL to its Management Committee, which approved the budget in November 2012. The budgets for these institutions amounted to anything in between 25 and 70-80 million US dollars. When working in Chambers at the ICTY, I was involved in the preparation of the chapter for Chambers of the "result based budgeting system" used there. Both SCSL and STL use variations of such systems.

An effective process of preparation, submission and examination of a budget is in my view largely dependent on two factors.

The first one is the need to formulate very clear goals for the Court for the coming year. This requires open communication between the organs of the Court. Only if the Prosecutor, President and Registrar are aware of each other's operational needs, will it

be possible to develop a budget where all organs are guaranteed to receive the resources required to implement its activities. As the Registry is the service provider to the other organs of the Court, it is of the greatest importance that the Registrar fully appreciates the operational needs of all organs of the Court.

The second factor is the “translation” of the operational needs in very clear and transparent budgetary needs. Also here, the Registrar has a key role to play. He or she needs to be able to present and explain every detail of the budget to both the CBF and the states parties and to show how these financial figures relate back to the operational demands of all organs of the Court.

The whole process of preparation, submission and examination of the budget depends on vision and trust: vision by the organs of the Court on its operational needs and trust by the CBF and states parties that the organs of the Court, certainly in times of financial constraints, present genuine budgetary needs.

9. Recognizing the current budget pressures on the growing Court represents a significant challenge for the institution. As Registrar how will you respond to this situation and ensure that the Court is adequately funded?

Both the SCSL and the STL are in whole or in part based on voluntary contributions from donors. That means that the Registrar does not only play an important role in relation to the process of submission to and approval of a budget by the respective governing bodies, the Management Committees of SCSL and STL, but also in relation to fundraising efforts with the donor community. My experience with these processes over the past six years provides me a solid basis for meeting the financial challenges of the ICC. To meet this challenge it is required, as mentioned above, to present a clear and understandable budget reflecting a coherent vision of all of the organs of the ICC. The budget should clearly demonstrate what will be achieved with the financial resources required and hence, what will not be achieved, if such resources are not available. In addition, the Registrar is required to engage in an almost constant dialogue with member states on the implementation of the budget, and any challenges thereto. Only with such a process will it be possible to gain the trust of the CBF and states parties that the ICC is doing its utmost to provide maximum value for money and only requires resources that are of crucial importance for the implementation of its mandate.

10. The Registrar oversees the staff recruitment for the Court, based on principles of qualification, geographical representation and gender balance. What strategies would you employ to effectively manage the human resources of the ICC, including hiring, retaining highly qualified staff and ensuring their satisfactory performance?

Human resources are the major asset of any organization. A number of strategies are required in order to ensure that the ICC attracts and retains the highest quality of staff possible. In the first place, a strong recruitment process is required. This includes such measures as (i) an easily accessible e-recruitment system via the internet; (ii) an optimally functioning HR section; HR is the first point of contact for new staff. Positive experiences with HR have a major impact on staff morale, and (iii) transparent recruitment policies that are rigidly implemented. In the second place, transparent performance appraisal systems need to be in place, which have to include accessible, fair and independent appeal proceedings. In the third place, given the fact that staff requirements may fluctuate, procedures have to be in place in order to ensure that

termination of contracts are based on transparent criteria and are also subject to adequate appeal proceedings.

#### Challenges for the ICC:

11. One of the core challenges identified for the Court is obtaining a positive response to its requests for cooperation with the Court. Given that the Registrar is responsible for disseminating cooperation requests, what are the challenges you see currently for states parties to abide cooperation requests? How would you address those challenges?

Cooperation requests relate to such a wide variety of issues, that it is very difficult to give a complete answer to this question. As of necessity, the answer is more one of process than substance. Open communication is, again, the key here. The Registrar needs to establish a constant dialogue with those countries with which intensive cooperation is required. It may be necessary to have one or more staff, representing the Registrar, present in the country with which cooperation may be required, such as countries in relation to which the Prosecutor is undertaking investigations and/or prosecutions. The experiences in both the SCSL and STL have demonstrated the need for such posts. Intensive cooperation between the Registrar and the Prosecutor is required in order to ensure that the respective responsibilities of the Prosecutor and the Registrar are fully observed.

In addition, it is necessary to establish and maintain positive working relations with the ICC host state. The Netherlands is also the host state for the STL and the SCSL (Charles Taylor case). My experiences with the Netherlands in terms of cooperation on issues of detention, witness protection and support, visas etc. have in general been very productive.

Furthermore, the Registrar will need to undertake further actions in order to broaden the group of states with which agreements can be established in relation to protection of witnesses and enforcement of sentences.

#### Relations with stakeholders:

12. Article 112(2)(b) of the Rome Statute indicates that the ASP provides management oversight of the Registrar. Additionally, the Registrar shall exercise her or his functions under the authority of the President of the Court, how would you describe the relationship between the Registrar and the ASP, as well as the President? How would you describe the relationship between the Registrar and the Office of the Prosecutor and Chambers?

Although the legal framework of the ICC is different from that of the SCSL or the STL, there are some common elements in the relationship between the Registrar on the one hand and the President, the Prosecutor, Chambers, parties and ASP (or Management Committee for SCSL and STL) on the other. In general terms, it can be stated that the relationship between the Registrar and the ASP is primarily focused on the non-judicial aspects of the functioning of the Court (budget, financial situation, efficiency etc.). The relationship between the President and the Registrar is primarily focused on judicial

aspects, but also includes a number of managerial aspects, in particular when it concerns preconditions for the optimal functioning of the President and the President's office. Given the crucial role the President has to play in relation to external relations, an intensive cooperation between the President, his or her Chef de Cabinet and the Registrar is required, going beyond the purely judicial aspects and ensuring that both principals speak with one voice in their external relations.

The relationship between the Prosecutor and the Registrar is to a large extent focused on prosecutorial/legal aspects. Here, the most important question is how the Registry can provide services that will allow the Office of the Prosecutor to optimally function. The relationship between Chambers and the Registrar is primarily of a judicial nature. Here again, the focus in this relationship is on how the Registry can provide services fully supporting the Chambers in the exercise of their judicial functions. A crucial role in this relationship is played by Registry sections, which are responsible for, amongst others, language services, witness support and protection, victim participation, detention and court management.

What is crucial in each of these relationships is, again, the need for open communication. Both in SCSL and STL, I was and am used to having regular weekly meetings with both the President and the Prosecutor and regular monthly meetings with the three principals together (in the STL with four principals, including the Head of the Defence Office). In addition there is a system in place of daily contact between the staff working in the immediate office of the Registrar and the staff working in the immediate offices of the President and the Prosecutor. Furthermore, there is a system of reporting in place on the functioning of the different sections of the Registry, which are shared with the President or Prosecutor, if and when required. Only with such communication will it be possible to ensure common leadership and optimal functioning of all organs.

13. The Registrar has a special mandate vis-à-vis the outreach activities of the Court, especially as regards 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 field presence.

Outreach activities are an important aspect of the functioning of the Court. In particular in Sierra Leone, the SCSL developed and implemented as of the early days of its operations a very intensive (and still low budget) outreach program. Local ownership of such outreach activities is of great importance. The SCSL built up a wide network of national NGOs with which it intensively cooperated. Programs were developed and implemented in relation to, amongst others, child soldiers, women with small businesses in the local markets, the Sierra Leonean armed forces and police, schools throughout the country, local community leaders etc. The outreach section of the STL, based in Lebanon, has amongst others engaged in a training program on international humanitarian law in cooperation with eight universities in Beirut and in cooperation with bar associations and groups of judges.

Outreach plays a crucial role in that it constitutes a forum for providing accurate information about the activities of the Court and an informed discussion on these activities. Outreach in addition is an effective tool in setting an example and demonstrating the need for national judicial processes meeting international standards. Finally, outreach can be an effective tool in the process of national reconciliation after a country has been confronted with the tragic consequences of the crimes committed in national societies.

14. Taking into account the important role of field presence in different situations of the ICC, how do you envision the role of the Registry on issues such as exit strategies and legacy once cases are finalised and investigations in specific situations are closed?

The development of a Court wide policy on legacy and exit strategies has to take place as early as possible, while investigations and prosecutions are still ongoing. Based on my own experience, I think it is useful to develop general internal policies at an early stage on how an exit strategy and legacy can be given shape. Issues such as access to the judicial records of the Court proceedings, general information about the cases, transfer of records to national legal institutions and issues of victim and witness protection are aspects of such policies. These policies have of course to be adapted to the various national contexts in which the exit strategies and legacy will take place. It will be required to develop partnerships with such authorities or institutions at an early stage. Although the policies include the activities of all organs of the Court (judicial records, information about victims and witnesses etc.), the Registry can play an important coordinating role here and build up institutional knowledge and capacity on behalf of the Court as a whole.

15. How do you see the Court developing its outreach activities taking into account the complex challenges it continues to face?

As indicated above, outreach is an important aspect of the work of the Court. Certainly in times of financial challenges, there are however limitations to how much outreach activities can be developed and implemented. In my view, the Court needs to establish and maintain a number of general outreach policies that may be applied in different national contexts, depending on the local situations. It will require further action in terms of developing partnerships and fundraising strategies with other national or international partners in order to tailor and implement effective outreach activities in the various national systems involved.

16. How would you ensure that women and children have access to justice and are cognisant of what the Rome Statute is seeking to achieve.

In my view, access to justice and to information about the ICC Statute for women and children can at least be given shape via outreach, participation as a witness or participation as a victim. In the context of outreach, it will be necessary to develop programs specifically focused on women and children. At the SCSL for example, a small booklet with basic information about principles of humanitarian law for children in primary school was produced. When women and children participate in the proceedings as a witness of crimes that have been committed against them or their relatives, special care needs to be given to psychological support, in order to ensure that their participation will have minimal impact on their personal well-being. The same applies when women or children participate in the proceedings in their "capacity" as victim. The relevant Registry units need to implement special procedures to ensure their well-being and participation under optimum conditions.

17. The ICC has established constructive and long term relationships with non-governmental organisations (NGOs). Please describe any previous experience you have working with NGOs. What do you think the role of NGOs should be in the Rome Statute system?

My previous experiences with NGOs are varied. During the 1980s I was a member of the Dutch section of the International Commission of Jurists and served as the chairman of this section for 2 years. As a member of the Dutch delegation to the ICC negotiations, I have always considered it of great importance to maintain good working relationships with the various participating NGOs and I very much valued the high quality written contributions from many NGOs on various aspects of the negotiations. Also during my work at the SCSL and the STL, I consider it of crucial importance to establish and maintain constructive working relations with NGOs following or participating in the work of the various courts and tribunals, such as in the context of outreach activities (where, in addition to international NGOs, national NGOs can play a very important role), monitoring of the proceedings or discussions on the impact of the work of the Court or Tribunal on the national political and legal landscape.

Overall, NGOs play a crucial role in international justice. NGOs have played a major role during the negotiations on the establishment of the ICC and continue to play an important role in e.g. the lobby for the widest possible ratification of the Rome Statute. NGOs can moreover be an important partner in outreach and legacy activities and in the monitoring of ICC proceedings.

18. 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?

In my opinion, the question of how victims can participate in the most meaningful manner in ICC proceedings needs first and foremost to be answered by the ICC judges. It is for them to assess how victims can maximally participate while at the same time ensuring expeditious and efficient proceedings. Based on that determination, the Registry may assist in the implementation of decisions relating to victim participation. In addition, the Registrar is responsible for the effective functioning of the different sections within Registry that are involved in victim participation as well as for the effective functioning of counsel representing victims. Strong internal coordination, adequate resources and development and implementation of effective strategies are a prerequisite for effective victim participation. In this context, it would also be useful to organize meetings with other international tribunals and national jurisdictions for purposes of developing best practices and lessons learned.

19. The ICC Registrar is responsible for establishing the eligibility and qualifications of defence counsel, providing support to them, and working with the Court to promote the rights of the defence. What would you do to ensure adequate representation of accused persons, and in particular how would you ensure that the defence have equal facilities, resources and access ('equality of arms') in proceedings?

Also here, a number of aspects of this question lie with the judges of the Court. How to interpret the relevant rules on the rights of accused persons to a fair and effective trial and how counsel can assist in that process is first and foremost subject to judicial determination. In addition, the Registrar has an important role to play to create the right

preconditions under which counsel are able to exercise their functions. A wide variety of measures (of which many can be expected to be already in place) can be envisaged, including but not limited to: (i) effective control over the list of counsel that may appear before the Court; (ii) training opportunities in order to ensure that counsel can remain up to date with relevant legal and practical developments within the Court; (iii) an effective legal aid policy, allowing for adequate financial and other resources (staff, experts, IT support etc.) and (iv) code of conduct for counsel to ensure professionalism in and around the courtroom and proceedings. In my view, it is important that the Registrar himself or herself is in very regular contact with counsel in order to assess whether all preconditions for an effective functioning are met or whether additional measures or activities are required.

20. The role of the Registrar is to provide support to Counsel and their teams including the management of legal aid for both defence and victims representatives. In light of the fundamental importance of fair trial and victim participation provided for by the Rome Statute, as a Registrar what, if anything, would you do to improve the support to defence counsel and legal representatives of victims?

As mentioned under the previous question, it is important for the Registrar to be in regular contact with counsel and legal representatives of victims in order to assess the quality of support provided. As an “outsider”, it is difficult for me to assess whether, and if so, what kind of measures might be needed. A more thorough understanding of the present conditions under which counsel and representatives operate would be required. But also in this context, any additional measures to improve the support of such counsel may depend on decisions to be taken by judges in the context of judicial proceedings, as part of a determination of what constitutes a fair and effective trial.

21. The first case at the ICC has highlighted the reliance of the ICC on its use of intermediaries. What are your thoughts on the role of intermediaries and their relationship with the Court?

In my view, this question is one that needs first and foremost to be answered by other organs of the Court. It is for the Prosecutor to determine how to organize the work of her office and how to collect evidence suitable for presentation in the courtroom. It is then for the judges to assess whether the use of intermediaries may impact on the quality of the evidence presented or the fairness of the proceedings. The Registrar will play a role where the Registry is required to provide support of a practical and/or financial nature in relation to the organization of investigations or in relation to the development and implementation of policies on the compensation for witnesses for travel or other costs. In that context the Registrar is required to carefully assess the impact of the case-law of the ICC, such as in the judgment of the Trial Chamber in the Lubanga case, on the use of intermediaries in other proceedings.

22. 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’. What measures would you take to strengthen the protection of victims and witnesses, particularly women?

Both victims and witnesses play a crucial role in the proceedings before the ICC. Any impact on the safety, physical and psychological well-being, dignity and privacy of victims and witnesses may heavily affect ICC proceedings. From that perspective, Article 68(1) relates to an important precondition for the ability of the ICC to hold proceedings. The Registrar needs to ensure that relevant Registry sections have adequate facilities to give maximum effect to this provision and are able to work in close cooperation with each other. First and foremost, high quality staff is required with experience in e.g. the psychological support to victims and witnesses, prior to, during and after testimony or participation in the proceedings. Special expertise is required in dealing with e.g. women who have been the victim of sexual crimes or young children who were forced to operate as a child soldier or who have witnessed the commission of crimes against family members. It is also required to have high quality staff with extensive expertise and experience in the area of protection and support of witnesses and victims. Such staff needs to be able to make adequate threat assessments on victims and witnesses. Furthermore, adequate facilities need to be available within the ICC building to ensure maximum levels of support and comfort for victims and witnesses during their presence and participation in the Court proceedings. Finally, the Registrar will have to continuously work on agreements and arrangements with the host state and with as many as possible other states for temporary or longer-term relocation of victims and witnesses.

#### Miscellaneous:

23. Have you made speeches and presentations regarding the ICC or related topics and/or have you published articles/books on these subjects. If so, can you please provide details?

Over the years, I have regularly lectured, attended conferences, held introductions and participated in forum discussions in relation to the establishment and functioning of the ICC (and of course other courts and tribunals). In addition I have published regularly on the ICC and international justice issues. A summary of some of my articles and contributions are included here:

- An International Tribunal for the Former Yugoslavia; An Act of Powerlessness or a new Challenge for the International Community?

in: 11 *Netherlands Quarterly of Human Rights*, no. 4 (1993), pp. 437-456

- De oprichting van een internationaal strafhof. Een echte stap voorwaarts? (with Prof. mr. Th. C. van Boven)

(The creation of an international criminal court; a real step forward?)

in: 74 *Nederlands Juristen Blad*, 30 April 1999, pp. 759-764

- Putting an end to impunity; From the Hague to Rome

in: Johan G. Lammers (red.): *Hague Yearbook of International Law* 1998, pp. 83-92

- Crimes within the jurisdiction of the Court (with Darryl Robinson)

in: Roy S. Lee (red.): *The International Criminal Court, The Making of the Rome Statute, Issues - Negotiations - Results*, Kluwer Law International 1999, pp. 79-126

- Herman A.M. von Hebel, Johan G. Lammers and Jolien Schukking (red.), *Reflections on the International Criminal Court, Essays in Honour of Adriaan Bos*, T.M.C. Asser Press 1999

- An International Criminal Court - A Historical Perspective  
in: Herman A.M. von Hebel, Johan G. Lammers and Jolien Schukking (red.), *Reflections on the International Criminal Court, Essays in Honour of Adriaan Bos*, T.M.C. Asser Press 1999, pp. 13-38

- Crimes against humanity under the Rome Statute  
in: Peter J. van Krieken (red.): *Refugee Law in Context: The Exclusion Clause*, T.M.C. Asser Press, 1999, pp. 105-118

- War crimes in Internal Conflicts: Article 8 of the ICC Statute (with Darryl Robinson)  
in: *Yearbook of International Humanitarian Law* vol 2-1999, T.M.C. Asser Press 2000, pp. 193-209

- Roy S. Lee (red.): *The International Criminal Court, Elements of Crimes and Rules of Procedure and Evidence*; Herman von Hebel and Darryl Robinson, Associate editors for Part One: Elements of Crimes, Transnational Publishers 2001, pp. 3-234 and author of the following parts:

- Chapter 1: The Making of the Elements of Crimes (partly together with Maria Kelt), pp. 3-18

- Chapter 2: General Principles of Criminal Law and Elements of Crimes (with Maria Kelt), pp. 19-40

- Chapter 5: The Elements of War Crimes; I. Introduction, pp. 109-111

- Chapter 5: The Elements of War Crimes; II. The Context of War Crimes (with Knut Dormann en Eve La Haye), pp. 112-123

- Chapter 5: The Elements of War Crimes; III.B.8, Article 8(2)(b)(viii) – The Transfer, Directly or Indirectly, by the Occupying Power of Parts of Its Own Civilian Population into the Territory It Occupies, or the Deportation or Transfer of All or Parts of the Population of the Occupied Territory Within or Outside This Territory, pp. 156-158

- Chapter 6: Reflections on the Elements of Crimes (with Darryl Robinson), pp. 219-234

- Some Comments on the Elements of Crimes for the Crimes of the ICC Statute (with Maria Kelt)

in: *Yearbook of International Humanitarian Law* vol 3-2000, T.M.C. Asser Press 2002, pp. 273-288

- The definition of war crimes in the Rome Statute

in: *The International Criminal Court: A Challenge to Impunity*, International Committee of the Red Cross/Damascus University Faculty of Law, 2002, pp. 59-71

- Crimes under the ICC Statute and the elements of crimes

in: *The New International Criminal Law*, Thesaurus Acroasium, vol. xxxii, Institute of International Public Law and International Relations of Thessaloniki, Sakkoulas Publications, Athens-Thessaloniki, 2003, pp. 729-808

24. 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, colour, gender, sexual orientation, religion, national origin, disability,

marital status, socioeconomic status, alienage or citizenship status? If yes, please describe the circumstances.

No.

25. Do you know of any factors that would adversely affect your ability to competently serve as the Registrar, to comply with a member's ethical responsibilities, or to complete the responsibilities that the Registrar is required to assume? If yes, please explain.

No.

Thank you.