

## Statement of qualifications

*Statement submitted in accordance with article 36, paragraph 4 (a), of the Rome Statute of the International Criminal Court and paragraph 6 of resolution ICC-ASP/3/Res.6.*

a) Dr. Marco Gerardo Monroy Cabra is a recognized Colombian jurist with over 45 years of professional and academic experience in the field of law, at both national and international level. In all posts he has distinguished himself by his impartiality, moral integrity and independence.

Dr. Monroy Cabra was President and Judge of the Constitutional Court (*Corte Constitucional*), a post he held for eight years until 2009. He was involved in the review of the constitutionality of international treaties on human rights, the Inter-American Convention against Terrorism, treaties on mutual assistance in criminal matters and the Rome Statute. He also took part in the review of the constitutionality of laws on human rights and international humanitarian law. He heard *amparo* and *tutela* actions in respect of internally displaced persons, victims of violence and minorities alleging violations of their fundamental rights. One constant in his career has been the defence and protection of human rights, it being one of the functions of the constitutional jurisdiction in Colombia to guarantee the immediate protection of human rights in the light of the Political Constitution and of international treaties to which Colombia is party.

Dr. Monroy Cabra has held other important positions in the judicial branch of government, including President and Judge of the Disciplinary Court (*Tribunal Disciplinario*), Vice-President of the Superior Council of the Administration of Justice (*Consejo Superior de la Administración de Justicia*), and Judge of the Constitutional Chamber (*Sala Constitucional*) of the Supreme Court of Justice (*Corte Suprema de Justicia*).

In the field of international law, he was a member of the Inter-American Commission on Human Rights (IACHR) for 10 years, where he helped prepare annual reports on the human rights situation in Argentina, Bolivia, Colombia, Cuba, Chile, El Salvador, Guatemala, Nicaragua, Suriname and Uruguay. He was also involved in cases of great historical import, for example relating to the fall of General Somoza in Nicaragua, to the report on disappeared persons in Argentina and to the resolution of the siege of the Embassy of the Dominican Republic in Bogotá. As a member of the IACHR he was also involved in resolving conflicts in Haiti and the conflict in El Salvador.

He was the Ambassador Extraordinary and Plenipotentiary to the Conferences on Private International Law in Panama and Montevideo, Vice-Chairman of the Committee on Juridical and Political Affairs at the Permanent Council of the Organization of American States (OAS), and Colombian delegate to a number of international conferences.

Throughout his professional career he has been closely involved in teaching and research. For six years he was Dean of the Faculty of Jurisprudence at the Rosario University (*Colegio Mayor de Nuestra Señora del Rosario*). On several occasions he was guest professor at prestigious international universities. He was a founding member and Vice President of the Inter-American Institute of Human Rights. He is the author of more than 30 legal works, most notably: *Ensayos sobre Teoría Constitucional y Derecho Internacional* (Essays on Constitutional Theory and International Law), *Derecho Internacional Público* (Public International Law), *Desaparición Forzada de Personas* (Forced Disappearance of Persons),

*El Sistema Interamericano* (The Inter-American System), *Derecho de Menores* (Rights of Minors), *Régimen Jurídico de la Extradición* (Legal System for Extradition), *Derechos Humanos* (Human Rights) and *La Convención Americana sobre Derechos Humanos* (The American Convention on Human Rights).

His accomplishments in these areas have won him public acclaim for his outstanding academic, professional and moral qualities and for his proven impartiality and integrity. Dr. Monroy Cabra possesses the qualifications required for appointment to the highest judicial offices in Colombia.

Dr. Monroy Cabra has an excellent knowledge and mastery of the English language.

In accordance with the terms of article 36, paragraph 4 (a) (ii), of the Rome Statute of the International Criminal Court and in light of the above information, the National Group at the Permanent Court of Arbitration has proposed Dr. Marco Gerardo Monroy Cabra as a candidate for the post of judge at the International Criminal Court.

b) For the purposes of article 36, paragraph 5, of the Rome Statute, Dr. Marco Gerardo Monroy Cabra is being nominated as a candidate for the post of judge of the International Criminal Court for inclusion in list B.

c) The selection of Dr. Marco Gerardo Monroy Cabra as a candidate for the post of judge takes into account the need, within the membership of the Court, for representation of the principal legal systems of the world, for equitable geographical representation and for a fair representation of female and male judges, in accordance with article 36, paragraph 8 (a) (i) to (iii).

In the context of the election of judges to be held during the eighth session of the Assembly of States Parties of the International Criminal Court, Dr. Monroy Cabra's candidature fulfils the conditions necessary to ensure an appropriate composition of the Court in so far as he (i) represents the civil law legal system, with some elements of Anglo-Saxon law; (ii) represents the Group of Latin American and Caribbean Countries (GRULAC); and represents the male gender.

d) In addition to his wide experience of matters relating to international public law, human rights and international humanitarian law, Dr. Marco Gerardo Monroy Cabra, in accordance with article 36, paragraph 8 (b), of the Rome Statute, has a specialization in juvenile law and has published a number of papers on the subject. He has also written on the special subject of the forced disappearance of persons.

e) For the purposes of article 36, paragraph 7, of the Rome Statute, Dr. Marco Gerardo Monroy Cabra does not possess dual nationality. His candidature is presented as the candidature of a national of Colombia.