

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

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Conscious of the critical importance of the role of the Registrar of the ICC, 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: Marie Tuma

Nationality: Sweden

Vision for the ICC and the Registry:

1. Why do you wish to be elected as the Registrar of the International Criminal Court (ICC)?

My life-long passion for human rights in post-conflict situations and international criminal law – as outlined further below – mean that serving as ICC Registrar would be an indisputable personal honor and privilege. Specifically, as Registrar I would be committed to ensure that the Registry continues to improve the efficiency of the impartial and professional service it provides to cope with increasing demand; as well as continues its efforts to garner international goodwill, cooperation, conduct meaningful outreach to victims, witnesses and affected communities.

2. 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 Court*” (French and English). Please describe briefly how you meet these criteria.

My proven professional experience means that the role of Registrar is one for which I am amply qualified and competent. My experience as an International Judge in post-conflict countries, serving as an Appeal Judge at the War Crimes Chamber, Court of Bosnia and Herzegovina, at the Criminal Court of EULEX, Kosovo, as an International Prosecutor at UNICTY in the Hague, the Netherlands, and as a Swedish prosecutor, coupled with my experience as Director of a Human Rights Organization, Raoul Wallenberg Institute (RWI), headquartered in Lund, Sweden with its six field offices in Cambodia, China, Indonesia, Jordan, Kenya, and Turkey, provide me with the qualifications to effectively serve as the Registrar of the International Criminal Court. While serving as a prosecutor in Sweden, I demonstrated skills in the effective leadership and management of uniformed and civilian personnel. In addition to in-

court judicial responsibilities in Sarajevo, I was involved in the sensitive process of establishing reforms to the judicial branch to meet international rule of law standards. Similarly, in Pristina, apart from presiding over complex and high-profile cases, I was accorded responsibility to implement the 'rule of law' mandate of the EULEX mission to establish an independent multi-ethnic justice system, including monitoring and advising local counterparts. My responsibilities very much also entailed supervising, delegating and managing teams of legal officers, attorneys and administrative staff in order to effectively and timely fulfil the missions of the courts. As the prosecutor at ICTY, I lead several war crimes investigative teams and trial teams which were comprised of gender balanced, multi-ethnic staff. I lead the teams on missions in the field, including investigators, attorneys and experts in various technical areas. As an international prosecutor I was assigned the responsibility to design rule of law procedures for the politically sensitive issue of the transfer of war crimes cases from the UNICTY at The Hague, to non-UN courts in the Balkans. Working within the UN's common system by leadership duties required strong listening skills and communication, sound management and team building skills.

Further, these roles have provided me with vast experience in:

- analyzing sensitive political and personal situations to engage in constructive dialogue and problem-solving discussions with people representing a variety of ethnic, religious and political backgrounds—essential to finding solutions to problems in post-conflict countries;
- extensive experience in the hiring processes while maintaining a gender balanced, multi-ethnic and multi-religious geographic selected staff
- supervising staff of different professional and ethnic backgrounds and building collaborative teams, both at headquarters and field offices;
- management of six field offices of which two were established during my tenure as Director, including employment of new staff, new programs and strategic planning of the field offices;
- identifying, planning and revision of strategic issues to implement mandates and programs;
- creating fruitful relationships and productive dialogue with high-level diplomatic representatives of civil society, universities, international organizations such as the UN and various heads of state;
- managing public funds to effect concrete results while securing future economic stability;
- managerial experience in fundraising, leading to the future preservation of the Institute by securing public funds through a cooperative agreement with SIDA, Swedish International Development Cooperation Agency, by fundraising initiatives leading to major donations from a Swedish foundation, law firm and others.
- held speeches, presentations and lectures in the field of human rights and humanitarian law at various international conferences, universities around the world, Bar Associations, foreign ministries and non-governmental organizations et cetera;

In all of my professional roles and many years of experience, I have acted with the utmost integrity. My commitment to human rights has at all times guided me through

decision-making (in and outside the courtroom), leadership and conflict-resolution to uphold impeccable moral standards and at all times resisting undue pressure, no matter its source. Finally, I have a working knowledge and ability to converse in English as well as in French.

3. What do you believe are the most important achievements of the ICC in its first 15 years?

In my view, the most striking achievement of the ICC to date is that it has weathered a turbulent, at times hostile climate of international relations, to not only survive as an institution, but to grow and evolve in ever more creative ways while delivering powerful and fair judgments. In terms of the judiciary – aside from its clear successes in dealing with cases arising from the situations in the Democratic Republic of Congo, Uganda, Darfur and Mali – I have in mind the manner in which it has shaped bare-bones legal provisions into a meaningful framework of victim participation in proceedings. The Registry has, in turn, operationalized judicial directives to begin build innovative and unique mechanisms to support victims and witnesses, establish vital court infrastructure in situation countries, fostering a growing outreach program and processing public information. The ICC has shown that through powerful management and sound judgement, resulting from a fair and efficient trial record, that it has a growing impact on the prevention of those who plan on committing future criminal acts, which in itself shows that the ICC upholds sound legal and moral standards in its proceedings and that will contribute to the expansion of international justice.

4. What do you believe are some of the major challenges confronting the ICC and Rome Statute system in the coming years?

The major challenges posed on the ICC and the Rome Statute system in the coming years include a number of issues, though important to solve once discovered, it is most important to realize the challenges ahead before they make an actual threat to the final outcome.

One such challenge would be the need to further develop the Court's global support, both financially and politically, by strengthening the trust, cooperation and commitment of States, especially Non-Party States, and that of both international and regional organizations, such as the African Union, NGOs and other key partners and stakeholders, with the ultimate goal of reaching universality. If this is lacking, it is a priority to identify and conclude further enforcement agreements as well as sentences agreements and to attract non-member states into membership. To enhance the awareness of the Court and the Rome Statute globally in order, amongst other things, to facilitate access to justice at both national and international level is paramount. The challenge of complementarity is important to address as it is central in the proceedings of the ICC and must be overseen in care globally.

An ever-present challenge is the one regarding financial resources and the ability to thus supply the different organs of the ICC with the necessary economic support needed to uphold its functions. Incorporated in this is the challenge of finding a sustainable fundraising program for the ICC as a complete functioning organization. This is highly important to improve due to the increasing ICC work-load over time, resulting in the demand of a continuum of resources in the response to the growing ICC engagements globally. Imperative to the above is the need of overseeing budgetary constraints within the different ICC organs, to ensure that the resources at hand are used properly, which in turn may require redistributing financial support from one sector to another in order to reach the goals of the ICC mandates. Of course, such delicate decisions must be made wisely and after thorough research as to make sure the assets are delegated in accordance of priority.

It is important to maintain, encourage and foster compliance with the Court's orders and decisions such as the arrest warrants (15 individuals are outstanding as of August 2017), tracing and freezing of assets. This also entails having a secure protection and security of witness program, both in pre-trial and main trial stage. Relocation agreements in such cases need thus be necessary and thus correctly performed and monitored. Within these challenges, the security of staff in the field as well as that of interpreters is vital to address. This in order to support the credibility and legitimacy of the Court.

For all of the above issues to run effectively, ensuring the presence of an adequate technical support for judicial and administrative activities in order to manage the volume of documents in terms of the increasing number of cases at both pre-trial and main trial stage, as well as increasing number of participation of victims and their applications for reparation. The workload of the Trust Fund for Victims to assist a continually growing number of victims in their physical and psychological rehabilitation also need to be monitored closely. In order to manage this, receiving financial support from State Parties and others in order to strengthen various programs, to benefit victims of Rome Statute Crimes in addition to complement different Court-ordered reparation awards to victims is crucial.

On a larger scale, I find that it will be imperative to enhance the public confidence in the work of the Court by performing outreach activities through the different agencies of UN, regional organizations, the universities, civil society and NGO's among others. Alongside the above, to strengthen the legal framework and domestic courts to implement Rome Statute Crimes or to train national judges, prosecutors, defense counsels and other law enforcement officers, as well as different NGOs with focus on violence against women and children. All of the above need to be monitored under a strict and effective budgetary view which should continuously be revised.

5. What do you believe are some of the current challenges the Registry specifically faces and how would you address them? What are some of the qualitative indicators you might consider when assessing the performance of the Registry and what would you suggest to enhance efficiencies?

Since I have not as of yet held the position as Registrar at the ICC, I can only make assumptions to what the specific challenges that the Registrar faces are, but I would assume that the current challenges would be in line with the points addressed in Question 4 above, however as an outsider it is difficult to state the current difficulties of present facing the named position. The main challenges as I have understood facing the Registrar office includes the financial situation and resources in relation to the growing activities and responsibilities of the ICC, which of course must be monitored and revised, since the increasing workload without an increasing budget means that prioritizing resources is crucial. There are an increasing number of cases in the reparation faze, as well a growing number of victims participating in the Court proceedings as well as the need of appropriate equipment necessary to supply the witness protection program and the necessary security functions to inhibit the leak of sensitive information such as that of the witness relocation program, all of which need be supported financially but also within a set budget while handling unpredicted problems throughout. Posing an increasing strain on the Registrar's office is the increasing media presence as well as the responsibility to uphold security of staff, information and witness protection. In order to perform these duties and face the challenges, I believe it is vital to enhance communication internally between the different organs of the ICC in order to supply and support each other cross-section-wise, and external communication in order to increase the cooperation of state parties as to make them function as part of the ICC goals while working to increase the funding of the ICC, as well as to make a strong effort to attain assets of the convicted and freeze them in accordance to the ICC mandate.

In 2016, work on developing Registry-specific performance indicators was done, and the following two indicators were suggested to be of use starting 2017 (a) Time-lapse between the crystallization of a suspect's right to legal representation and the appointment of counsel, and (b) Adherence to timelines from chambers for Registry submissions in the proceedings. However, quality indicators of performance assessment needs to be further explored and researched continuously, also within the economic and resources field, relying on the progress of the current Registrar's work within this field and expanding it during the next term. To enhance efficiencies regarding the above-mentioned time-lapse of a suspect's right to legal representation, I suggest there be an at all times on-duty representative at the focal-point, at the Registrar's office as well as an on-duty legal counsel and judge, following a rotation schedule. This could mean that as a suspect is arrested in the field, the on-duty field-officer report directly to the Registrar office on duty, who in turn secure the legal counsel on duty from the rotational schedule of the time, in order for the judge to decide on a temporary assignment of counsel for the accused. Through this chain of activity, the efficiency of arrest to counsel could be minimized. At the occasion when a suspect is arrested in a place without Court field offices, a suggestion would be from the Registry to have a close cooperation with the UNDPKO unit and/or Interpol as well as local police authorities to create an effective apprehension of the indictee to the ICC.

6. All Court officials must perform their functions with full independence and should not act under the instruction of any State or external actor. Do you expect to have any difficulties in taking a position independent of, and possibly contrary to, the position of your government or any external actor?

I have never been dependent on any state or other actor in the exercise of my professional duties. I am therefore confident that my independence has, at all times, been beyond reproach and that I have exercised my functions with independence and care —something I would continue to do as ICC Registrar. I have in my previous positions been subjected to some delicate issues, which have all been handled with discretion abiding by the compass of the law at all times. I do not have any formal ties with any Swedish ministry or any other parts of the governmental body. Throughout my professional career in position as judge and prosecutor, I have at all times adhered to code of conduct and impartiality and will continue doing so forthwith.

7. The Registry is a neutral organ of the Court that provides services to all other organs so the ICC can function and conduct fair and effective public proceedings. How would you describe the relationship of the ICC Registrar with the ICC President; the Office of the Prosecutor; the ICC Chambers, and the Assembly of States Parties?

I would describe the Registrar's relationship to the President as one of, in the first place, accountability, in so far as the Registrar exercises his/her functions under the authority of the President and may seek necessary advice and guidance from the President. In the second place, the relationship is one of collaboration, e.g. under the auspices of the Coordination Counsel and with respect to the face the Court presents to the public (while the Registry is key in the ICC's outreach activities both represent the Court publicly).

The Registry's relationship to both Chambers and the Office of the Prosecutor is one primarily of support. Thus, in regards to Chambers, the Registry maintains a full and accurate record of all proceedings and is responsible for administrative aspects of courtroom operations, such as recording, transcription and translation of court sessions; maintenance and distribution of filings; maintenance of a secure online and physical environment. In addition, the Registry seeks cooperation for the enforcement of judicial orders and decisions. Further, Chambers review decisions of the Registrar with regard to legal aid and detention matters. As to the Office of the Prosecutor, the Victim and Witness Unit – which operate under umbrella of the Registry – provides, in consultation with the Office of the Prosecutor, protective measures and security arrangements, counselling and other appropriate assistances for victims/witnesses who appear before the Court and others who are at risk on account of testimony given by such witnesses.

Finally, the Registry's relationship to the Assembly of State Parties is one of transparency and responsibility. The Assembly of State Parties is the Court's oversight and legislative body, with important powers to decide on the budget, amend the Statute and appoint officials. In order to enable the Assembly of State Parties to exercise in these functions in a fully informed manner, the Registrar must participate in meetings of the Assembly of State Parties and the Bureau and be responsive and thorough to oral and written requests for information on any question under consideration.

8. Please describe any specific expertise of relevance to the work of the ICC that you may have, including, but not limited to, gender equality and violence against women or children. How would you ensure that women and children have access to justice and are cognizant of what the Rome Statute is seeking to achieve?

My professional experience includes prosecuting sexual violence counts in Milošević and Mrkšić et al (Vukovar Hospital) cases, where I oversaw investigations; handled protected witnesses in compliance with court orders; and led evidence in court. Additionally, in adjudicating in the Omarska and Keraterm camp cases before the War Crimes Chamber in Sarajevo, I ensured victims of sexual violence had access to psychological and physical care and made relevant reparations orders. As Director of the Raoul Wallenberg Institute, I oversaw the running of women's access to justice training programs targeted to local authorities, NGOs and advocates out of field offices in Kenya, Indonesia, Turkey, Cambodia and Jordan. This built upon the expertise I acquired as a prosecutor and leader of a special task force for sexual violence in Sweden, where I pursued countless cases of violence against women and children. In heading up investigations and in-court advocacy, I always sought to ensure the rights of victims and witnesses were fully respected, including through strong advocacy for compensation where possible, and that women and children were treated in a sensitive and empowering manner.

Should I be elected ICC Registrar, my focus would be to build upon and strengthen existing outreach activities by explicitly incorporating gender considerations in their planning and implementation. As well, I would support the creation of novel programs targeted specifically at access to justice for women and children, including by way of awareness raising campaigns for affected communities, civil society and primary care physicians in the field, in whatever organizational guise, to identify and respond appropriately when they come into contact with victims of sexual violence.

Experience in Management and Budgetary Processes:

9. How would you describe your management skills and experience that would be of relevance to the effective management of the ICC's human resources, including hiring and retaining highly-qualified staff and ensuring their satisfactory performance, as well as addressing the chronic imbalance in geographical representation of its staff and that of women in higher levels?

As a leader, I believe it to be of the utmost importance to inspire a high level of commitment, interest, and responsibility, as well as a strong sense of meaningfulness in the work of both individual staff members and the team as a whole, both on a day to day basis as well as long-term, in order to obtain and maintain a high level of professionals and efficiency in the workspace. An open atmosphere where questions and queries are encouraged, an accessibility to the one in command is present, and a climate where acceptance regarding gender, ethnic- or religious groups is indisputable, are all necessary elements to create a workplace where no matter geographical origin or level of employment, the staff could flourish and the

results of the work in accordance. In order to achieve this, and thus to keep experienced and hard-working staff of all levels, I have used several models of communication with my staff in my past positions, such a direct contact, regular meetings, phone calls, emails but also communication via video-link or Skype. Also, in my former positions as leader of teams in different workplaces, I have made sure to keep an openness to questions or uncertainties in the team. The effect of this has been that very little is miscommunicated, thus no information finds its way astray, questions or overlooked items of agenda are addressed immediately, mistakes thus averted and the staff are seen and understood directly, no one goes overlooked. It is also important to address any issues within the team, mediate, and recognize them, as to create a healthy workspace environment and produce respect within the group between team members and high level staff, no matter the gender.

The aim for the manager of a team is moreover to allow the team members to use their own knowledge and prior experiences to motivate taking ownership of their own work and thus to create a sense of pride in their own accomplishments. But to do so, the accessibility to guidance of a leader is of the utmost priority, and a climate where colleagues can help each other but also take lead and aid from their manager, and feel the trust to do so. Also, it is the management's role to keep the team updated to new information and possible future problems so that the team and staff can prepare and learn from their senior, and thus take more responsibility through their learning-experience in their futures.

During my term as Director of the Raoul Wallenberg Institute, I bore overall managerial responsibility for the institute's 60 employees at headquarters and across six field offices in Cambodia, China, Indonesia, Jordan, Kenya and Turkey. At the ICTY, I supervised a team of approximately 80 prosecutors, investigators, legal officers, administrative staff and interns; at the Swedish Prosecution Office, this number reached 100 staff depending on the number of ongoing cases. In Sarajevo and Pristina, my supervisory experience was focused on small teams and long-term mentoring of local judges and lawyers.

This variable experience has taught me that professionalism and efficiency are achieved when a leader is able to inspire high-levels of investment, interest, responsibility and a sense of meaning in the work of individuals and teams. This is, in turn, fostered through: an open atmosphere which encourages questions and discussion, and where supervisors are always accessible; an open flow of information about developments and potential future obstacles encouraging the team's input and preparation; regular and constructive dialogue and feedback on performance and genuine space for staff to voice their concerns and where no one is overlooked; a climate of cooperation rather than competition, and acceptance and understanding of employees of different ethnic backgrounds and religious beliefs. The aim of a manager is, in essence, to create a positive, forward-looking and compelling vision which motivates staff to take ownership of their work and draw on their own knowledge and professional experience to achieve goals. This is especially true of the role of Registrar, who depends to a critical degree on the advice of his or her experienced and intelligent teams to take sound high-level strategic and operational decisions.

Further, I believe that encouraging qualified women to apply to higher posts can be effected, at least in part, by having a greater number of women in senior positions—such as that of Registrar. Providing positive role models demonstrates to professional women in the field that high-level positions are not out of reach at the ICC and consequently attracts talent in the long-term. Finally, the court should continue in its efforts to achieve geographical representation by giving preference to equally qualified candidates from underrepresented Member States, as well as part of its outreach activities.

10. Please describe your experience preparing and being responsible for a large budget, including whether you have experience in working with a results-based budgeting system. What are the size of the budgets and staff you have supervised in past positions? 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?

As its Director, I had managerial responsibility for the operations of the Raoul Wallenberg Institute in Lund, Sweden, as well as six field offices around the world. In this role, I had direct and continuous oversight of an annual budget of approximately a minimum of SEK 125 million, consisting of public funds and private donations. This utilized a result-based budgeting system—with which I am consequently well-acquainted. Day-to-day financial activities fell under the responsibility of a Controller, who reported to the Deputy Director, who, in turn, reported to me. The annual budget was approved by the Board of Trustees and the Swedish International Development Cooperation Agency. I felt an enormous sense of responsibility to manage the budget in manner that upheld the trust of the public and donors in the use of funds and in turn preserved the reputation of a prestigious human rights institute and its projects and programs.

My strategy for a successful budgetary process is transparency, predictability in as many aspects as possible, and a focus on increased effectiveness and efficiency. These are key elements to create a stable economy with prospects and feasible goals for the future. However, a budget must also be adaptable according to the resources at hand and taking into account possible future shortages of economy; fundamental to this is to have, parallel to a long term budgetary plan, an overview of the possible means of savings should such a need arise, in addition to ready-made plans to use the workforce and supplies available more effectively.

Experience in External Affairs:

11. One of the core challenges identified for the Court is obtaining a positive and effective response to its requests for cooperation. Please describe experience you may have that is relevant to address cooperation challenges for the ICC Registry.

Lacking its own executive powers or forces, the court depends on effective cooperation with, in particular, Member States and UN entities and actors for critical tasks, such as executing arrest warrants; securing admissible evidence; conduct effective financial investigations to identify, freeze and seize assets of convicted persons; protect and relocate witnesses. A sound approach to tackling the challenges of cooperation requires that the future Registrar take action aimed at both creating new relationships and the goodwill to utilize existing ones. This involves, first, continuing to explore opportunities for further practical engagement, and ultimately formal cooperation agreements, with key UN partners including peacekeeping missions and other UN presence in the field. In the second place, this must be combined with engagement aimed at rebuilding trust and goodwill in the court and relationships with Member States and – ultimately – also achieving the buy-in of non-States Party.

It is in these areas that I feel I could make some of the strongest contribution if elected to the role of ICC Registrar. As Director of the Raoul Wallenberg Institute, I travelled to numerous countries—Cambodia, Laos, China, Indonesia, Turkey, Georgia, Kyrgyzstan, Azerbaijan, Tunisia, Jordan, Qatar, Kenya, Kosovo, Netherlands, Norway, the UK and US. I negotiated and concluded cooperation agreements with governments, international organizations, legal associations, local and international NGOs, universities and other academic bodies aimed at justice sector reform and the dissemination and implementation of human rights and international humanitarian law and principles. Key achievements included successful negotiations with authorities in Jordan and Cambodia that led to the opening of new field offices; the signing of a memorandum of understanding on human rights education in Saudi Arabia; securing long-term funding from law firms as well as the Swedish International Development Cooperation Agency; the introduction of compulsory and accredited human rights courses into standard curriculum for judges, prosecutors and students in Cambodia; conducting successful trainings in human rights of the ombudsman's offices in Georgia, Kyrgyzstan and Azerbaijan, et cetera.

12. The Registrar has a special mandate vis-à-vis the outreach activities of the Court, especially regarding 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's field presence.

My experience of working with, within and establishing field offices, as well as working directly with victims, affected communities and a multitude of stakeholders, is extensive and summarized further below. It has instilled in me the firm belief that field presence is much more than a means to facilitate the collection of evidence. It is a critical avenue for achieving an array of the Court's aims – enhancing visibility and public trust and cooperation and administering critical outreach programs for victims and affected communities – and ultimately ensuring the ICC's success.

During my tenure as Director of the Raoul Wallenberg Institute, I was ultimately responsible for the administration of human rights and justice sector capacity-building projects in field offices in China, Indonesia, Kenya and Turkey. In this role, I coordinated with the heads of field offices, establishing a flow of information crucial to the effective planning and support for the Institute's activities afield. Additionally, I

regularly travelled to meet representatives of international, national and regional organizations, diplomatic missions, local authorities and civil society and, as part of the Institute's outreach activities, gave lectures and presentations on human rights and international criminal and humanitarian law. Key achievements under my direction included the establishment of two new field offices, in Cambodia and Jordan, and consequent mutual projects with the International Legal Assistance Consortium MENA and the Extraordinary Chambers in the Courts of Cambodia; establishing a long-term funding agreement with the Swedish International Cooperation Agency, which doubled total employees in the field and provided a crucial boost to new and existing programs; and implementing a number of innovative programs with, amongst many others, the Kenyan Prison Service and the East African Court of Justice.

Further, as ICTY Prosecutor, I regularly coordinated with field offices and travelled to Sarajevo, Zagreb and Belgrade with a team of investigators to collect evidence from witnesses, military personnel and government entities. Finally, my most recent two terms as an international criminal judge have been based in the field – in Sarajevo and Pristina respectively – where, aside from my judicial duties, I have worked collaboratively with local judges and lawyers to transfer knowledge and expertise. In addition to gaining a critical new perspective on the nature of working from the field, this has given me an appreciation of the political environment impacting a field presence and the relationships amongst international organizations and civil society present on the ground.

13. The ICC has established constructive and long-term relationships with nongovernmental organizations (NGOs). Please describe any previous experience you have working with NGOs.

As Director of the Raoul Wallenberg Institute (RWI), I travelled extensively to support existing relationships, as well as create new connections, with human rights and justice-sector NGOs around the world. To that end, the Institute was able to develop and implement valuable programs. For example, under my leadership the RWI established regional field presence in Amman, Jordan, in 2011 and a new partnership with the International Legal Assistance Consortium in the MENA region—a partnership which is still ongoing today and provides international human rights training to local legal practitioners, and academic and judicial sector actors. A further significant achievement during my tenure was in Kenya. The RWI was able to establish intensive cooperation with the Kenya Prisons Service and local and international NGOs aimed at ensuring compliance with the UN Standard Minimum Rules on the Treatment of Prisoners (Mandela Rules) in the context of broader justice system reform.

14. How would you see your role with regards to increasing the visibility of the Court?

I see the Registrar's role in increasing the visibility of the Court – raising awareness and transparency of its work – to be an important one which can be effected on several key fronts; these should not, however, encroach on the role of the President as the face of the ICC. First, and most obviously, is continuing to support the work of the

Public Information and Outreach Section of the Registry, and studying the ways in which this can most effectively reach the multitude of target audiences of the Court's activities (victims and affected communities; relevant governments and State Parties; local and international NGOs, and the international legal community and public at large), including by utilizing social media outlets (e.g. Facebook, Twitter, Instagram). As discussed in Q.12, the Registrar has an important *personal* role to play, by regularly visiting field offices and holding lectures, workshops and roundtable discussions aimed at creating a dialogue with victims and affected communities, civil society, the media, legal (e.g. local Bar Associations) and academic communities. Secondly, as outlined in response to Q.11, the Registrar's visibility role encompasses intensive efforts at enhancing cooperation with party and non-party States and their diplomatic representatives, UN entities and other stakeholders.

Experience in Judicial Support:

15. Please describe your experience and/or expertise in dealing with victim participation in proceedings. 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?

My extensive experience with victim participation in proceedings is outlined in response to Q.8 above.

The Registry's role in ensuring the statutory right of victims to participate in proceedings must, in my view, start long before they are recognized as victims. It must focus, in particular, on raising awareness – and overcoming significant misconceptions among affected communities – about available avenues and what can realistically be expected from participation in Court proceedings, including in terms of reparations. Additionally, the Court must take a more active and direct role in providing advice to potential victims and their representatives, in a way that ameliorates distortion of information that can occur when victim applications are processed by intermediaries. Once victims are recognized, they must be kept abreast of the status of judicial proceedings and their rights at each stage.

Victims' statutory rights will further be aided, first, by the Registry continuing to streamline the process of collecting and assessing victim applications, so as to strengthen its capacity to handle ever-larger numbers of applications and avoid delays. Second, it is now time for the Registry to tackle the new challenge of implementing programs entailed by reparations orders in a meaningful and effective way.

16. The ICC Registrar is responsible for establishing the eligibility and qualifications of defense counsel, providing support to them, and working with the Court to promote the rights of the defense. Please describe your experience with these issues, including with respect to Defense access to necessary facilities and resources in proceedings ('equality of arms'), including in addressing issues such as gaps in gender equality on ICC Defense counsel teams?

I have had countless dealings with defence throughout my career, and am mindful of the central role a tenacious and prepared defence plays to a well-functioning criminal justice system.

As a domestic and international prosecutor, I devoted significant attention to ensuring that the rights of accused persons were fully and properly considered, by: investigating inculpatory as well as exculpatory evidence, including in pursuance of defence requests; undertaking proper and thorough disclosure; guaranteeing unrestricted and confidential access of accused persons to counsel; ensuring documents are available in a language the accused and his/her counsel understands; and responding to defence submissions promptly, thoroughly and honestly. Later, as an international judge, I have of course considered and adjudicated upon myriad defence requests, including on appointment of defence counsel and legal aid. In these decisions, I have been guided by the need for equality of arms, and have borne in mind the – at times vast – resources disparities between defence and the OTP.

Finally, during my term at the Raoul Wallenberg Institute, the RWI cooperated on common projects with the American and Swedish Bar Associations and, significantly, concluded a cooperation agreement with the International Legal Assistance Consortium aimed at conducting human rights training of lawyers through the MENA region. I personally conducted trainings in fair trial rights to defence lawyers in Vietnam and Laos.

While gaps in gender equality in ICC defence teams are indeed concerning, it is important to bear in mind accused persons' right to free choice of legal representative. For this reason, I believe the Registry's role in maintaining gender balance would perhaps be limited to maintaining gender balance in appointment of duty counsel.

17. 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."* Please describe the experience or vision you may have with regards to the protection of victims and witnesses, particularly women, at the ICC?

As discussed above, Q.8, I have lengthy experience handling protected witnesses as a judge and prosecutor. This has proven to me the critical importance of implementing effective witness protective measures and providing physical and psychological support to victims and their families by utilizing experienced and well-trained staff. In my opinion, victims of violence in particular require support during proceedings as well as after giving testimony in court. Should I be elected ICC Registrar, my focus would be on establishing a 24-hour secure protection hotline for victims and witnesses; negotiating further agreements with states for the relocation of protected witnesses; ensuring that the IT-system is, to the greatest extent possible, secure to avoid the leaking of sensitive, identifying information, as well as securing reduction of documents enclosing the names and locations of witnesses, of which there is a huge volume of at the ICC.

Miscellaneous:

18. 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, color, gender, sexual orientation, religion, national origin, disability, marital status, socio-economic status, and/or alienage or citizenship status? If yes, please describe the circumstances.

No.

19. Do you know of any factors that would adversely affect your ability to competently serve as the Registrar, to comply with ethical responsibilities, or to complete the responsibilities that the Registrar is required to assume? If yes, please explain. Are there any other issues or comments you would like to address?

No.

Thank you.