

**Civil Society Organizations Express Concerns
About the Upcoming Election to International Criminal Court**

**NGO Coalition Presses for Consultation and
Transparency in Nomination Processes**

(New York, July 31st, 2002) - Members of the Coalition for the International Criminal Court, a global network of civil society organizations advocating for a fair, effective and independent International Criminal Court, today called for transparency and consultation in the nomination of the Court's first elected officials, comprising eighteen judges and a Prosecutor. Elections for such high profile international positions are broadly characterized as scandalous by Coalition members. They report that instead of voting for the most qualified candidate, back room vote-trading, bribery and political pay-offs dominate the process.

"The first elected officials will bear tremendous responsibility in establishing the credibility and moral authority of the Court," said William Pace, Convenor of the more than 1,000 member Coalition. "Public support for the Court will in large part be based on the perceived qualifications and representativeness of elected officials and the degree of transparency in the nomination process" he added. "This is particularly important in light of the new and more aggressive efforts by the US government to undermine support for the first judicial institution capable of preventing and punishing individuals for the commission of genocide, crimes against humanity and war crimes."

Christopher Hall, Legal Adviser for the International Justice Project at Amnesty International, outlined why these concerns are relevant to the nomination of judges to the ICC. "It is a matter of particular concern that some States parties to the Rome Statute have adopted closed door, business as usual, procedures for selecting nominees to be judges. They have not ensured that there is the widest possible consultation with civil society in each State that would permit effective evaluation of the merits of possible nominees before they are selected," he said.

Coalition members do not want to see a repetition of the election to the International Criminal Tribunal for the Former Yugoslavia (ICTY) last year, in which only one of 25 candidates nominated was a woman and the amount of money spent on campaigning, as well as political considerations, were reportedly much greater factors in the outcome of the elections than the qualifications of the candidates. The Rome Statute requires that candidates have established competence in criminal law or relevant areas of international law and that the selection of judges take into account the need for equitable geographical representation, a fair representation of female and male judges, and representation of the principal legal systems of the world.

Pam Spees of the Women's Caucus for Gender Justice, a NGO involved in the 2001 election of judges to the ICTY, cited concerns about representation, saying, "Under-representation of women and lack of legal expertise specific to women's and children's issues have characterized the outcome of similar international judicial elections in the past. In the existing eleven international and regional

judicial institutions, only 31 out of 218 judges or members are women." She added, "The criteria in the Rome Statute must be seriously taken into consideration during the nomination process and must not be put off until the time of elections. This is particularly true in light of the fact that the Assembly of States Parties may fail to agree on election procedures that would ensure the criteria will be met."

Only States Parties to the Rome Statute, or countries to have ratified the Court's treaty, will be eligible to nominate and vote for candidates to the Court's elected offices, and candidates must be nationals of ratifying countries. At present, 76 of the 139 countries to sign the Court's treaty have also ratified it. Nominations will be formally accepted following the first meeting of the Assembly of States Parties - the body charged with the Court's oversight- to take place at UN headquarters from September 3rd -10th. The Preparatory Commission has proposed that the nominations will close on November 30th, which is also the date by which ratifications must be deposited at the UN to qualify countries to participate in the election process. The election is expected to take place in February 2003.

The Court, the first major international organization to be established in the twenty-first century, will be inaugurated in March 2003 and is expected to begin investigating cases in mid-2003.

About the Coalition for the International Criminal Court. The Coalition for the International Criminal Court (CICC) is a network of over 1,000 civil society organizations that support the creation of a permanent, fair and independent International Criminal Court.

Established in 1995, the CICC is the leading source of information regarding the ICC and the regional organizations that support its formation. For more about the CICC and for complete information on country implementation and ratification, please visit <http://www.iccnw.org>.