

## 2020 ICC Prosecutor Election – Crucial Opportunity to Continue Strengthening Gender Justice

**12 August 2019**

The international community is gearing up for one of the most important elections in the international criminal justice field. In December 2020, the 122 States Parties to the Rome Statute will elect the next International Criminal Court (ICC) Prosecutor, following a nearly 18-month identification and selection process which has recently begun.

This election is crucial to the ICC, currently under heavy scrutiny,<sup>1</sup> and crucial to the promotion of global conformity with the rule of law and addressing impunity. As such, the election will be the focus of intense political interest. Women’s Initiatives for Gender Justice (WIGJ) calls on all stakeholders in the global fight against impunity to ensure a thorough, independent, transparent and merit-based selection and nomination process.

### **The ICC & gender justice**

The ICC, as a key institution in international criminal justice and the promotion of accountability, is encouraged to set high standards for the integration of gender in all areas of its work. The legal framework of the ICC integrates gender in its structures, substantive jurisdiction, and procedures. Coupled with the slow but steady development of its jurisprudence on sexual and gender-based violence (SGBV), the work of the ICC serves a catalyst in fighting impunity for SGBV and in working toward increasing accountability for the most heinous crimes.

The ICC Prosecutor has an instrumental role to play in this regard. The current Prosecutor Fatou Bensouda recognized this by developing a [Policy Paper on Sexual and Gender-Based Crimes](#) - the first-ever such policy for an international court or tribunal. The recently published [2019-2021 Strategic Plan for the ICC Office of the Prosecutor](#) stresses that the office “will also continue to ensure a systematic application of its policies concerning traditionally underreported SGBC and those crimes against or affecting children over which the Rome Statute confers jurisdiction.”

Such commitment and resolution needs to be carried forth by the next ICC Prosecutor, who will need to have the both the right qualifications and the dedication to build on the fundamental advances the current Prosecutor has made in the field of gender justice.

### **Requirements for the next ICC Prosecutor**

On 2 August 2019, the International Criminal Court issued a [vacancy announcement](#) setting out the required expertise and qualifications. Candidates’ applications will be examined by the Committee on the Election of the Prosecutor, [established](#) by the Bureau of the Assembly of States Parties, and doing so be assisted by a [Panel of Experts](#).

Beyond assessing candidate applications in light of the Rome Statute requirements, the vacancy announcement, and the requirements set out by [fellow NGO organizations](#), WIGJ calls on both the

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<sup>1</sup> <https://www.atlanticcouncil.org/blogs/new-atlanticist/the-international-criminal-court-needs-fixing>



Committee on the Election of the Prosecutor and the Panel of Experts to engage in an meticulous and rigorous assessment of the candidates' track record on:

- investigating and prosecuting sexual and gender-based crimes;
- ensuring gender competency within the structure of managed offices;
- efforts to ensure gender balance within managed offices;
- other demonstrable experience in mainstreaming gender.

Moreover, candidates should demonstrate a demonstrated willingness and commitment to continually refresh and strengthen their professional development on gender issues and on addressing sexual and gender related violence.

### **Female leadership**

The representation of women in leadership positions at the ICC is at an all-time low. Of the six ICC leadership positions - the President, two Vice-Presidents, the Prosecutor, the Deputy Prosecutor and the Registrar - only one is held by a woman, the outgoing Prosecutor. Moreover, only 6 of the 18 ICC judges are women.

This under-representation gives rise to expectations for the next ICC Prosecutor elections. There is a real need to maintain, *at a minimum*, gender representation at the highest level of the Court. As such the Search Committee should put explicit effort in seeking qualified female candidates and ensure that the list of selected candidates is gender balanced and broadly representative of legal traditions and geographic consideration.

#OTP2020 #ICCElections #ElectTheBest

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Women's Initiatives for Gender Justice is an international women's human rights organisation that works to achieve gender justice. We aim for equality through and in the law, including increased accountability for sexual and gender-based crimes. We work to include gender perspectives and increase female participation in justice mechanisms and strive to elevate the voices of local actors and victims to international structures such as the ICC. Current programme countries include the Democratic Republic of the Congo and Uganda. Find more about our Call it what it is campaign [here](#).

**Women's Initiatives for Gender Justice**

