

LETTER OF MOTIVATION

Having had the privilege to be nominated by the Government of Mali for the position of Judge at the International Criminal Court, I wish to express by this statement the immense interest that I have for this young institution, with the hope to be able to participate in its functioning.

Following the adoption of the draft Security Council Resolution 808 dated 22 February 1993, the International Federation of Women with Legal Careers, of which I am a member, provided the Secretary General with its comments of the opportunity of an international jurisdiction for the prosecution of the most horrendous crimes. Its Congress, held in Bamako in October 1994¹, focused on the legal order on an international, national and familial level. In this context, I participated in the seminar relating to the "legal order at the international level", and in the course of my research, conducted an exhaustive review of several documents, such as the Charter of the Nuremberg Tribunal, The Hague Conventions, the Geneva Conventions and their Additional Protocols, the Statute of the International Court of Justice, as well as the "Opinion on the Establishment of an International Criminal Court", adopted on 4 July 1991 by the French Consultative Commission of Human Rights. This research made me realise the legal vacuum and the lack of resources that the international community was facing to punish the perpetrators of crimes against peace and violations of humanitarian law. Among the numerous documents that I studied, the "Opinion on the Establishment of an International Criminal Court" reassured me the most as to the difficult implementation of international criminal and humanitarian law. Since then, I followed with great interest the developments on this issue and the various attempts to answer this crucial need for an international criminal justice. My involvement in the work of the International Committee of the Red Cross and the Agency for the Francophonie² were most helpful. I was able to access the information pertaining to the participation of the Agency for the Francophonie to the elaboration of a draft Rules of Procedure and Evidence and to the definition of the elements of the crimes falling within the jurisdiction of the Court pursuant to the Rome Statute, within the framework of the Preparatory Commission.

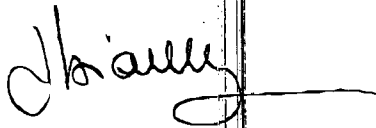
The Government of Mali, favourable to an international criminal justice, always promoted and facilitated my participation in numerous conferences on the matter. This support of my personal commitment was crowned by my candidature for the election as an *ad litem* Judge of the International Criminal Tribunal for the former Yugoslavia, held on 12 June 2001. I was fortunate

¹ During this congress, I was elected first Vice-President of the Federation.

enough to be elected and assigned to a trial which lasted fifteen months. This experience strengthened my convictions and gave me the necessary skills to be in a position to work within an international jurisdiction based on a mixed legal system. Sadly, Article 13 *ter* of the Statute does not allow me to take part to a second trial before the Tribunal.

During the conference organised between 15 and 17 July 2002 in Rome by the organisation *No Peace Without Justice*, I suggested in a contribution letter that an energetic campaign be led to widen the circle of States Parties to ratify the Rome Statute and stated my availability for such campaign.

To my great satisfaction, the common goal of all militants for an international criminal justice was achieved with the effective creation of the International Criminal Court on 1 July 2002. Being one of the Judges who will make this Court work would constitute a new opportunity to serve the cause of an international criminal justice.



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² Former Agency for the Cultural and Technical Cooperation.