



Making
Human Rights
a Reality

Two Africans and the ICC Prosecutor Position: A Mixed Blessing?

Africa Legal Aid has received unprecedented response to its E-reporter of 28th November: “Praise for Africa - Who will be the next ICC Prosecutor?” While the results of the accompanying quiz reveal that Fatou Bensouda, the current Deputy Prosecutor, is the undisputed favorite candidate among respondents, much cynicism has been expressed about the wisdom in selecting two candidates from the same continent as finalists.

“Where did the candidate from Tanzania suddenly come from when the African Union (AU) had already endorsed Fatou Bensouda?” queried one commentator. “Is this a case of divide and rule?” another remarked.



Fatou Bensouda

We have since been informed that Mr. Othman is supported by Kenya, an ICC Situation Country. Bensouda's candidature had always been known, but the search committee had been rather secretive about the identity of the other candidates, until the names of the initial four shortlisted candidates were released last October.

Another respondent opined that Andrew Cayley, the current International Prosecutor at the Khmer Rouge Tribunal has "superb organizational skills and speaking eloquence for this job. Race and region should never become a factor in choosing the best candidate for this all important job".



Mohamed Chande Othman

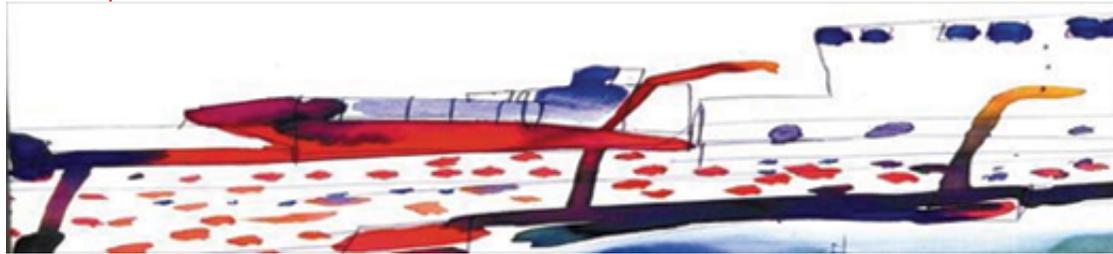
The Women’s Initiatives for Gender Justice (WIGJ), conducted a review of the prosecutorial experience of the two final candidates, Fatou Bensouda and Mohamed Othman. They concluded that “a review of Mr. Othman’s prosecutorial career in international criminal law and the three cases for which he acted as prosecuting counsel indicate that none of the cases he was responsible for went to trial. In all three of the cases, either a plea bargain was negotiated or the indictment was withdrawn...It appears that Mr. Othman has not led a case to trial in his personal capacity with the OTP (Office of the Prosecutor) nor guided a criminal trial through an international court.” The WIGJ further contends that the election process must continue to be transparent and balance “the competing elements of experience, independence, electability, and the best interests of the ICC.”

Click [here](#) to view the full report from the Women’s Initiatives for Gender Justice



The International Criminal Court, The Hague

[back to top](#)



ACCRA - HERITAGE TOWER, AMBASSADORIAL ENCLAVE, OFF LIBERIA RD., RIDGE. P.O. BOX: P.M.B., TUC
ACCRA, GHANA

THE HAGUE - ZEE STRAAT 100, 2518 AD, THE HAGUE, THE NETHERLANDS

PRETORIA - 287 SKINNER ST. PRETORIA, TSHWANE. METRO CITY. P.O. BOX 392. UNISA 0003

[Unsubscribe for the Newsletter](#)