

Annex

Questions for ICC/ICTY Judges

1- General Questions:

- 1.1- *Last profession before entering the ICC?*
- 1.2- *Education in a common law or in a civil law system?*
- 1.3- *Expertise pursuant to article 36 (3) of the Statute?*

2- General questions regarding the relationship between international criminal law and human rights law

- 2.1- *How would you personally describe the general relationship between international criminal law and human rights law?*
- 2.2- *How much would you say human rights law influences the work of the ICC in general (in procedural and substantive jurisprudence)?*
- 2.3- *How much does human rights law influence your specific work in particular?*
- 2.4- *To what extent can the jurisprudence of international human rights courts and/or treaty bodies influence the work of the ICC?*
- 2.5- *To what extent can international human rights courts and/or treaty bodies benefit from the work of the ICC?*

3- Specific areas of human rights law and their influence on international criminal law

- 3.1- *Which areas of human rights law would you say have had a significant influence in the evolution of international criminal law?*
- 3.2- *Which areas of human rights law would you say have a significant impact on the practical work of the ICC today?*

3.3.1- *To what extent would you say that international minority rights law has influenced the development of international criminal law?*

3.3.2- *Which specific crimes would you say were influenced by the overriding concern of minority protection and by substantive minority rights law and how?*

3.3.3- *What practical role does international minority rights law play in the application of international criminal law today?*

3.4.1- *To what extent would you say women's rights influenced the development of international criminal law?*

3.4.2- *What practical role do women's rights and gender issues play in the practical application of international criminal law today?*

3.5.1- *To what extent would you say that children's rights have influenced the development of international criminal law?*

3.5.2- *What practical role do children's rights play in the application of international criminal law today?*

3.6.1- *To what extent would you say that the prohibition of torture has influenced the development of international criminal law?*

3.6.2- *What practical role does the prohibition of torture play in the application of international criminal law today?*

3.7- *To what extent would you say judges at the ICC are willing to consider international human rights law in their decisions/judgments?*

3.8- *To what extent would you say that judges at the ICC have the mandate to consider international human rights law in their decisions/judgments?*

4- Question regarding the Rome Statute

4.2- *Would you say that the specific mentioning of human rights law in article 21 (3) of the Rome Statute will further the consideration/ application of human rights law in the work of the ICC?*