

## Owuor, Effie (Kenya)

Statement submitted in accordance with Article 36, paragraph 4(a), of the Rome Statute of the International Criminal Court and paragraph 7 of the Resolution ICC-ASP/3/Res.6 of the Assembly of States Parties relating to the procedure for the nomination and election of Judges of the Court.

1. Lady Justice Effie Owuor (Rtd) is a person of high moral character, impartiality and integrity. She possesses the necessary qualifications of appointment to the Highest Judicial Office and has indeed served as a Magistrate and Judge of both the High Court and Court of Appeal of Kenya in the Republic of Kenya until her voluntary retirement from the bench of the Court of Appeal in October, 2003 (Article 36, Paragraph 3 (a)).

Honorable Lady Justice Owuor fulfils the requirements of both Paragraphs 3(b) (i) and 3(b) (ii) of Article 36 of the Statute of the Court as indicated in her Curriculum Vitae. As a prosecutor she prosecuted criminal cases in the Subordinate Courts as well as the High Court. Dealt with serious criminal cases including murder, drug trafficking, treason, robbery with violence, rape, complex fraud and other financial crimes.

Upon becoming a Magistrate, Lady Justice Owuor presided over entirely criminal matters for a period of 10 years (from 1971-1981). Upon her elevation to the High Court, a court of unlimited jurisdiction, she presided over complex civil, criminal and constitutional cases. In particular the last two years before her further elevation (1996-1998), she presided over the Criminal Appeals Division at the High Court where she adjudicated on appeals from serious criminal offences especially capital offences. In the Court of Appeal, Lady Justice Owuor as a member of the court delivered final judgements in criminal, civil and constitutional appeals.

Lady Justice Owuor possesses the necessary competence in criminal law and criminal procedure and the requisite experience to undertake any judicial work of the Court. In addition through her work in law reform in particular domestication of gender based legislations and human rights instruments, as well as undertaking consultancies involving other jurisdictions, she has established confidence in relevant areas of International law and human rights which is relevant to the judicial work of the Court within the terms of Paragraph 3(b) (ii) of the Statute of the Court.

Lady Justice Owuor's mother-tongue is Luhya and is fluent in Kiswahili. However her working language is English.

2. While Lady Justice Owuor fulfills the requirements for nominations in as far as both List (a) and (b), she would like to appear on list (a) for the purpose of Article 36 Paragraph 5 of the Statute of the Court.

3. (i) Pursuant to the requirement of sub-paragraphs (i) to (iii) of Article 36, paragraph 8(a) of the Statute of the Court, Justice Owuor studied law in Dar-Es-Salaam, University of East Africa. She was appointed to the Bench as the first woman judge and had the honour of being appointed First Woman Appellate Judge of the Court of Appeal in Kenya. Her vast experience is grounded in the Common Law legal systems. Although she has now done extensive work in the field of women human rights in respect of Roman-Dutch Law.

- (ii) Lady Justice Owuor is a Kenyan national, a member of the African group of States
- (iii) Lady Justice Owuor is a female.

4. In addition Lady Justice Owuor has legal and professional expertise in the field of gender related legislations. She has been instrumental in the enactment of the following specific legislations:

- (a) Children's Act 2000 Kenya
- (b) Family Protection Bill (Domestic Violence Protection Bill) in Kenya
- (c) Married Person's Equality Bill in Lesotho.

Above all, we are satisfied that the nomination of Lady Justice Owuor would add value to the court. Lady Justice Owuor is crusader on Women's rights in particular violence against women. She is held in the highest esteem in respect to her stand on these issues.

5. Lady Justice Owuor is national of Kenya and does not possess nationality of any other state.

6. Lady Justice Owuor Curriculum Vitae is attached hereto.