

EVENTS

ICC JUDGE PANGALANGAN ELECTED TRIAL DIVISION PRESIDENT

On Mar. 18, 2019, Judge Raul C. Pangalangan of the International Criminal Court (“ICC”) at The Hague was elected President of the ICC Trial Division. ICC judges are assigned to three judicial divisions, which hear matters at different stages of the proceedings: Pre-Trial, Trial and Appeals. The divisions perform their work through judicial chambers comprising three judges in Pre-Trial and Trial, and five judges in Appeals.

Judge Pangalangan was elected as ICC Judge on June 24, 2015 and was sworn into office on July 13, 2015. On May 3, 2016, he was elected Presiding Judge of Trial Chamber VIII, which heard the landmark case *The Prosecutor v. Al Mahdi*, the first ICC trial involving the war crime of attacking religious and cultural heritage. He currently sits in *The Prosecutor v. Dominic Ongwen*, involving alleged child soldiers and forced marriages. He previously sat in the Pre-Trial Chamber in the Situation in the Republic of Burundi which held that, even after Burundi withdrew from the Rome Statute, the Court retained jurisdiction over crimes committed during the time in which Burundi was party to the Statute. He also sat ad hoc in Appeals Chambers on murder, rape, and sexual slavery as war crimes or as crimes against humanity.

The ICC consists of 18 judges who are elected by the Assembly of States Parties (“ASP”), composed of representatives of the States that have signed the Rome Statute. The current composition of the Court is geographically distributed as follows: five from Western European and other States; four from Africa; three from Latin American and Caribbean States; three from Asia-Pacific; and three from Eastern Europe. The Rome Statute also calls for the “representation of the principal legal systems of the world” in the composition of the Court. The Philippine legal system draws from its history as a former colony of both Spain and the United States, and accordingly has characteristics from both the continental and the common law traditions.

The ICC was created to punish the “most serious crimes of concern to the international community as a whole” and “to put an end to impunity for the perpetrators of these crimes” (Preamble, Rome Statute). It is an “independent permanent ... Court [created] in relationship with the United Nations system”, and

its jurisdiction is “complementary to national criminal jurisdictions”, that is to say, it comes into play only as a court of last resort, when the State which has jurisdiction to punish the crime is “unwilling or unable genuinely to carry out the investigation or prosecution” (Article 17, Rome Statute). Judge Pangalangan is also a Member of the Permanent Court of Arbitration (The Hague).