



Security Council

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Letter dated 14 July 2021 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution [1966 \(2010\)](#), adopted on 22 December 2010, establishing the International Residual Mechanism for Criminal Tribunals, and, in particular, to article 10, paragraph 2, of the statute of the Mechanism (annex 1 to the resolution), on the appointment of a person to fill a vacancy in the roster of judges of the Mechanism.

Article 8, paragraph 1, of the statute provides that the Mechanism shall have a roster of 25 independent judges.

One of the judges of the Mechanism, Judge Gberdao Gustave Kam (Burkina Faso) regrettably died on 17 February 2021, leaving a vacancy in the aforementioned roster.

In that regard, article 10, paragraph 2, of the statute provides that, in the event of a vacancy in the roster, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of article 9, paragraph 1, of the statute, for the remainder of the term of office concerned.

Furthermore, article 9, paragraph 1, of the statute specifies that the judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. Particular account shall be taken of experience as judges of the International Tribunal for the Former Yugoslavia or the International Criminal Tribunal for Rwanda.

However, the procedure for identifying a candidate for consideration for appointment under article 10, paragraph 2, which is applicable when a vacancy arises owing to the death of a judge during his or her term of service, is not prescribed in the statute.

In accordance with the established practice regarding the appointment of a judge to fill a vacancy at the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, which was adopted for the purposes of filling vacancies in the roster of judges of the Mechanism in 2016, 2018, 2019 and 2020, the State of the nationality of the judge to be replaced nominates another candidate.

I am pleased to inform you that the Government of Burkina Faso has nominated Ms. Fatimata Sanou Touré to replace Judge Kam for the remainder of the term of office, which ends on 30 June 2022.



Please find attached the curriculum vitae of Ms. Sanou Touré (see annex). It is my view that Ms. Sanou Touré meets the qualifications that are prescribed in article 9, paragraph 1, of the statute of the Mechanism.

On that basis and in accordance with article 10, paragraph 2, of the statute, I look forward to receiving your views on the appointment of Ms. Sanou Touré as a judge of the Mechanism.

(Signed) António **Guterres**

Annex

1. Personal information

1.1 Name: Fatimata Sanou, née Touré

1.2 Sex: Female

1.3 Nationality: Burkina Faso

1.4 Date of birth: 4 December 1967

2. Diplomas and certificates

2.1 Diplomas

2007: Diploma of specialization in development law from the International Development Law Organization in Rome.

1997–1999: *Diplôme de magistrat* (judicial service diploma) from the National School of Administration and the Judiciary, Ouagadougou, with honours.

1989–1995: Bachelor of Laws and Master of Laws, majoring in judicial law, from the Faculty of Law and Political Science, University of Ouagadougou.

Thesis topic: The individualization of criminal penalties.

1984–1988: *Baccalauréat série littéraire A4* (high school diploma in literature, series A4) from Ouézzin Coulibaly high school, Bobo-Dioulasso.

2.2 Certificates

- **November 2002:** certificate of professional training on the topic “Introduction to French judicial institutions” from the National School for the Judiciary in Paris
- **December 2004:** certificate of subregional training in peacebuilding for civilian French-speaking African managers from the Pearson Centre
- **2005, 2006, 2012 and 2015:** certificate of election supervision from the Constitutional Council of Burkina Faso
- **October 2007:** certificate of specialized training on the status of land law reform from the International Development Law Organization
- **November 2007:** certificate of specialized training on land conflict prevention and management from the International Development Law Organization
- **2008:** certificate of excellence from the Institut Sud-Nord pour l’étude et la promotion des droits humains en Afrique for our contribution and performance in the area of women’s rights
- **March 2009:** certificate of training on mechanisms for international cooperation in criminal cases related to counter-terrorism from the United Nations Office on Drugs and Crime
- **March 2010:** certificate of training on money-laundering and economic and financial offences under Organization for the Harmonization of Business Law in Africa law from the Higher Regional School for the Judiciary
- **October 2011:** certificate of training on the investigation, prosecution and adjudication of money-laundering cases from the World Bank
- **December 2011:** certificate of training on the judicial treatment of terrorism from the National School for the Judiciary in Paris

- **April 2013:** certificate of training on the topic “Management of public organizations: the case of courts”
- **2013, 2014, 2015, 2017, 2018 and 2019:** participation in the international conferences on the status of women organized by the United Nations in New York
- **2014 and 2015:** participation in the international conferences on population and development organized by the United Nations in New York
- A number of other training seminars in various fields of law and human rights.

3. Summary of qualifications

I am a *magistrate de grade exceptionnel* (senior member of the national judiciary) and hold a master’s degree in private judicial law and a *diplôme de magistrat* (judicial service diploma). I completed specialist training in development law at the International Development Law Organization in Italy. I am also involved in defending and promoting human rights in Africa. In that connection, I was elected President of the Association des femmes juristes du Burkina Faso (2013–2017) and Vice- President of the Fondation pour l’étude et la promotion des droits de l’homme en Afrique, whose President is Halidou Ouédraogo. I am also a founding member of the African Women Leaders Network for the Promotion of Sexual and Reproductive Health and Family Planning. I represent human rights organizations on the Economic and Social Council of Burkina Faso. I participated in the preparation of the preliminary draft constitution of the Fifth Republic of Burkina Faso (2017) as a member of the national constitutional commission representing women’s associations and as deputy rapporteur of that commission. I have represented the African group on the Women’s Advisory Council of the Organization of Islamic Cooperation since November 2019.

4. Professional experience

- **Since October 2015,** I have served as Chamber President at the Court of Appeal of Ouagadougou. In this position, I preside over the Criminal Chamber, which is responsible for verifying the application of the law by first-instance judges. I also lead the President’s Court, which reviews the decisions of the presidents of the courts of first instance, of the Commercial Court and of the Labour Court. I also prepare the decisions rendered.
- **October 2012–October 2015:** President of the Court of First Instance of Ouagadougou, the largest court of first instance in Burkina Faso. In this position, I:
 - managed the permanent seat of the court, which was composed of 30 judges, 7 investigating judges and 36 registrars;
 - ensured the proper functioning of six Criminal Chambers and two Civil Chambers and the issuance of court documents;
 - handled contentious and non-contentious applications;
 - presided over the President’s Court;
 - presided over the First Civil Chamber;
 - prepared the decisions rendered.

- **October 2007–July 2012:** senior investigating judge with the rank of Vice-President of the Court of First Instance of Ouagadougou

Responsibilities:

- Investigating criminal cases;
 - Monitoring the detention of accused persons in prison;
 - Receiving and handling criminal complaints and accompanying civil claims;
 - Executing international letters rogatory within the framework of mutual legal assistance, which requires an in-depth understanding of the rules of international criminal cooperation and solid knowledge of and experience with Burkina Faso, Community and international law.
- **October 2002–July 2007:** investigating judge of the Court of First Instance of Ouagadougou
 - **October 2001–June 2002:** Deputy Public Prosecutor of the Court of First Instance of Ouagadougou
 - **October 1999–June 2001:** Deputy Public Prosecutor of the Court of First Instance of Ouahigouya For three years, I assisted the Public Prosecutor in conducting prosecutions and enforcing the law.

5. List of publications

- Study on the situation of women in Africa commissioned by the Union interafricaine des droits de l’homme for its 2006 report on the status of human rights in Africa, published in March 2007.
- Study on the theme “Rights, equality and education for women”, commissioned by the Fondation pour l’étude et la promotion des droits de l’homme en Afrique in July 2011.
- Diagnostic study of gender inequality within the Ministry of Justice of Burkina Faso with the aim of developing a three-year action plan (2013–2015), commissioned by the Ministry for the Advancement of Women in July 2012.
- Supervision, on behalf of the Association des femmes juristes du Burkina Faso, of a study aimed at revising discriminatory provisions of the Persons and Family Code of Burkina Faso, commissioned by the Ministry for the Advancement of Women in August 2012.
- Supervision, on behalf of the Association des femmes juristes du Burkina Faso, of a study on the strengthening of legal instruments designed to combat violence against women and girls in Burkina Faso (Criminal Code), commissioned by the Ministry for the Advancement of Women in July 2012.
- Study on the proposed amendment of the repressive legal framework relating to the reproductive health of women and young girls in Burkina Faso, commissioned by Planned Parenthood Global in 2015.

6. Working languages

French:	speaking: excellent	reading: excellent	writing: excellent
English:	speaking: good	reading: good	writing: good

7. Other relevant information

- Knight of the National Order, honorary distinction of the State of Burkina Faso, in 2015
- Lecturer on civil procedure at the Université Libre du Burkina and on sexual and reproductive health law at the Université Saint Thomas d’Acquin.

8. References

- Halidou Ouédraogo, lawyer, President of the Fondation pour l’étude et la promotion des droits de l’homme en Afrique, former President of the Union interafricaine des droits de l’homme.
- Anne Konaté, gender and development consultant, former ambassador, former Minister of Economic Development.
- Kassoum Kambou, President of the Constitutional Council of Burkina Faso.

Ouagadougou, 26 May 2021

(Signed) Fatimata **Sanou Touré**
Knight of the National Order
