



BUREAU OF THE ASSEMBLY OF STATES PARTIES

Twentieth meeting

5 February 2021

Agenda and decisions

1. Election of the Prosecutor

The Bureau continued its consideration of the election of the Prosecutor scheduled to take place at the second resumption of the nineteenth session of the Assembly.

The Bureau received an update on the outcome of the fourth round of consultations to identify a consensus candidate, which had been held from 1 to 3 February 2021. Bureau members had before them the “Summary of consultations”, dated 4 February 2021, which had been prepared by the focal points appointed to support the consultation process. The focal points also participated in the meeting.

Bureau members reaffirmed their collective agreement to electing the next Prosecutor by consensus. The point was made that additional time may be appropriate in order to achieve consensus. The view was expressed that additional vetting could also assist in ensuring the Assembly elected the best candidate. Some Bureau members maintained that the Assembly had to proceed to the election of the Prosecutor according to the agreed timeline, i. e. on 8 February 2021. The need for additional vetting was disputed.

The Presidency and the focal points were tasked by the Bureau to spare no effort to reach consensus before the morning of Monday, 8 February, in order to enable the Assembly to proceed to the election of the Prosecutor at the plenary meeting at 15.00 (New York time) that day. States Parties were invited to work closely with the Presidency and the focal points to reach the desired outcome. The nomination period for the election of the Prosecutor would be extended to 12 midday (Eastern Standard Time) on Monday, 8 February 2021. It was noted that, should it not prove possible to reach consensus, the Assembly would need to proceed to voting as soon as possible.

2. Nineteenth session of the Assembly: second resumption - update

The Bureau took note that the preparations for the second resumption of the nineteenth session were ongoing. The Secretariat had, in that regard, disseminated an information sheet regarding the second resumption on 29 January 2021, as well as a message on 1 February regarding the registration, arrival time slots and seating chart.

3. Review of the Court and the Rome Statute system : appointment of the members of the Review Mechanism

Further to the President’s 28 January 2021 message to all States Parties by which the nominees identified for appointment to the Review Mechanism as the two State Party representatives and the *ad country* Focal Points had been conveyed under a silence procedure pursuant to resolution ICC-SAP/19/Res.7,¹ the Bureau appointed the following members of the Review Mechanism:

¹ Para. 4.

State Party representatives:

- H.E. Ambassador Paul van den IJssel (Netherlands); and
- H.E. Ambassador Michael Imran Kanu (Sierra Leone)

Ad country focal points:

- Bangladesh;
- Chile; and
- Poland.

4. Other matters

a) Briefing by the President-elect

The President-elect, Ms. Silvia Fernández de Gurmendi, provided an updated on her consultations aimed at identifying the candidates whom the Bureau could recommend to the Assembly for election as the Vice-Presidents for the future Bureau. The Bureau recommended that the Assembly elect the following persons as the Vice-Presidents of the Assembly for the twentieth to twenty-second sessions, pursuant to article 112 of the Rome Statute and rule 29 of the Rules of Procedure of the Assembly of States Parties:

- H.E. Mr. Robert Keith Rae (Canada)
- H.E. Ms. Kateřina Sequeñsová (Czech Republic)

A view was expressed that the principle of regional rotation has not been observed since both candidates recommended for election as Vice-Presidents of the future Bureau were from the same regional groups as the sitting Vice-Presidents. It was hoped that Africa would be included in the Bureau process since the term of the Prosecutor, who was from that regional group, would conclude in 2021 and many cases before the Court were from the African continent.

b) Status of contributions

The Bureau had before it information on the status of contributions to the budget of the Court, i.e. as at 31 January 2021, the Court had received 41 per cent of the assessed contributions for the 2021 approved budget, and that a total of 38 States Parties had outstanding contributions of more than one year, of which 12 were, in principle subject to the provisions on voting rights in article 112, paragraph 8, of the Rome Statute.

c) Election to fill a vacancy on the Board of Directors of the Trust Fund for Victims

The Bureau took note that a vacancy had arisen on the Board of Directors of the Trust Fund for Victims upon the 2 February 2021 resignation of Mr. Gocha Lordkipanidze (Georgia), following his election as a judge of the Court,² and that it was necessary to elect a member of the Board to complete his term.³

The Bureau took note, further, of the provisions of resolution ICC-ASP/1/Res.6, annex, paragraph 3 (b) and, given the limited time remaining of its mandate, decide to refer the agenda item for the consideration of the future Bureau.

* * *

² Mr. Lordkipanidze was elected as a judge of the International Criminal Court at the first resumption of the nineteenth session of the Assembly, held in December 2020.

³ Mr. Lordkipanidze's was elected at the seventeenth session of the Assembly for a three-year term beginning on 5 December 2018.