



# The Assembly of States Parties



The Assembly of States Parties is the Court's management oversight and legislative body and is composed of representatives of the States which have ratified or acceded to the Rome Statute.

## States Parties

As of October 2009, 110 countries are States Parties to the Rome Statute of the International Criminal Court.

In accordance with article 112 of the Rome Statute, the Assembly of States Parties meets at the seat of the Court in The Hague or at United Nations Headquarters in New York once a year and, when circumstances so require, may hold special sessions.

Each State Party has one representative in the Assembly who may be accompanied by alternates and advisers. The Statute further provides that each State Party has one vote, although every effort shall be made to reach decisions by consensus. States that are not party to the Rome Statute may take part in the work of the Assembly as observers, without the right to vote. The President of the Court, the Prosecutor and the Registrar or their representatives may also participate, as appropriate, in the meetings of the Assembly.

In accordance with article 112 of the Rome Statute, the Assembly is tasked with providing management oversight to the Presidency, the Prosecutor and the Registrar regarding the administration of the Court. In addition, the Assembly adopts the Rules of Procedure and Evidence and the Elements of crimes.

At its annual sessions, the Assembly considers a number of issues, including the budget of the Court, the status of contributions and the audit reports, as well as a number of current issues, such as the

permanent premises of the Court and the Review Conference, scheduled to be held in May/June 2010. In addition, the Assembly considers the reports on the activities of the Bureau, the Court and the Board of Directors of the Trust Fund for Victims.

The Assembly is further tasked with electing the judges, the Prosecutor and Deputy Prosecutors. Before taking up their respective duties, the elected officials make a solemn undertaking, administered by the President or Vice-President of the Assembly, to exercise their respective functions impartially and conscientiously. The Assembly may also decide, by secret ballot, on the removal from office of a judge, the Prosecutor or Deputy Prosecutors.

Since 2002, the issue of the crime of aggression has been on the agenda of the Assembly. Article 5 of the Rome Statute provides that the International Criminal Court shall exercise jurisdiction over the crime of aggression once a provision is adopted defining the crime and setting out the conditions under which the Court shall exercise jurisdiction with respect to this crime. At its first session, the Assembly established a special working group on the crime of aggression, open on an equal footing to all States, for the purpose of elaborating proposals for a provision on aggression. The Assembly further decided that the proposals would be considered at a review conference, with a view to arriving at an acceptable provision on the crime of aggression for inclusion in the Statute.

Under the Chairmanship of H.E. Mr. Christian Wenaweser, the current President of the Assembly, the Special Working Group met during the regular sessions of the Assembly as well as held informal inter-sessional meetings, hosted by the Liechtenstein

Institute on Self-Determination of Princeton University. In February 2009, the Special Working Group concluded its work with the submission of proposals for a provision on aggression. These proposals, along with draft elements for the crime, have been conveyed by Assembly for consideration at the Review Conference.

### Bureau of the Assembly

The Assembly of States Parties has a Bureau, consisting of a President, two Vice-Presidents and 18 members elected by the Assembly for a three-year term.

The Bureau has a representative character, taking into account, in particular, equitable geographical distribution and the adequate representation of the principal legal systems of the world. The Bureau meets as often as necessary, with its regular meeting taking place the first Tuesday of each month, usually at the United Nations Headquarters. The Bureau assists the Assembly in the discharge of its responsibilities. Additional information on the Bureau can be found in article 112 of the Rome Statute and rule 29 of the Rules of Procedure of the Assembly of States Parties. The Bureau decisions may be found at the Court's website.

<http://www.icc-cpi.int/Menus/ASP/Bureau/>

### Members of the Bureau

#### President:

Mr. Christian Wenaweser (Liechtenstein)

#### Vice-Presidents:

Mr. Jorge Lomónaco (Mexico) and

Mr. Zachary D. Muburi-Muita (Kenya)

#### Rapporteur:

Ms. Simona Drenik (Slovenia)

Other members of the Bureau: Australia, Brazil, Burkina Faso, Estonia, Gabon, Georgia, Japan, Jordan, Nigeria, Norway, Romania, Samoa, South Africa, Spain, Trinidad and Tobago, United Kingdom and Venezuela (Bolivarian Republic of).

### Working Groups of the Bureau

In December 2004, the Bureau established two Working Groups of equal standing, one based in The Hague and the other in New York. The two Vice-Presidents of the Assembly serve as Coordinators. All States may participate in the Bureau's Working Groups.

### Committee on Budget and Finance

The Committee on Budget and Finance, composed of 12 members elected by the Assembly, is responsible for the technical examination of any document submitted to the Assembly that contains financial or budgetary implications or any other matter of a financial, budgetary or administrative nature, as may be entrusted to it by the Assembly of States Parties. The members of the Committee are experts of recognized standing and experience in financial matters at the international level from States Parties.

### Oversight Committee for the permanent premises

The Oversight Committee for the permanent premises consists of ten States Parties and is a subsidiary body of the Assembly. The Committee monitors and provides strategic oversight for the premises project in order to ensure that the project objectives are achieved within budget and time and that the risks are identified and managed. The Oversight Committee also prepares information and recommendations for decision by the Assembly and, within the authority delegated by the Assembly, makes key strategic decisions.

### Independent oversight mechanism

In 2009, the Assembly established, in accordance with article 112, paragraph 4, of the Rome Statute, an independent oversight mechanism with the initial mandate to provide an investigative capacity for the Court to address the alleged misconduct of staff and elected officials. The independent oversight mechanism would submit annual reports of its activities to the Assembly, to which it is accountable.



## Board of Directors of the Trust Fund for Victims

At its first session, the Assembly established the Board of Directors of the Trust Fund for Victims. The five members of the Board are elected by the Assembly for a term of three years. The Board of Directors establishes and directs the activities and projects of the Trust Fund and the allocation of the property and money made available. The Board reports annually to the Assembly on the activities and projects of the Trust Fund.

## Secretariat of the Assembly of States Parties

The Secretariat of the Assembly of States Parties, located in The Hague, operates under the full authority of the Assembly and reports directly to the Assembly on matters concerning its activities. The functions of the Secretariat are to provide the Assembly and its Bureau, as well as any subsidiary body established by the Assembly, with independent substantive servicing as well as administrative and technical assistance in the discharge of their responsibilities under the Rome Statute. As such, the Secretariat provides conference-servicing and carries out legal, financial and administrative functions for the Assembly, the Bureau, The Hague Working Group and the New York Working Group, the Committee on Budget and Finance and the Oversight Committee for the permanent premises. Documentation of the Assembly is prepared in Arabic, Chinese, English, French, Russian and Spanish.

## Profiles

### **Ambassador Christian Wenaweser, President of the Assembly of States Parties**



At its sixth session, the Assembly elected Ambassador Christian Wenaweser, Permanent Representative of Liechtenstein to the United Nations, as President of the Assembly for the seventh to ninth sessions. As a member of Liechtenstein's delegation to the United Nations since 1992, Ambassador Wenaweser participated in the negotiations that led to the adoption of the Rome Statute in 1998. From September 2003 to 2009, Ambassador Wenaweser served as Chairperson of the Assembly's Special Working Group on the Crime of Aggression. Other previous functions held include: Vice-President of the 61st session of the United Nations General Assembly and Vice-Chair of the Open-Ended Working Group on Security Council Reform. Ambassador Wenaweser studied literature, languages, history and philosophy at the University of Zurich and diplomacy at the Institut Universitaire de Hautes Etudes Internationales in Geneva.

### **Ambassador Jorge Lomónaco, Vice-President of the Assembly of States Parties**



H.E. Mr. Jorge Lomónaco, Ambassador of Mexico to the Netherlands, was elected by the Assembly as Vice-President for the seventh to ninth sessions. Ambassador Lomónaco also serves as Coordinator of The Hague Working Group and is the current Chairperson of the OPCW's Executive Council; in 2008 he served as Chairperson of the Oversight Committee for the permanent premises. Prior to his posting in the Netherlands, Ambassador Lomónaco was Consul General in Miami after serving in high ranking positions in the Ministry of Foreign Affairs of Mexico and representing Mexico to, inter alia, the United Kingdom, the United States, the International Maritime Organization and the International Whaling Commission.

### **Ambassador Zachary D. Muburi-Muita, Vice-President of the Assembly of States Parties**



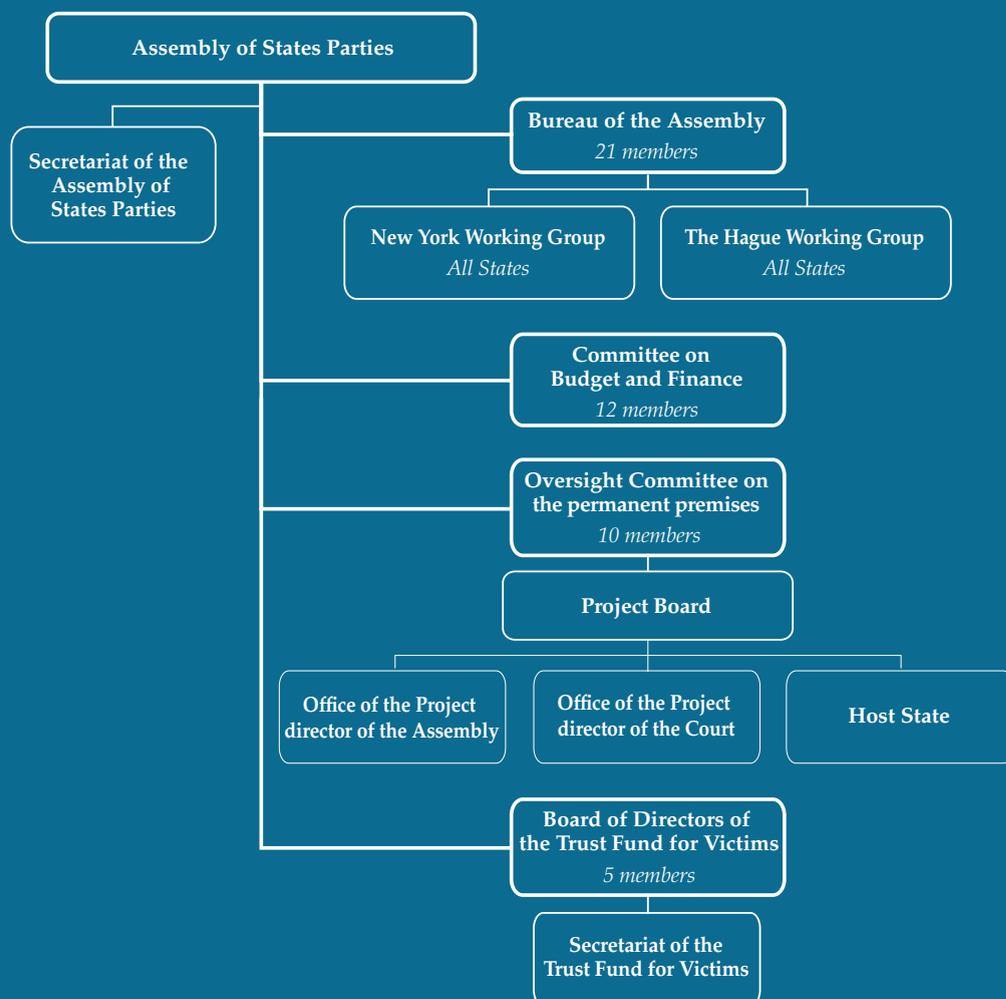
Ambassador Zachary Muburi-Muita was elected by the Assembly as Vice-President for the seventh to ninth sessions. He serves as Coordinator of the New York Working Group. In 2006, he was appointed Permanent Representative of Kenya to the United Nations. Prior to this appointment, Ambassador Muburi-Muita served as Kenya's High Commissioner to the United Republic of Tanzania while other previous functions held include: Principal Counsellor at the Embassy of Kenya in Israel and Head of the Middle East Division of the Ministry of Foreign Affairs. From 1992 to 1997, he was First Secretary at the Embassy of Kenya in the Netherlands. Ambassador Muburi-Muita was educated at the University of Nairobi, the University of Khartoum and Oxford University.

### **Mr. Renán Villacís, Director of the Secretariat of the Assembly of States Parties**

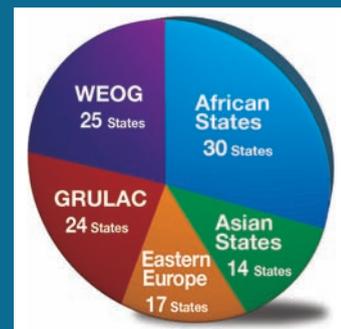


Mr. Renán Villacís studied law at the University of Cuenca, Ecuador, and international relations at the School of Advanced International Studies, Johns Hopkins University, Washington D.C. Prior to joining the Secretariat of the Assembly, he had worked as a member of the Foreign Service of Ecuador and then as a legal officer in the Codification Division of the Office of Legal Affairs of the United Nations Secretariat in New York.

## The structure of the Assembly of States Parties



## The 110 States that have ratified the Rome Statute



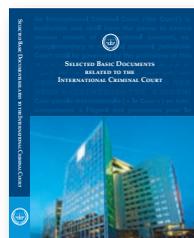
## The 62 States that have ratified the Agreement on Privileges and Immunities



## ASP Publications (available in Arabic, English, French and Spanish) :



Official Records of the Assembly of States Parties (Volume I and II)



Selected Basic Documents related to the International Criminal Court



The Rome Statute of the International Criminal Court Tenth Anniversary Commemoration



Seminar on International Criminal Justice



Newsletter - ASP Special Edition  
No.1 - 2009 May  
No.2 - 2009 November  
No.3 - 2010 January  
also available online

Secretariat of the Assembly of States Parties  
International Criminal Court

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