

Eighth session

The Hague

18-26 November 2009

**Report of the Bureau on equitable geographical representation and
gender balance in the recruitment of staff of the International
Criminal Court**

Note by the Secretariat

Pursuant to paragraph 27 of resolution ICC-ASP/7/Res.3, of 21 November 2008, the Bureau of the Assembly of States Parties hereby submits for consideration by the Assembly the report on equitable geographical representation and gender balance in the recruitment of staff of the International Criminal Court. The present report reflects the outcome of the informal consultations held by The New York Working Group of the Bureau.

Report of the Bureau on equitable geographical representation and gender balance in the recruitment of staff of the International Criminal Court

A. Introduction

1. On 21 November 2008, the Assembly of States Parties (“the Assembly”) welcomed the report of the Bureau on the subject, endorsed the recommendations contained therein and recommended that the Bureau “continue to engage the Court to identify ways to improve equitable geographical representation within the existing model, without prejudice to any future discussions on the suitability, or otherwise, of the current model, as well as to remain seized of the issue of geographical representation and gender balance and to report thereon to the ninth session of the Assembly.”¹

2. The Court has an obligation under the Statute to achieve equitable geographical representation and gender balance in the recruitment of staff without compromising the quality of staff employed.

3. Notwithstanding the request of the Assembly that the Bureau submit a report on the efforts of the Court to achieve equitable geographical representation and gender balance in the recruitment of staff to its ninth session in 2010, the New York Working Group of the Bureau, through the facilitator of the subject, Mr. Eden Charles (Trinidad and Tobago), convened informal consultations on the issue on 21 August 2009. The facilitator also conducted bilateral consultations with interested delegations.

B. Informal consultations

4. The consultations took place at the United Nations Headquarters in New York. The facilitator referred delegations to information provided by the Court on recent developments on the subject which was circulated prior to the meeting.

5. The meeting observed that the Court had made some strides in its attempts to achieve equitable geographical representation and gender balance in the recruitment of staff since the 2008 report of the Bureau.

6. The meeting took note of the following:

- a) The statistics provided by the Court showed that females made up 50.74 per cent of the Court and males accounted for 49.26 per cent in the appointment of the professional posts;
- b) In terms of geographical representation among the professional staff the breakdown consisted of 48 staff members from African States, 21 from Asian States, 23 from Eastern European States, 29 from the Group of Latin American and Caribbean States and 181 from the Group of Western European and other States;
- c) 15.74 per cent of the staff recruited was from African States, 6.56 per cent from Asian States, 7.54 per cent from Eastern European States, 9.81 per cent from Latin America and Caribbean States, and 60.98 per cent from Western European and other States; and

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Seventh session, The Hague, 14-22 November 2008* (International Criminal Court publication, ICC-ASP/7/20), vol. I, part III, resolution ICC-ASP/7/Res.3.

- d) The Court also employed a number of mechanisms to disseminate information on vacancies in the Court, including, notes verbales to State Parties, information passed on to other international organizations, advertisements in major newspapers, magazines and on, various websites including www.monsterboard.com. The Court also undertook a recruitment mission which consisted of visiting an under-represented country. As a result, the Court received 10,102 applications as of 31 August 2009; in 2008 the number of applications had been 14,143.

7. While noting the efforts of the Court to achieve the desired objectives, delegations made the following observations:

- a) The Court should seek to increase the number of staff recruited from underrepresented regions;
- b) Employment of D-1 positions appeared to be skewed in favor of the Western European and Other States Group and there was need for the Court to explain the criteria used to arrive at the target;
- c) Number of staff from non-States Parties is still too high;
- d) Nationals from States Parties should be given first opportunity to fill any vacancy;
- e) Employment of staff from non-States Parties could aid in achieving universalization of the Rome Statute;
- f) Gender balance among professional staff had improved;
- g) The Court had established some mechanisms to publicize information about staff vacancies;
- h) Dissemination of information about vacancies should be placed in major newspapers and magazines available in developing countries; and
- i) Whether the United Nations model is best suited for the recruitment of staff and the potential implications of replacing the model.

8. In view of the above, it is proposed that the Assembly consider inclusion of the language contained in the annex in its resolution on Strengthening the International Criminal Court and the Assembly of States Parties ('the omnibus resolution').

Annex

The Bureau should continue to remain seized of the issue of geographical representation and gender balance, liaise with the Court on the observations made by States Parties during 2009 and submit a comprehensive report thereon to the ninth session of the Assembly.