



BUREAU OF THE ASSEMBLY OF STATES PARTIES

Second meeting¹

The Hague

26 February 2019

Agenda and decisions

The meeting was chaired by the President of the Assembly, O-Gon Kwon (Republic of Korea).

1. Appointment of facilitators and focal points

The Bureau appointed facilitators, focal point and a Chairperson to lead the discussions on issues allocated to The Hague Working Group (see annex).

2. Eighteenth session of the Assembly of States Parties

a) Provisional agenda

The Bureau approved the provisional agenda for the eighteenth session of the Assembly of States Parties. The President requested the Secretariat to communicate the provisional agenda for the eighteenth session, pursuant to rule 10² of the Assembly's Rules of Procedure.

b) Elections- nomination period

(i) Committee on Budget and Finance

The Bureau fixed the nomination period for the election of six members of the Committee on Budget and Finance, to be held during the eighteenth session, to run from 3 June to 25 August 2019 (Central European Time), pursuant to resolution ICC-ASP/1/Res.5.³

The Secretariat was requested to inform States Parties of the nomination period for the election of six members of the Committee on Budget and Finance, and of the legal requirements.

¹Based on the 16 July 2018 decision of the Bureau, its meetings in The Hague as of 2019 have interpretation into English, French and Spanish: https://asp.icc-cpi.int/iccdocs/asp_docs/Bureau/ICC-ASP-2018-Bureau-12.pdf.pdf
See also: Proposed Programme Budget for 2019 of the International Criminal Court (ICC-ASP/17/10), para. 646.

² **Rule 10: Communication of the provisional agenda**

The provisional agenda for a regular session shall be communicated by the Secretariat to the States Parties, the Observer States, the Court and the United Nations at least sixty days before the opening of the session together with any supplementary documentation if necessary.

³ As amended by ICC-ASP/2/Res.4.

(ii) *Advisory Committee on Nominations of Judges.*

The Bureau fixed the nomination period for the appointment of one member of the Advisory Committee on Nominations of Judges at the eighteenth session, to run from 3 June to 25 August 2019 (Central European Time). It requested the Secretariat to inform States Parties of the nomination period for the presentation of candidates for the appointment of one member of the Advisory Committee.

3. Bureau calendar of meetings

Pursuant to the Bureau's request at the seventeenth session that a journal of planned meetings be maintained,⁴ the President proposed a tentative calendar of meetings of the Bureau for The Hague in 2019,⁵ which would be updated on the basis of input from Bureau members. Some Bureau members expressed views on the suitability of the proposed dates, namely, that 2 May was a national holiday for two States, while it was pointed out that the annual Prinsjesdag would be held in The Hague on 17 September 2019. A preference was expressed for a meeting on 7 May. The President highlighted the need for flexibility on the dates of possible additional meetings, so as to enable the Bureau to deal with issues that may arise unexpectedly and which may require its urgent attention.

Bureau meetings would, in principle, be held on Tuesday mornings as this would enable him to travel over the weekend and to meet with Court officials, representatives of State Parties and others on the day prior to the Bureau meeting.

4. Other matters

a) Decisions of Bureau meetings

As regards the existing practice of the Bureau on the adoption of reports of Bureau meetings, the President proposed a new procedural rule whereby, should the silence procedure on a draft summary containing Bureau decisions on multiple issues be broken, those decisions that have not been contested should be considered adopted at the close of the silence procedure, with the exception of those decisions on which the silence procedure has been broken.

He noted, for example, that the draft Bureau decisions of 7 February 2019 Bureau meeting in NY covered three agenda items.⁶ Silence had been broken on only one agenda item, while the other issues had not been contested. Therefore, subjecting the entire set of decisions to successive silence procedures had made it difficult for facilitators and focal points which the Bureau appointed on 7 February 2019 to begin their work.

The President noted that while this approach departed from the practice of the Bureau, it would result in making the work of the Bureau more efficient and streamlined, as well as expediting the work of the subsidiary bodies that depended on Bureau decisions. Further, it would be in line with the Assembly's discussions on improving the working methods of the Bureau and the governance of the Assembly.⁷

The Bureau agreed with the President's proposal that the Bureau should proceed as indicated. It therefore confirmed that the decisions of the 7 February 2019 meeting relating to

⁴ Report of the Bureau on the assessment of the Secretariat (ICC-ASP/17/39), para. 14 and annex I, para. 3.

⁵ 2 or 7 May; 15 July; 17 September; and 12 November 2019, respectively..

⁶ (1) Appointment of facilitators and focal points; (2) Draft terms of reference for the Committee on the Election of the Prosecutor; and (3) Other matters.

⁷ ICC-ASP/17/Res.5, para. 100.

agenda items 1 and 3⁸ had been adopted, and requested the Secretariat to disseminate them to all States and other stakeholders.

b) Developments regarding a confidential matter

The President briefed the Bureau on developments on a confidential matter of concern to the Assembly and the Court.

c) End of term of a Bureau representative

The President noted that Ambassador Juan José Quintana (Colombia) would complete his term in The Hague shortly and expressed his gratitude for his contributions to the work of the Bureau and the Assembly during his posting in The Hague.

d) Performance appraisal of the Director of the Secretariat and the IOM Head

The President discussed with the Bureau the performance appraisal of the Director of the Secretariat, further to the report of the Bureau on the assessment of the Secretariat.⁹ As part of the assessment, he intended to invite written feedback regarding the Director's performance during the past year.

Further, the President would submit more detailed objectives in due course as part of the consultation with Bureau members, with the goal of receiving Bureau members' comments thereon.

Head of the Independent Oversight Mechanism

The President was also preparing the objectives for the Head of the Independent Oversight Mechanism and would share them with Bureau members for consultation.

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Annex

BUREAU OF THE ASSEMBLY OF STATES PARTIES

The Bureau made the following appointments on 26 February 2019:

Budget

Facilitator: Ambassador Marlene Bonnici (Malta)

Budget Management Oversight

Focal point: Ambassador Annika Markovic (Sweden)

Legal aid

Facilitator: Ambassador Sabine Nölke (Canada)

Working Group on the Revision of the Judges' Remuneration

Chairperson: Ambassador Martin Sørby (Norway)

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⁸ Appointment of facilitators and focal points; Dates and venue of the eighteenth session of the Assembly; and Approval time for Bureau decisions via silence procedure, respectively.

⁹ ICC-ASP/17/39, annex I, para. 7.