



Reference: ICC-ASP/19/SP/41

Secretariat – Secrétariat

The Secretariat of the Assembly of States Parties presents its compliments to the States Parties to the Rome Statute of the International Criminal Court and refers to its note verbale ICC-ASP/19/SP/01, dated 20 December 2019, by which it informed them of the 18 December 2019 decision of the Bureau to open the nomination period for the election of six judges of the Court to run from 6 January to 30 March 2020, and to its subsequent notes verbales relating to the close of the nomination period.

The Secretariat wishes to hereby inform States Parties that, by a communication dated 29 July 2020, one State Party of the Asia-Pacific group informed the Secretariat that its Government had decided to withdraw the nomination of its candidate.

The Secretariat refers to annex II to its 20 December 2019 note verbale, titled “Table of minimum voting requirements”, in particular to section D thereof, Regional minimum voting requirements, and table 5, which set out the minimum voting requirements for Asia-Pacific States, i.e. a minimum voting requirement for the Asia-Pacific group of one.

In that regard, the Secretariat wishes to draw to the attention of States Parties the provisions of paragraph 20 (b) of resolution ICC-ASP/3/Res.6, which provides as follows:

“(b) Each Party shall vote for a minimum number of candidates from each regional group. This number shall be 2 minus the number of judges from that regional group remaining in office or elected in previous ballots.

If the number of States Parties of any given regional group is higher than 16 at that moment, the minimum voting requirement for that group shall be adjusted by adding 1.

If the number of candidates from a regional group is not at least double the respective minimum voting requirement, the minimum voting requirement shall be half the number of candidates from that regional group (rounded up to the nearest whole number where applicable). If there is only one candidate from a regional group, there shall be no minimum voting requirement for that group.”

The Secretariat wishes to inform States Parties that, since there remains one candidate from the Asia-Pacific group, in light of the provisions of the final sentence of the above-cited paragraph there shall be no minimum voting requirement for that group in the election to be held during the nineteenth session of the Assembly of States Parties. The adjusted table of minimum voting requirements for the Asia-Pacific group is set out in the annex hereto.

The Hague, 6 August 2020

Annex

Tables of minimum voting requirements¹

(...)

D. Regional minimum voting requirements

Table 4: Regional minimum voting requirements

<i>If the number of judges from African States remaining in office or elected in previous ballots is:</i>	<i>... then the standard minimum voting requirement for that region is:</i>	<i>... plus the adjustment of adding 1, in accordance with para. 20 (b), third sentence, of the resolution</i>	<i>... then the total minimum voting requirement for that region is:</i>
3 or more	(2-3= -1)	(-1+1= 0)	fulfilled
2	0	+1	1
1	1	+1	2
0	2	+1	3

(Further adjustments might be necessary in accordance with para. 20 (b) of the resolution.)

Table 5: Regional minimum voting requirements²

<i>If the number of judges from Asia-Pacific States remaining in office or elected in previous ballots is:</i>	<i>... then the standard minimum voting requirement for that region is:</i>	<i>... plus the adjustment of adding 1, in accordance with para. 20 (b), third sentence, of the resolution</i>	<i>... then the total minimum voting requirement for that region is:</i>
3 or more	(2-3= -1)	(-1+1= 0)	fulfilled
2	(2-2=0)	+1	1
1	1	+1	2
0	2	+1	3

(Further adjustments might be necessary in accordance with para. 20 (b) of the resolution.)

Table 6: Regional minimum voting requirements

<i>If the number of judges from Eastern European States remaining in office or elected in previous ballots is:</i>	<i>... then the standard minimum voting requirement for that region is:</i>	<i>... plus the adjustment of adding 1, in accordance with para. 20 (b), third sentence, of the resolution</i>	<i>... then the total minimum voting requirement for that region is:</i>
3 or more	(2-3=-1)	(-1+1= 0)	fulfilled
2	(2-2= 0)	(0+1= 1)	1
1	1	+1	2
0	2	+1	3

(Further adjustments might be necessary in accordance with para. 20 (b) of the resolution.)

¹ See annex II to the Secretariat's note verbale ICC-ASP/19/01 of 20 December 2019, section D.

² Adjusted table of minimum voting requirements for the Asia-Pacific group as at 29 July 2020 in light of the withdrawal of one candidate from the regional group

Table 7: Regional minimum voting requirements

<i>If the number of judges from Latin American and Caribbean States remaining in office or elected in previous ballots is:</i>	<i>... then the standard minimum voting requirement for that region is:</i>	<i>... plus the adjustment of adding 1, in accordance with para. 20 (b), third sentence, of the resolution</i>	<i>... then the total minimum voting requirement for that region is:</i>
3 or more	(2-3=-1)	(-1+1=0)	fulfilled
2	(2-2=0)	+1	1
1	(2-1=1)	(1+1= 2)	2
0	2	+1	3

(Further adjustments might be necessary in accordance with para. 20 (b) of the resolution.)

Table 8: Regional minimum voting requirements

<i>If the number of judges from Western European and other States remaining in office or elected in previous ballots is:</i>	<i>... then the standard minimum voting requirement for that region is:</i>	<i>... plus the adjustment of adding 1, in accordance with para. 20 (b), third sentence, of the resolution</i>	<i>... then the total minimum voting requirement for that region is:</i>
3 or more	(2-3= -1)	(-1+1= 0)	fulfilled
2	0	+1	1
1	1	+1	2
0	2	+1	3

(Further adjustments might be necessary in accordance with para. 20 (b) of the resolution.)

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