



BUREAU OF THE ASSEMBLY OF STATES PARTIES

Nineteenth meeting

28 January 2021

Agenda and decisions

The meeting was chaired by the President of the Assembly, Mr. O-Gon Kwon. The Vice Presidents of the Assembly, Ambassador Jens-Otto Horslund (Denmark) and Ambassador Michal Mlynár (Slovakia), also participated.

In accordance with the practice of the Bureau, the Bureau members elected for the twentieth to twenty-second sessions were invited to participate as observers.

Remarks by the President-elect

The President-elect, Ms. Silvia Fernández de Gurmendi (Argentina) delivered some brief remarks and thanked the President and the Bureau for inviting the incoming Bureau to participate as observers, which would help ensure a smooth transition to the new Bureau. Her consultations on the selection of the Vice-Presidents for the twentieth to twenty-second sessions were well advanced and she was confident she would be able to finalize them in the near future. She thanked the Vice-Presidents, Ambassador Mlynár and Ambassador Horslund, for their assistance in liaising with delegations in New York and in The Hague.

1. Nineteenth session of the Assembly: second resumption – update

The Bureau took note that the preparations for the 8 February 2021 second resumption of the nineteenth session were ongoing. In view of the necessity to adhere to the COVID-19 measures in place at United Nations Headquarters, only one delegate for each State, including Observer and Invited States, would be able to be physically present in the General Assembly Hall.

The plenary meeting would be webcast by the United Nations so that all other stakeholders would be able to follow. Interpretation in the four languages used by the Assembly would be available.

The Bureau took note further that the estimated costs of the second resumption were US\$11,000.00.

2. 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 third round of consultations to identify a consensus candidate, which had been held from 20 to 26 January 2021. Bureau members had before them the “Summary of consultations”, dated 27 January 2021, which had been prepared by the focal points appointed to support the consultation process. The focal points also participated in the meeting.

It was noted that the fourth round of consultations would take place from 1 to 3 February 2021. Given the limited time available, the consultations would focus on the three candidates that had garnered the most support. The list of questions to be posed by the focal points would be circulated to States Parties as soon as possible. States Parties were encouraged to share views that would contribute to reaching consensus, including by expressing with absolute clarity the extent and the limits of their ability to join consensus around the candidates that enjoyed the highest levels of support.

The point was made that the quality of the outcome should not be adversely affected by the speed of the process, and if there was a lack of clear consensus around a specific candidate, additional time and efforts may be needed in order to achieve consensus on the best possible candidate.

Concerns were expressed about lobbying for some candidates, a practice which was strongly discouraged in order to facilitate the process of reaching consensus.

3. Review of the Court and the Rome Statute system

Further to the Presidency's informal consultations with States Parties in New York and in The Hague in order to identify the members of the Review Mechanism, and after having sought the views of the respective regional group, the following State Party representatives and *ad country* focal points had been identified:

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.

As required by paragraph 4 of resolution ICC-ASP/19/Res.7,¹ the nominees would be conveyed to all States Parties for approval under a silence procedure. After the silence procedure, the Bureau would proceed to the formal appointment of the members of the Mechanism, mindful of the deadline set by the resolution.²

4. Other matters

a) Next meeting of the Bureau

The next meeting of the Bureau would be held on 4 February 2021.

¹ Review of the International Criminal Court and the Rome Statute system.

² Paragraph 4 of ICC-ASP/19/Res.7 states in part as follows: "All members of the Review Mechanism shall be appointed by the Bureau, after consultations with the regional groups, upon approval by all States Parties via silence procedure, as soon as possible and no later than 60 days after the adoption of the present resolution."