



Thirteenth ICC-ASP Bureau Meeting

13 September 2010

Agenda and Decisions

The President of the Assembly, H.E. Mr. Christian Wenaweser (Liechtenstein), chaired the meeting.

1. Review Conference

a) Report of the Secretariat on the Review Conference

The Bureau took note of the interim report of the Secretariat of the Assembly of States Parties on the Review Conference, dated 13 August 2010, and decided to consider at a later meeting the final report to be submitted in the coming weeks.

b) Follow-up to the Review Conference outcome

i) The impact of the Rome Statute system on victims and affected communities

The Bureau appointed Chile and Finland as facilitators for the follow-up to the Review Conference for the topic “The impact of the Rome Statute system on victims and affected communities”, on the understanding that the Embassy of Chile would designate a representative to continue the facilitation after the departure of Ms. Elena Bornand in the coming weeks.

ii) Complementarity

The Bureau appointed Denmark and South Africa to continue as facilitators for the follow-up to the Review Conference for the topic “Complementarity”.

iii) Cooperation

The Bureau decided that the facilitator for the topic “Cooperation”, Ambassador Mary Whelan (Ireland), would continue the discussions on cooperation in preparation for the ninth session of the Assembly. The Bureau also took note of the draft report on cooperation, dated 10 September 2010, prepared by the facilitator, which had been conveyed to States on the same date.

iv) Pledges

The Bureau deferred to its next meeting discussions on follow-up to the pledges made at the Review Conference.

v) Peace and Justice

The Bureau deferred to its next meeting discussions on follow-up to the Review Conference for the topic “Peace and Justice”.

2. Update by the Working Groups of the Bureau

The Bureau took note of the proposed calendar of meetings for The Hague Working Group, dated 8 September 2010.

The Bureau also took note of the proposed approach and timelines which the facilitators of the New York Working Group for the topics Plan of action, Ms. Eva Šurková (Slovakia); Arrears, Mr. Yukihiro Wada (Japan); and Geographical representation and gender balance in the recruitment of staff, Mr. Eden Charles (Trinidad and Tobago); presented for the consideration and submission of reports on their respective issues.

The Bureau requested the facilitators to bear in mind that the reports should be completed before the end of October and submitted to the Bureau in early November.

3. Composition of the Bureau

The Bureau took note of a letter, dated 27 August 2010, by which Vice-President of the Assembly, Ambassador Zachary D. Muburi-Muita (Kenya), informed the President of his resignation from his positions as Vice-President and as Coordinator of the New York Working Group. The Bureau paid tribute to the former Vice-President for his support and cooperation during his tenure.

The President noted that the Assembly should now elect a Vice-President for the remainder of the term of Ambassador Muburi-Muita and indicated his intention to hold consultations on the matter and to revert to the Bureau at its next meeting.

4. Preparations for the ninth session of the Assembly of States Parties

- a) *Establishment of a Working Group of the Assembly pursuant to resolution ICC-ASP/8/Res.6*

The President informed the Bureau that consultations to identify a coordinator for the Working Group of the Assembly on amendments to the Rome Statute were ongoing.

- b) *Election of six members of the Committee on Budget and Finance*

Since the number of candidates for election to the Committee on Budget and Finance at the close of the nomination period on 30 August 2010 corresponded to the number of vacant seats for the African Group, GRULAC and WEOG, the Bureau recommended to the Assembly the election by consensus of the following five candidates representing these regional groups, in accordance with resolution ICC-ASP/1/Res.5: Mr. David Banyanka (Burundi), Ms. Carolina María Fernández Opazo (Mexico), Mr. Gilles Finkelstein (France), Mr. Gerd Saupe (Germany), and Mr. Ugo Sessi (Italy).

With regard to the Eastern European Group, where the number of candidates exceeded the number of vacant seats, i.e. two candidates for one seat, the Bureau requested the representative of Romania to act as the focal point for consultations within the regional group in order to identify a consensus candidate, and to report to the Bureau at its next meeting.

5. African Union Liaison Office

The Bureau took note of the resolution adopted by the African Union Summit at its Fifteenth Ordinary Session on 27 July 2010 in Kampala, by which the African Union decided to “reject for now, the request by ICC to open a Liaison Office to the AU in Addis Ababa, Ethiopia”. Furthermore the Bureau requested the Court to submit for its fourteenth meeting, on 5 October, a written report on the mission of a Senior Legal Officer of the Court to Addis Ababa.

The President informed the Bureau about the recommendation of the Committee on Budget and Finance that, in view of this decision of the African Union, of which the Court had been

notified, the resources allocated to the African Union Liaison Office should be eliminated from the proposed programme budget for 2011 but that the budget item would be retained pending further consultations.

6. Election of the President for the tenth to twelfth sessions

The President informed the Bureau that in accordance with rule 29 of the Rules of Procedure of the Assembly of States Parties, the next President of the Assembly should be elected at the ninth session, if possible. The Bureau decided to keep this item on its agenda.

7. Election of the Prosecutor for the period 2012 to 2021

The President proposed that the Bureau should consider establishing a mechanism for consultations, in order to facilitate the process of the election of a new Prosecutor to succeed the current Prosecutor whose term will expire in June 2012. The Bureau decided to keep this matter under review.

8. Other matters

i) Staff Pension Committee

The Bureau appointed Mr. Yoshiki Ogawa (Japan) as an alternate member of the Staff Pension Committee of the International Criminal Court to complete the term of Mr. Ivan Salopek (Croatia), which will expire on 20 March 2011.

ii) Non-cooperation with the Court

The Bureau took note of the decisions of Pre-Trial Chamber I, dated 27 August 2010, by which the Pre-Trial Chamber informed the United Nations Security Council and the Assembly of States Parties to the Rome Statute about the visits of the defendant in the case of *The Prosecutor v. Omar Al-Bashir* to Kenya and Chad. The Bureau also took note of the letter, dated 27 August 2010, which the President had conveyed to the Minister for Foreign Affairs of Kenya.

The Bureau decided to keep this matter under review and to discuss the issue in the framework of another Bureau meeting and in light of information submitted by the said States Parties.

iii) Appointment of a facilitator for the omnibus resolution

The Bureau requested delegates interested in serving as facilitator for the omnibus resolution to indicate their interest to the President, in view of the departure of the previous facilitator, Mr. Emmanuel Bichet (Switzerland), from New York.

iv) Next Bureau meeting

The Bureau decided to hold its next meeting on 5 October 2010.

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