



**Fourteenth ICC-ASP Bureau Meeting**

**14 October 2011**

**Agenda and Decisions**

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

**1. Search Committee for the position of Prosecutor**

The Coordinator of the Search Committee, H.R.H. Prince Zeid Ra'ad Zeid Al-Hussein (Jordan), briefed the Bureau that the Search Committee had interviewed eight candidates over the course of three days in the week of 10 October. The Secretariat had assisted by conducting preliminary open-source research on each of the potential candidates. The interviewees had also been asked to provide more elaborate curricula vitae and personal statements.

The Coordinator informed that the interviews had been divided into three phases. Interviewees had been asked to present a 10-minute personal statement, based on their written submission. This was followed by 20 minutes of questions on this subject. The final, 50-minute portion had been dedicated to questions previously decided upon by the Search Committee. These questions were the same for all candidates and dealt mainly with how the candidate would shape prosecutorial strategies in the short, medium and long term. Other questions pertained to the perceived gap in case selection, witness proofing and disclosure. Further questions were posed on management, the perception that the Court is an international criminal court for Africa, the candidate's most complex cases, efficiency of the Office of the Prosecutor and desired quality in the selection of Deputy Prosecutors.

The report of the Search Committee, to be presented on 25 October, would describe the process undertaken by the Committee and contain a shortlist of candidates, as required by the Search Committee's Terms of Reference.

The President thanked the Search Committee for its work and noted that he had been pleased to hear that all candidates had appreciated the opportunity to be interviewed and had commented positively on the process and the conduct of the interviews. All States would be invited to attend the meeting on 25 October. At this meeting, he would announce his approach to the process leading to a consensus election of the next Prosecutor.

**2. Premises**

Given the need for adequate time to study the documentation on the topic, including the 13 October 2011 letter from the Chairperson of the Oversight Committee on the Permanent Premises project, additional time was requested so as to allow Bureau members to submit it to ministers, before reaching a final agreement.

The opinion was also expressed that this discussion ought not to be unnecessarily prolonged and that an entirely clear picture was unlikely to emerge before a decision needed to be taken.

The point was made that more information was required. Specifically, it was noted that the total cost of the Interim Premises Purchase Option (IPPO) was as yet unknown. Furthermore, bearing in mind the content of the 13 October 2011 letter from the Chair of the Oversight Committee, the €223 million figure used by the consultants to estimate the cost of the permanent premises project could be reduced to €210.1 million. Additionally, the cost of purchasing the Arc building, plus the rental or purchase costs of Haagse Veste and Saturnusstraat was still unknown. The departure date for Eurojust from the Arc was similarly unknown.

The representative of the host State noted that most of these questions were indeed answered by the extant documentation. She informed that the host State would not consider the issue of rent for the interim premises for 2012 until the IPPO issue has been dealt with, and would not pay anything beyond 2012. She reiterated that in case the IPPO is taken up, the host State would insist on being compensated for investments made in the Permanent Premises project to date, in the amount of about €120 million. She also noted that the costs for the new building would not be higher than the IPPO and that the newly built premises would be more functional. Furthermore, she recalled that the demolition of the existing buildings at the Alexanderkazerne had been halted; delaying the decision on IPPO longer may therefore cost States Parties money.

The President noted that the Bureau was not in a position to take a decision on this issue. He recalled his appeal to address specific questions to the facilitators prior to this meeting, and reiterated that members of the Bureau ought to do so before the next Bureau meeting, which would be convened in The Hague on 20 October at 16:30. He underscored his intention to take a decision on this issue at that time.

### **3. Preparations for the tenth session**

#### *a) Seating arrangements*

In accordance with decision ICC-ASP/1/Decision 4, the President of the Assembly drew lots for the purpose of choosing the State Party to occupy the first desk on the Assembly floor, to the right of the President. Italy would occupy this seat, from which the English alphabetical seating order would begin.

#### *b) National tellers*

In accordance with past practice, each of the five regional groups was requested to designate a national teller to assist with the counting of the ballots for the elections to be held during the tenth session. National tellers should not belong to a State that has a candidate. The national tellers, who would be assisted by a Secretariat teller, would be expected to be available during the entire duration of the voting and the counting of the ballots, including during the 9 December 2011 lunchtime mock ballot.

The President requested regional groups to consult among themselves and to communicate the names to the Secretariat prior to the next Bureau meeting.

#### **4. Consultations to identify a Bureau for the tenth to twelfth sessions**

- a) Asia and Pacific group: Japan informed that there had been no developments since the last meeting of the Bureau.
- b) Western Europe and Other States group: the United Kingdom informed that upon the withdrawal of one candidature, six States Parties were interested in five seats and that further consultations were required.

#### **5. Other matters**

- a) *Universality*

The President welcomed the 10 October deposit of the instrument of ratification of the Rome Statute by Cape Verde.

- b) *Next Bureau meetings*

The fifteenth Bureau meeting would be held on 20 October at 16:30 in The Hague. The sixteenth Bureau meeting, to be held on 25 October, would be open to all States Parties pursuant to Rule 42, paragraph 2, of the Rules of Procedure of the Assembly.

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