



Seventeenth ICC-ASP Bureau Meeting

1 November 2011

Agenda and Decisions

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

1. Premises

The President recalled that the option of purchasing the Interim Premises of the Court had been discussed at the fifteenth and sixteenth Bureau meetings in New York and The Hague, respectively. Given the short time remaining before the tenth session of the Assembly, he underscored the importance of reaching an agreement on this matter. In this regard, he also drew attention to the letter from the Minister of Foreign Affairs of the host State, dated 31 October 2011, and a paper containing timelines for the demolition of the Alexanderkaserne site.

The representative of the host State noted that under the terms of the offer, the host State would continue to pay for the rent of the interim premises in the second half of 2012, meaning that the approximately €3.5 million for interim premises rent would not have to be included in the total costs arising for States Parties in 2012. She noted that this was the final offer from the host State, which had been extremely flexible in this matter. A decision on the rental of the interim premises would need to be taken at the forthcoming session of the Assembly, mandating the Registrar to sign a new lease, as the host State would terminate its contracts by the end of the year.

The representative of the host State also noted that the conditions of the host State loan would also be extended to cover fixed assets, while the overall amount of the loan would remain unchanged.

The view was expressed that the only relevant decision of the Assembly was the one establishing the Permanent Premises project and that the Bureau could not deviate from such a decision.

The Bureau decided not to pursue the interim premises purchase option further.

The wish was expressed to further discuss who would pay the rent for the interim premises starting in 2013.

2. Preparations for the tenth session of the Assembly

a) Committee on Budget and Finance nominations

The President encouraged the African Group to continue their efforts in order to find a consensus candidate for the election of six members of the Committee on Budget and Finance.

b) National tellers

The Bureau heard the following reports from regional groups with regards to the national tellers designated to assist with the counting of the ballots for the elections to be held during the tenth session:

- a) African Group: South Africa informed that there was an expression of interest from the United Republic of Tanzania.
- b) Asia-Pacific Group: Japan informed that initial consultations had been held, but had not yet yielded a specific expression of interest.
- c) Eastern European Group: Estonia informed that Romania had expressed an interest in nominating a teller.
- d) Latin American and Caribbean Group: Venezuela informed that Brazil had expressed an interest in nominating a teller.

The President encouraged States to communicate the names of the individuals who would serve as national tellers to the Secretariat of the Assembly.

c) Reports of the Working Groups and of the Oversight Committee

The Working Groups and the Oversight Committee on permanent premises were requested to submit their reports to the Bureau by 11 November 2011, with a view to their adoption by the Bureau during the week of 14 November 2011, which would allow the requisite translations to be prepared so that States Parties may be able to consider the documentation at least two weeks in advance of the tenth session. The budget would be the sole exception to this deadline.

d) Facilitations

The Bureau took note that Ms. Nataša Šebenik had ended her posting with the Embassy of Slovenia in the Netherlands and that she could thus no longer continue as co-facilitator on the topic of the Independent Oversight Mechanism. Cyril Borlé (Canada) would continue as sole facilitator.

The Bureau designated Mr. Zénon Mukongo Ngay (Democratic Republic of the Congo) as the facilitator for the omnibus resolution.

e) Documentation

Further to its 10 November 2010 decision, the Bureau mandated the Secretariat of the Assembly to continue pursuing a paper-light approach to documentation for the forthcoming session of the Assembly, saving the Assembly approximately €2,000.

4. Consultations to identify the Bureau for the tenth to twelfth sessions

The following focal points updated the Bureau on the consultations within their respective regional groups:

- a) Asia-Pacific Group: Japan informed that the situation remains unchanged, with four States Parties interested in three seats. Consultations were underway.
- b) Latin American and Caribbean Group: Venezuela informed that there was no agreement.
- c) Western Europe and Other States Group: United Kingdom of Great Britain and Northern Ireland informed that there was no progress, though consultations continued.

The President noted that the lack of agreement on a new Bureau made it difficult for the incoming President to prepare for her tenure and encouraged regional groups to find an agreement as soon as possible with a view to reaching a decision at the next meeting of the Bureau.

5. Decisions by Pre-Trial Chamber I regarding Omar Al Bashir's recent visits to Chad and Malawi

Further to Decision ICC-02/05-01/09 issued by Pre-Trial Chamber I on 18 August 2011, requesting observations about Omar Al Bashir's recent visit to Chad, the Bureau took note of the response transmitted by Chad in its note verbale dated 29 September 2011.

The Bureau also took note of Decision ICC-02/05-01/09, dated 19 October 2011, issued by Pre-Trial Chamber I, requesting observations about Omar Al Bashir's recent visit to Malawi.

The President noted that the Court was seized of the above matters, and had not referred them to the Assembly, so there is no need at this stage for the Bureau or the President to take any formal action. The Bureau would revert to this topic at a later stage if needed.

6. Contingency Fund

The Bureau took note of the notification from the Registrar to the Chairman of the Committee on Budget and Finance, dated 20 October 2011, requesting a supplementary budget of €128,226 in relation to the situation in Côte d'Ivoire, pursuant to Regulation 6.7 of the Financial Regulations and Rules.

7. Other matters

Staff Pension Committee

The Bureau endorsed the recommendation by The Hague Working Group that Ms. Helena Yáñez (Ecuador) be designated as the second representative of the Assembly on the Staff Pension Committee and requested two alternate representatives to be nominated before the end of 2011.

Election of the next Prosecutor

The President noted that meetings between States Parties and the four candidates shortlisted by the Search Committee for the position of Prosecutor of the International Criminal Court were being organized. Each candidate would be invited to give a brief presentation, to be followed by a question and answer session. Responding to a question, the President stated that he did not intend to ask standard questions of each of the candidates, but would rather yield the floor to States Parties to ask questions. While non-States Parties and

civil society were invited to attend the meetings, they would not be invited to actively participate by asking questions.

The first such meeting would take place on 2 November 2011. The President encouraged all States Parties to be represented at the highest possible level.

The question was raised whether States Parties should actively approach their regional focal points, or wait to be contacted by them. The President responded that while each State Party could expect to be approached by its regional focal point, it could also take the initiative and approach both the focal points and himself directly.

Next Bureau Meeting

The next Bureau meeting will be held in mid-November.
