



Second ICC-ASP Bureau Meeting

1 February 2011

Agenda and Decisions

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

1. Tenth session of the Assembly of States Parties

The Bureau approved the provisional agenda for the tenth session of the Assembly, with the understanding that it remained open for further discussion. The Secretariat would disseminate this document along with the invitation to the session.

2. Working Groups of the Bureau

a) Appointment of facilitators

The Bureau appointed the following:

(i) New York Working Group

- Arrears: Mr. Yukihiko Wada (Japan)
- Advisory Committee on nominations: Ms. Francisca M. Pedrós-Carretero (Spain)
- Peace and justice: Ms. Fernanda Millicay (Argentina), Mr. Zénon Mukongo Ngay (Democratic Republic of the Congo) and Mr. Nikolas Stürchler (Switzerland).

The President recalled that Ambassador Paul Seger (Switzerland) would continue to chair the Working Group on Amendments.

The Bureau noted that consultations to identify facilitators for the topics of Geographical representation and gender balance and the Plan of action were on-going.

(ii) The Hague Working Group

- Complementarity: Ms. Yolande Dwarika (South Africa) and Mr. Christian Nygaard Nissen (Denmark), as co-facilitators
- Independent Oversight Mechanism: Mr. Cyril Borlé (Canada) and Ms. Nataša Šebenik (Slovenia), as co-facilitators
- Strategic planning: Ambassador Jean-Marc Hoscheit (Luxembourg)
- Victims and affected communities and Trust Fund for Victims: Ms. Miia Aro-Sánchez (Finland).

The Bureau recalled that Ambassador Mary Whelan (Ireland) would continue as facilitator for the issue of cooperation during 2011, pursuant to the two-year mandate contained in resolution ICC-ASP/8/Res.2.

The Bureau noted that consultations to identify a facilitator for the budget were ongoing.

The President encouraged the Coordinators, in consultation with the facilitators, to draw up a proposed work plan for 2011 for their respective Working Groups, for the consideration of the Bureau, in order to facilitate the work of delegations.

b) Study Group on governance

The Bureau noted that, on 26 January 2011, the Hague-based Study Group on governance had elected Ambassador Pieter de Savornin Lohman (Netherlands) as its Chairperson.

3. Nomination periods for elections

a) Judges and the Prosecutor

In accordance with paragraphs 3 and 28 of resolution ICC-ASP/3/Res.6, as amended by resolution ICC-ASP/5/Res.5, the Bureau set a 12-week nomination period for the election of six judges and for the election of the Prosecutor, respectively, to run from 13 June to 2 September 2011 (Central European Time).

With regard to the Prosecutor, the President noted that the Bureau had agreed that the nomination process would be supplemented by the work of the Search Committee for the position of Prosecutor.

b) Committee on Budget and Finance

Pursuant to resolution ICC-ASP/1/Res.5, as amended by ICC-ASP/2/Res.4, and in accordance with past practice, the Bureau set a 12-week nomination period for the election of six members of the Committee on Budget and Finance to run from 13 June to 2 September 2011 (Central European Time).

4. Search Committee for the position of the Prosecutor

Further to its decision at its 11 January 2011 meeting, the Bureau appointed Mr. Joel Antonio Hernández García (Mexico) as the representative of the Group of Latin American and Caribbean States, thus fully constituting the Search Committee.

The President would convene the first meeting of the Search Committee on 4 February. The Search Committee would, as priority first order of business, elect its chairperson. All the necessary information would subsequently be communicated to the Bureau.

5. Independent Oversight Mechanism (Assurance mapping study)

A member of the Bureau recalled that the costs for the assurance mapping study were originally to be absorbed by the 2010 budget of the IOM, and enquired whether any of the costs had been so absorbed. The Temporary Head of the IOM subsequently informed the Bureau that no funds had been paid from the 2010 budget of the IOM for the assurance mapping study. While the initial proposal by the Internal Investigation Division of OIOS was envisaged to be funded from the 2010 budget since those services were to be completed and invoiced in 2010, as a result of delays, this had not been possible. Another member of the Bureau, while underscoring the desirability of an assurance mapping study, noted that the IOM should, in future, consider its costs more carefully, so as to avoid such cost increases.

The President noted that the main problem in this instance seemed to have been an unclear understanding on the part of OIOS regarding the costs which that office was obligated to recover and that, with the revised costs, OIOS would simply be implementing the ICC-UN relationship agreement.

On the basis of its 28 October 2010 decision, and taking into account that the revised programme budget implications of US\$25,500 could be absorbed by the 2011 budget of the IOM, as well as the need for the process to be completed early so as to enable The Hague Working Group to discuss this issue, the Bureau requested OIOS to continue the process already initiated, with a view to completing the study within budget and on an expeditious basis, and to submit its report to the Bureau in the first half of May 2011.

6. Briefing by the President

The President informed the Bureau that, on his 24 to 26 January visit to the seat of the African Union in Addis Ababa, he had discussed a wide variety of topics, such as situations in Africa in which the Court was active, the Search Committee for the position of the Prosecutor and the election of a President of the Assembly for the tenth to twelfth sessions. Additional issues discussed included efforts by the Court to establish an on-going dialogue with African Union officials, in the absence of the establishment of the African Union Liaison Office at the Headquarters of the African Union.

On his 27 to 28 January visit to Nairobi, Kenya, he had discussed with representatives of the Government, Parliamentarians, civil society and others the Court's on-going work in Kenya and the cooperation of the Government with the Court, institutional issues such as the election of the next Prosecutor and the efforts to ensure an on-going dialogue between the Court and African States, as well as the follow-up to the Review Conference. The President thanked the delegation of Kenya for its assistance in organizing this part of his trip.

7. Other matters

a) Interim premises

The President informed the Bureau that on-going discussions in The Hague between Court officials and the host State related not only to the extension of the rent-free period, but also other aspects. A report from the Court on these discussions was expected by the end of February.

b) Consultations to identify a President for the tenth to twelfth sessions

The Bureau appointed Vice-President Ambassador Simona Miculescu (Romania) to conduct consultations on its behalf on the selection of the next President of the Assembly.

c) Visit by the President to the seat of the Court

The President indicated that he would visit the seat of the Court in The Hague from 14 to 17 February 2011.

d) Next Bureau meeting

The next Bureau meeting will be held on 1 March 2011.
