Third ICC-ASP Bureau Meeting

1 March 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 of the International Criminal Court

The Coordinator of the Search Committee, H.R.H. Prince Zeid Ra'ad Zeid Al-Hussein (Jordan), informed the Bureau that the representatives of four regional groups on the Committee had briefed their respective groups on the work of the Committee, and the representative of the Western Europe and Other States would brief the group later that day. He informed the Bureau that, at its first meeting on 4 February, the Search Committee had elected him as Coordinator and Ambassador Miloš Koterec (Slovakia) as Vice-Coordinator. The Search Committee had decided that all decisions should be taken by consensus. It would meet again on 28 March to consider the first group of CVs. Another meeting was tentatively scheduled for the beginning of the summer and another in September.

The Coordinator emphasized the pro-active nature of the Search Committee's work, in accordance with which contact had already been made with several international professional associations, and encouraged members of the Bureau to assist the Search Committee in its efforts. He further emphasized that expressions of interest must be informal, that no formal nominations were expected during the nomination period, and that a formal nomination on the eve of the closing of the nomination period could have negative consequences. He informed members of the Bureau that he and the President would hold a press conference later that day on this subject.

The President highlighted the need for the promotion of the Search Committee's efforts. He noted that the process was different from that for the election of the first Prosecutor, in that there was no process in place that was transparent and based on the approval of all States Parties. In fact, the note verbale regarding the election of the Prosecutor disseminated by the Secretariat had made it clear that the Search Committee's work was designed to implement the Rome Statute. He indicated that the Coordinator would brief the Bureau at each meeting, and that individual Bureau members would continue to brief their respective regional groups.

Working Groups of the Bureau

a) Appointment of facilitators

i) New York Working Group

The Bureau appointed the following facilitators:

- Geographical representation and gender balance in the recruitment of staff of the Court: Ms. Glenna Cabello de Daboin (Venezuela (Bolivarian Republic of))
- Plan of Action: Ms. Oana Florescu (Romania)

ii) The Hague Working Group

The President indicated that consultations to identify a facilitator for the budget were on-going.

2. Consultations to identify a President for the tenth to twelfth sessions of the Assembly

The representative of Romania informed the Bureau that the focal point, Ambassador Simona Miculescu (Romania), had conducted consultations with the Eastern European Group and would also consult with the other regional groups.

3. Consultations to identify a Bureau for the tenth to twelfth sessions

The Bureau appointed the following focal points to conduct consultations among the respective regional groups in order to identify the twenty-one States Parties willing to serve on the next Bureau, as well as the two Vice-Presidents, to be designated from two of these States:

- African Group: Gabon
- Asian Group: Japan
- Group of Latin American and Caribbean States: Venezuela (Bolivarian Republic of)
- Western Europe and Others Group: United Kingdom

The President expressed his hope that a focal point for the Eastern European Group could be identified soon and be approved by the Bureau in advance of its next meeting, by the silence procedure and on the basis of an agreement in that group. He further suggested that these focal points should also act as a liaison between regional groups and Ambassador Miculescu in her function as focal point for the consultations to identify a President for the tenth to twelfth sessions of the Assembly.

4. Interim premises

The representative of the host State informed the Bureau that its position with regard to the extension of the rent-free period remained unchanged and that the reasons therefor were contained in note verbale DKP 2011/083, dated 1 February 2011, from its Ministry of Foreign Affairs to the Court. The sum of €6 million would be needed annually to cover the costs of the interim premises. She also indicated that the host State had urged the Court to begin negotiations with the owner of the interim premises forthwith, and had offered its assistance to the Court in this matter.

The President noted that the interim report of the Court to the Bureau on the interim premises, dated 1 March 2011, contained a useful overview of the legal and financial situation. He expressed the hope that the final report of the Court would soon be received, at which point States Parties, and perhaps he himself, would become involved in the discussions.

Two delegations expressed their understanding of the position of the host State, but emphasized the need to continue the discussions. One of them also underscored the need for a prompt commencement of such discussions, so as not to prejudice the position of the Court.

The President took note of all comments made and suggested that the Bureau revert to this topic at a future meeting.

5. Briefing by the President

The President informed the Bureau that during his 14 to 17 February visit to The Hague, he had attended an informal plenary of the judges to discuss, among other things, expediting judicial proceedings, and had met with the Friends of the Court Group, as well as with several delegates. He had also held a retreat with the heads of organs, the Coordinator of The Hague Working Group, Ambassador Jorge Lomónaco (Mexico), the Chair of the Study Group on Governance, Ambassador Pieter de Savornin Lohman (the Netherlands), and the Director of the Secretariat. He expressed his hope that the Study Group would provide a useful interface between States Parties and the Court which had so far been lacking, and that both States Parties and the Court would approach the Study Group as an opportunity for a genuine dialogue to pursue the common goals of both parties.

6. Other matters

a) Security Council resolution 1970 (2011)

The President recalled that Security Council resolution 1970 (2011), by which the Council had referred the situation in Libya since 15 February 2011 to the Prosecutor, had been adopted unanimously on 26 February 2011 and had been co-sponsored by 11 members of the Council. In his view, this was a decision of historic importance for the Court. He indicated that he had been and would continue to be in close contact with the Office of the Prosecutor on this matter, including on possible budgetary implications of an investigation.

b) Internal Oversight Mechanism: Assurance Mapping Study

The President informed the Bureau that, subsequent to its 1 February 2011 approval of the revised budget for the Assurance Mapping Study, the fieldwork for the study would be conducted on 11-13 April, with a view to submitting a report to the Bureau through its Hague Working Group on 26 April. States would then be requested to submit any comments thereon by 17 May.

c) Next Bureau meeting

The next Bureau meeting will be held on 5 April 2011.

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