



BUREAU OF THE ASSEMBLY OF STATES PARTIES

Third meeting

16 April 2014

The meeting was chaired by the President of the Assembly of States Parties, Ambassador Tiina Intelmann (Estonia)

1. Passing of President Arthur Robinson

The Bureau observed a minute of silence in honour of the memory of Mr. Arthur Napoleon Raymond Robinson, former President and Prime Minister of Trinidad and Tobago, who had led the initiative in the United Nations General Assembly to establish an international criminal court.

2. Thirteenth session of the Assembly of States Parties

a) Selection of the President and Bureau for the thirteenth to sixteenth sessions of the Assembly

The President recalled the 30 June 2014 deadline that the Bureau had set for the identification of Bureau members for the period from 8 December 2014 until the close of the Assembly session in December 2017 and recalled the New York Working Group meeting on 28 March 2014 where a progress report about the selection of the next President had been presented by Vice-President Ken Kanda (Ghana), who had been tasked by the Bureau to conduct consultations.

Ambassador Kanda recalled a meeting of African States Parties with the President of the Assembly on 10 February 2014 and informed the Bureau of the 7 April 2014 meeting of African States Parties where three States had indicated interest in the position of the President: Botswana, Senegal and Sierra Leone. He also indicated that consultations in the respective capitals will be conducted over the next few weeks. African States Parties agreed that candidates are free to circulate their curricula vita to all States Parties. At a later stage, as appropriate, the remaining candidates would be presented to the broader membership. The Vice-President expressed confidence that a candidate would emerge from among African States Parties who could be endorsed by the Bureau by 30 June 2014 and elected by the Assembly by consensus.

The President informed the Bureau that she had met with the candidates and with representatives of their respective States.

b) Agreement on the Privileges and Immunities of the International Criminal Court: Pledging ceremony

The Bureau would consider appointing regional representatives to engage States to participate in the APIC ceremony at a future meeting.

3. Amendments to the Rome Statute

The Bureau took note of the United Nations Depository notification dated 14 March 2014 containing proposals for amendments to articles 27, 63, 70 and 112, paragraph 4, as well as the preamble of the Rome Statute. The President recalled that the Assembly in resolution ICC-ASP/12/Res.8 had invited “the Working Group on Amendments to continue its consideration of amendment proposals, including all proposed amendments to the Rome Statute submitted prior to the Review Conference and those submitted following the decision by the Extraordinary Summit of the African Union held on 12 October 2013, in Addis Ababa, in accordance with the Terms of Reference of the Working Group”.

Ambassador Paul Seger (Switzerland) assured the Bureau of his personal availability to chair the Working Group on Amendments. With the understanding that the Chair works very closely with the Bureau and the President and informs the Bureau about the discharge of his mandate the Bureau decided to appoint Ambassador Seger as Chair of the Working Group on Amendments. The President recalled that the term of all facilitators and chairs ends on the first day of the thirteenth session of the Assembly, 8 December 2014.

The Bureau had an exchange of views about the future work of the Working Group on Amendments, which would hold a first organizational meeting soon.

4. Independent Oversight Mechanism (IOM)

The Bureau took note of the report of the Temporary Head of the IOM, Ms. Kristina Carey, dated 11 April 2014, covering the first quarter of 2014. The President stressed the urgency of appointment of the permanent Head of the IOM and in this context recalled the adoption of the terms of reference for the recruitment panel for the Head of the IOM. The Bureau took note of the President’s intention to request the United Nations to extend the loan of Ms. Carey to the Court until the end of July 2014.

5. Contingency Fund

The Bureau took note of the supplementary budget notification for access to the Contingency Fund, which the Registrar submitted pursuant to regulation 6 of the Financial Regulations and Rules on 1 April 2014 for €254,900, for the purpose of covering the extension of the mandate of one judge in the Bemba case and of judicial support staff.

6. Pre-Trial Chamber II Decision on the DRC’s cooperation regarding Mr. Omar Al-Bashir’s arrest and surrender to the Court

The Bureau took note of the 9 April 2014 decision of Pre-Trial Chamber II,¹ conveyed to the President of the Assembly by the President of the Court on 11 April 2014.

The President informed the Bureau that she had met with States Parties sitting at the UN Security Council to discuss possible way forward for the Council to address the notification it has received from the Court.

¹ Titled “Decision on the Cooperation of the Democratic Republic of the Congo Regarding Omar Al Bashir’s Arrest and Surrender to the Court”.

7. Information by the President on her consultations with The Hague Working Group, as requested by the Bureau at its second meeting (17 March 2014)

In light of the 17 March 2014 request of the Bureau to the President to engage in consultations with The Hague Working Group in order to clarify certain aspects of its work, the President informed the Bureau that The Hague Working Group intended to complete the consideration of the additional mandates it had created for 2014 for consideration in the Working Group.

The Bureau took note of the briefing and decided that any need for an additional facilitation that may arise in the inter-sessional period would be considered by the Bureau and allocated to its New York or Hague Working Group according to the established practice.

8. Other matters

a) Mini-retreat on governance of the Assembly

The Bureau was informed of the intention of members of The Hague Working Group to visit New York on 3 and 4 June 2014, and of the proposal by the President to hold a mini-retreat dedicated to the governance of the Assembly to be attended by current and aspiring Bureau members and facilitators.

b) Judicial elections

The President recalled the 14 April 2014 briefing on judicial elections by the Secretariat at the United Nations for States Parties. She also informed the Bureau that the Advisory Committee on Nominations of Judges would meet in New York from 8 to 12 September 2014 to assess the candidates, including via face to face interviews and in this connection States submitting nominations were requested to endeavour to have their candidates present in New York during that week.

c) Judicial developments

The most recent developments in cases before the Court were brought to the attention of the Bureau.

i) Lubanga case²

The hearings initially scheduled by the Appeals Chamber for 14 and 15 April 2014 have been postponed for logistical reasons. An order rescheduling the hearing would be issued shortly.

ii) Kenyatta case

On 31 March 2014, Trial Chamber V (b) adjourned the commencement date of the trial in the case against Mr. Uhuru Kenyatta to 7 October 2014. The purpose of the adjournment is to provide the Government of Kenya with a further, time-limited opportunity to provide certain records, which the Prosecution had previously requested on the basis that the records are relevant to a central allegation to the case.

² On 21 March 2014, the Appeals Chamber scheduled a hearing in the case *The Prosecutor v. Thomas Lubanga Dyilo* to be held on 14 and 15 April 2014 in order to allow the parties and participants to orally address the Appeals Chamber on different relevant issues arising in the appeals. At the hearing, the Judges would also hear the testimony of two additional witnesses as requested by the Defense.

iii) *Charles Blé Goudé case*

On 22 March 2014, Mr. Charles Blé Goudé was surrendered to the International Criminal Court by the national authorities of Côte d'Ivoire following a warrant of arrest issued by the Court on 21 December 2011. On 27 March 2014, he made his first appearance before the Court.

d) *Developments at the United Nations Security Council and the United Nations*

The Bureau took note of developments at the Security Council related to the International Criminal Court: adoption of resolutions S/RES/2144(2014) on Libya, S/RES/2147(2014) on the Democratic Republic of the Congo, and S/RES/2149(2014) on the situation in the Central African Republic.

e) *Visits from Court officials*

The Bureau was informed of the visit to New York of the Prosecutor, Ms. Fatou Bensouda, on 13 May 2014 in order to brief the United Nations Security Council pursuant to Security Council resolution 1970, and of the Registrar, Mr. Herman von Hebel, in June. The Bureau decided to invite the Registrar to address the Bureau.

f) *President's visits*

The President informed the Bureau of her forthcoming visits to inter alia, South Africa and Geneva during May.

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