



BUREAU OF THE ASSEMBLY OF STATES PARTIES

Fifth meeting

The Hague

12 March 2018

Agenda and decisions

The meeting was chaired by President of the Assembly, H.E. Mr. O-Gon Kwon.

The President congratulated the new Presidency of the Court following its election on 11 March 2018.¹ He had held a meeting on 12 March 2018 with the six new judges of the Court,² where they expressed their wish to be called to full-time service as soon as possible. The Presidency had also raised the issue of the review of the judges' remuneration³ and their pension and had requested that it be taken up by the Bureau as expeditiously as possible.

1. Independent Oversight Mechanism: consideration of the proposal to appoint an external interim Head

The Bureau continued its consideration of the proposal to appoint an external interim Head of the Independent Oversight Mechanism (IOM).

The President noted, regarding the legal basis for the Bureau to delegate the appointment of an interim Head of the IOM to him, that there was no bar to proceeding accordingly as long as the Bureau agreed.

With respect to the tension perceived in some quarters between rule 26 of the Rules of Procedure and Evidence and the operational mandate of the IOM,⁴ the President recalled that the Rules of Procedure and Evidence had been adopted at the first session of the Assembly, while the operational mandate of the IOM had been adopted in 2013. He noted further that the Bureau had referred the mandate on the amendment of rule 26 of the Rules of Procedure and Evidence to the Study Group on Governance.⁵

The President considered that it was for the Presidency of the Court to take the appropriate measures regarding other existing legal instruments that may require amendment.⁶

¹ Judge Chile Eboe-Osuji (President), Judge Robert Fremr (First Vice-President) and Judge Marc Perrin de Brichambaut (Second Vice-President).

² Elected at the sixteenth session of the Assembly, at the 2nd meeting which was held from 4 to 6 December 2017.

³ ICC-ASP/16/Res.1, section N, para. 1: "Requests the Bureau to establish a working group, based in The Hague and open only to States Parties, to discuss a mechanism to consider a revision of the judges' remuneration in implementation of resolution ICC-ASP/3/Res.3 and to report thereon to the Assembly at its seventeenth session;"

⁴ ICC-ASP/12/Res.6, annex.

⁵ ICC-ASP/16/Res.6, annex, para. 9 (c).

⁶ ICC-ASP/12/Res.6, para. 3 provides as follows: "Invites the Court to continue to work with the Independent Oversight Mechanism on the amendments to existing legal instruments, with a view of the adoption, at the next session of the Assembly, of all the amendments necessary for the full operationalization of all functions of the Independent Oversight Mechanism;"

The delegations of France and Uganda asked the President to formally request the Presidency of the Court to issue a Presidential Directive to implement the IOM structure within the legal framework of the Court.

The Bureau considered the options contained in the President's 12 March 2018 paper on the possible options for the recruitment of additional short-term resources. The Bureau agreed that the Acting Head of the IOM may recruit an Investigations Specialist on a short-term appointment, at her discretion according to the needs of the Office.

2. Other matters

a) Vice-President and Coordinator of The Hague Working Group

The President recalled the 9 March 2018 announcement to the Bureau by Vice-President of the Assembly and Coordinator of The Hague Working Group, Ambassador Momar Diop (Senegal), of his forthcoming departure from The Hague, and the Bureau's appreciation for his valuable work. He noted that the Bureau would, at a future meeting, discuss how to proceed on the appointment of a new Coordinator of the working group and the election by the Assembly of a new Vice-President of the Assembly, taking into account the provisions of the Rome Statute and the Rules of Procedure of the Assembly of States Parties on the election of the Bureau. The President noted that a new Vice-President would be elected by the Assembly at its seventeenth session.

The President would consult with Bureau members, in particular the regional group coordinators. The Bureau could appoint a Coordinator of The Hague Working Group via silence procedure.

b) 20th anniversary of the adoption of the Rome Statute

The President reiterated his invitation to States Parties to consider organizing events, either nationally, regionally or internationally, to mark the twentieth anniversary of the adoption of the Rome Statute. States considering organizing such events should inform him of their plans. These States should also inform the Secretariat of their planned events as the Secretariat had established a web page dedicated to 20th anniversary events containing information conveyed to it by States.

The Netherlands suggested that events to mark the twentieth anniversary should also be organized in New York.

c) Next meeting of the Bureau

The President intended to hold the next meeting of the Bureau in New York on 3 May 2018.

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