

The Secretariat of the Assembly of States Parties presents its compliments to the Embassy of ..... and has the honour to refer to the resolutions of the Assembly of States Parties to the Rome Statute on the establishment of the Committee on Budget and Finance (ICC-ASP/1/Res.4, as amended by ICC-ASP/2/Res.5, see Annex I) and on the procedure for the nomination and election of members of the Committee on Budget and Finance (ICC-ASP/1/Res.5, as amended by ICC-ASP/2/Res.4, see Annex II), adopted at the Assembly's first and second sessions, as well as to the decision of the Bureau of the Assembly of States Parties concerning the period for the nomination of the candidates for membership on the Committee on Budget and Finance, taken at its meeting, on 23 February 2005.

Pursuant to the latter decision, the period for the nomination of candidates for six seats on the Committee on Budget and Finance will run from 18 July to 9 October 2005, and the election of the six members of the Committee will take place at the resumed fourth session of the Assembly of States Parties, on 26 and 27 January 2006 at United Nations Headquarters. A table indicating the composition of the Committee on Budget and Finance, along with the respective terms of office of its members, is included as Annex III. The six members whose term of office expires on 20 April 2006 come from the following regional groups: one from the African States; two from the Asian States; one from the Eastern European States; one from the Group of Latin American and Caribbean States; and one from the Western European and Other States.

Pursuant to the aforementioned resolutions and decisions, the Secretariat of the Assembly wishes to invite States Parties to nominate candidates for six seats on the Committee on Budget and Finance. Nominations received before or after the nomination period will not be considered.

The Secretariat of the Assembly wishes to remind States Parties that paragraph 1 of the resolution relating to the procedure for the nomination and election of members of the Committee on Budget and Finance requires that "the candidates be experts of recognized standing and experience in financial matters at the international level."

Furthermore, paragraph 6 of the same resolution stipulates that "[e]ach nomination shall specify how the candidate fulfils the requirements of paragraph 2 of the annex to the resolution establishing the Committee on Budget and Finance". The Secretariat of the Assembly wishes to recall that paragraph 2 of the annex to the resolution establishing the Committee on Budget and Finance provides as follows:

"The Assembly shall elect the members of the Committee on Budget and Finance, who should not be of the same nationality, on the basis of equitable geographical distribution. The members of the Committee shall be experts of recognized standing and experience in financial matters at the international level from States Parties. They shall carry out their duties for three calendar years and may be re-elected. Of the 12 members who are initially elected, 6 shall be elected for a period of two years and the remaining 6 for a period of three years."

In accordance with paragraph 5 of the resolution on the procedure for the nomination and election, nominations should be communicated through the diplomatic channel to the Secretariat of the Assembly of States Parties, International Criminal Court, Room C-0690, Maanweg 174, 2516 AB The Hague, The Netherlands (or also to fax 31-70-515-8376 or via e-mail to [asp@asp.icc-cpi.int](mailto:asp@asp.icc-cpi.int)). If possible, the Secretariat of the Assembly would appreciate receiving an electronic copy of the nomination and its accompanying documents.

In accordance with paragraph 7 of the same resolution, a list of all persons nominated, in English alphabetical order, together with accompanying documents, will be circulated to States Parties through the diplomatic channel after the nomination period closes.

The Secretariat of the Assembly of States Parties avails itself of this opportunity to renew to the Embassy of .... the assurances of its highest consideration.

The Hague, 14 March 2005

## Annex I

### Establishment of the Committee on Budget and Finance (ICC-ASP/1/Res.4)<sup>1</sup>

*The Assembly of States Parties,*

*Bearing in mind* article 112, paragraphs 2 (b) and (d) and 4, of the Rome Statute,

*Desiring* to provide an appropriate mechanism for the budgetary and financial review and monitoring of the resources of the International Criminal Court, including those of the Assembly,

*Decides* to establish a Committee on Budget and Finance in accordance with the terms of reference set out in the annex to the present resolution.

#### Appendix

1. The Assembly of States Parties establishes, in accordance with the present resolution, a Committee on Budget and Finance composed of 12 members.
2. The Assembly shall elect the members of the Committee on Budget and Finance, who should not be of the same nationality, on the basis of equitable geographical distribution. The members of the Committee shall be experts of recognized standing and experience in financial matters at the international level from States Parties. They shall carry out their duties for three calendar years and may be re-elected. Of the 12 members who are initially elected, 6 shall be elected for a period of two years and the remaining 6 for a period of three years.
3. The Committee on Budget and Finance shall be responsible for the technical examination of any document submitted to the Assembly that contains financial or budgetary implications or any other matter of a financial, budgetary or administrative nature, as may be entrusted to it by the Assembly of States Parties. In particular, it shall review the proposed programme budget of the Court, prepared by the Registrar, in consultation with the other organs referred to in article 34, subparagraphs (a) and (c), of the Rome Statute, and shall make the relevant recommendations to the Assembly concerning the proposed programme budget. It shall also consider reports of the Auditor concerning the financial operations of the Court and shall transmit them to the Assembly together with any comments which it may deem appropriate.
4. The Committee on Budget and Finance shall meet when required and at least once per year.
5. The Assembly of States Parties shall keep under review the number of members of the Committee on Budget and Finance.

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<sup>1</sup> The text of paragraph 2 of the appendix reflects the amendment introduced by resolution ICC-ASP/2/Res.5.

## Annex II

### Procedure for the nomination and election of members of the Committee on Budget and Finance (ICC-ASP/1/Res.5)<sup>2</sup>

*The Assembly of States Parties,*

*Bearing in mind* its resolution establishing the Committee on Budget and Finance,

*Mindful* of the Rules of Procedure of the Assembly of States Parties,

*Approves* the following procedure for the election of members of the Committee on Budget and Finance:

#### **A. Nomination of candidates**

1. The Secretariat of the Assembly of States Parties shall circulate through the diplomatic channel the invitations for nominations of members of the Committee on Budget and Finance. The invitations will include the requirement that the candidates be experts of recognized standing and experience in financial matters at the international level.
2. States Parties shall nominate their candidates during the nomination period, which shall be fixed by the Bureau of the Assembly of States Parties.
3. Nominations submitted before or after the nomination period shall not be considered.
4. If at the end of the nomination period the number of candidates remains less than the number of seats, the President of the Assembly of States Parties shall extend the nomination period.
5. States Parties to the Statute shall communicate nominations for the election of the members of the Committee on Budget and Finance through the diplomatic channel to the Secretariat of the Assembly of States Parties.
6. Each nomination shall specify how the candidate fulfils the requirements of paragraph 2 of the annex to the resolution establishing the Committee on Budget and Finance.
7. The Secretariat of the Assembly of States Parties shall prepare a list in English alphabetical order of all persons thus nominated, with accompanying documents, and shall circulate it through the diplomatic channel.

#### **B. Distribution of seats**

8. Bearing in mind the requirements of paragraph 2 of the annex to the resolution establishing the Committee on Budget and Finance, the distribution of seats for the first election is as follows:

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<sup>2</sup> The text of paragraph 15 reflects the amendment introduced by resolution ICC-ASP/2/Res.4.

- African States, two seats;
- Asian States, two seats;
- Eastern European States, two seats;
- Group of Latin American and Caribbean States, two seats;
- Western European and Other States, four seats.

**C. Election of members of the Committee on Budget and Finance**

9. Every effort shall be made to elect the members of the Committee by consensus, on the basis of a recommendation by the Bureau. In making its recommendation, the Bureau shall consult the regional groups. In the absence of agreement within the concerned regional group, the Bureau shall abstain from making a recommendation regarding that group.

10. In the absence of a consensus, the election of members of the Committee on Budget and Finance shall be a matter of substance, and subject to the requirements of article 112, paragraph 7 (a), of the Statute.

11. The election shall be by secret ballot. The requirement may be dispensed with if the number of candidates corresponds to the number of seats to be filled or in respect of candidates endorsed by the respective regional groups, unless a delegation specifically requests a vote on a given election.

12. The persons elected shall be those candidates from each group who obtain the highest number of votes and a two-thirds majority of States Parties present and voting, provided that an absolute majority of the States Parties constitutes the quorum for voting.

13. For the purpose of the first election, the President of the Assembly of States Parties shall draw lots to determine, pursuant to paragraph 2 of the annex to the resolution on the establishment of the Committee on Budget and Finance, the cadence of term of office for the members elected.

14. The present procedure is without prejudice to the overall composition of the Committee on Budget and Finance, the procedures for future elections or the future distribution of seats.

15. Travel and subsistence expenses of members of the Committee on Budget and Finance while in performance of the Committee's duties shall be met from the programme budget.

## Annex III

### COMMITTEE ON BUDGET AND FINANCE

#### Terms of office

	<i>Country</i>	<i>21 April 2003 to 20 April 2006</i>	<i>21 April 2005 to 20 April 2008</i>
Mr. Lambert Dah Kindji	Benin	X	
Mr. David Dutton	Australia	X	
Mr. Eduardo Gallardo Aparicio	Bolivia		X
Mr. Fawzi A. Gharaibeh	Jordan	X	
Mr. Myung-jae Hahn	Republic of Korea	X	
Mr. Peter Lovell	United Kingdom of Great Britain and Northern Ireland		X
Mr. John F. S. Muwanga	Uganda		X
Mr. Karl Paschke	Germany		X
Ms. Elena Sopková	Slovakia	X	
Ms. Inna Steinbuka	Latvia		X
Mr. Michel Tilemans	Belgium		X
Mr. Santiago Wins	Uruguay	X	

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