

**Cour  
Pénale  
Internationale**

**International  
Criminal  
Court**

PERMANENT SECRETARIAT  
ASSEMBLY OF THE STATES PARTIES

# Press – Kit

**ASSEMBLY OF STATES PARTIES  
TO THE ROME STATUTE**

**THIRD SESSION**

3 September 2004 – The Hague

**PRESS KIT**

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**THIRD SESSION OF THE ASSEMBLY OF STATES PARTIES**

The third session of the Assembly of States Parties to the Rome Statute of the International Criminal Court will open on Monday, 6 September, at 10 a.m. in the Prins Willem Alexander Hall of the Netherlands Congress Centre in The Hague.

The President of the Assembly, H.R.H. Prince Zeid Ra'ad Zeid Al-Husseini, will open the session and the Minister for Foreign Affairs of the Netherlands, Mr. Bernard Rudolf Bot, will deliver a welcoming address.

The Assembly will also be addressed by the President of the Court, Judge Philippe Kirsch, the Prosecutor of the Court, Mr. Luis Moreno-Ocampo, and the Registrar, Mr Bruno Cathala.

Statements will be made by Madame Minister Simone Veil, Chair and focal point of the Board of Directors of the Trust Fund for Victims, and by the Director of the International Criminal Court Task Force of the host country, Mr. Edmond Wellenstein.

**Role of the Assembly of States Parties**

The Assembly of States Parties is the management oversight and legislative body of the International Criminal Court. It is composed of representatives of the States that have ratified and acceded to the Rome Statute, currently numbering 94. Each State Party's representative is designated by the Head of State or Government or the Minister for Foreign Affairs for approval by the Credential Committee. The Assembly of States Parties elects a Bureau, consisting of a President, two Vice Presidents and 18 members, for a three-year term, taking into consideration principles of equitable geographic distribution and adequate representation of the principal legal systems of the world.

The agenda of the Assembly of States Parties includes such items as the adoption of normative texts and of the budget, and the election of judges and of the Prosecutor and Deputy Prosecutor(s) (rule 11 of the Rules of Procedure). Article 112 (7) of the Rome Statute accords each State Party one vote but stipulates that every effort should be made to reach decisions by consensus in both the Assembly and the Bureau. Decisions should be taken by vote only if

consensus cannot be reached. The representative of a State Party is entitled to vote 60 days after the State's ratification of the Statute.

## **Provisional agenda**

The first item of business will be the adoption of the Assembly's agenda. The provisional agenda is contained in document ICC-ASP/3/1. It was prepared by the Secretariat on the basis of the decisions taken during the second session and the Rules of Procedure of the Assembly. An annotated provisional agenda (document ICC-ASP/3/1/Add.1) has also been prepared. It contains a number of additional items under "Other matters" and two supplementary items requested by the Court under rule 12 of the Rules of Procedure.

In addition, there will be four Working Groups:

- The Special Working Group on the Crime of Aggression established pursuant to Assembly resolution ICC-ASP/1/Res.1 of 9 September 2002. In accordance with paragraph 2 of the establishing resolution, the Special Working Group is open on an equal footing to all States Members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency;
- The Working Group on the proposed programme budget;
- The Working Group on Procedures for the Election of Judges;
- The Working Group on the Trust Fund for Victims, which will consider regulations and a proposed secretariat for the Fund.

Furthermore, the Bureau will propose setting up focal points to deal with matters such as the Review Conference and the coordination of certain agenda items that will not be discussed in dedicated working groups.

There will also be reports on the activities of the Court and the Bureau and briefings by the Chairperson of the Committee on Budget and Finance, Mr. Karl Paschke (Germany), and the ICC External Auditor.

The Assembly will elect the Deputy Prosecutor (agenda item 10) and six members of the Committee on Budget and Finance (agenda item 11). In addition, the negotiated Draft Relationship Agreement between the International Criminal Court and the United Nations will be considered. The Assembly will hear reports from the Registrar on activities regarding defence counsel and the legal representation of victims, as well as on the participation of and reparations to victims.

Other items on the agenda include conditions of service and compensation of judges and elected officials, and a draft Code of Professional Conduct for counsel.

## **Appointment of the Credentials Committee**

In accordance with rule 25 of the Rules of Procedure, a Credentials Committee consisting of representatives of nine States Parties shall be appointed at the beginning of each session on the proposal of the President. The Credentials Committee is currently composed of representatives from: Benin, Fiji, France, Honduras, Ireland, Paraguay, Serbia and Montenegro, Slovenia and Uganda.

## **Background**

The International Criminal Court was established by the Rome Statute of the International Criminal Court on 17 July 1998, when the Statute was adopted by 120 States participating in the "United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court". It is the first permanent, treaty-based, international criminal court established to promote the rule of law and ensure that the gravest international crimes do not go unpunished. The Statute sets out the Court's jurisdiction, structure and functions and provides for its entry into force 60 days after 60 States have ratified or acceded to it. The Statute entered into force on 1 July 2002. Anyone who commits any of the crimes under the Statute after that date will be liable to prosecution by the Court. The seat of the Court is The Hague in The Netherlands.

## **States Parties**

Delegations from 94 States Parties have been invited to attend the session as follows:

Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Barbados, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cambodia, Canada, Central African Republic, Colombia, Congo, Costa Rica, Croatia, Cyprus, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Ecuador, Estonia, Fiji, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guinea, Honduras, Hungary, Iceland, Ireland, Italy, Jordan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Mali, Malta, Marshall Islands, Mauritius, Mongolia, Namibia, Nauru, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tajikistan, The former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela and Zambia.

## **Observer signatory States**

Pursuant to article 122, paragraph 1, of the Rome Statute, States that are not parties to the Statute but have signed either the Statute or the Final Act of the Rome Conference may be observers in the Assembly. Observer States are allowed to participate in the deliberations of the Assembly, but may not participate in the taking of decisions. The following signatory States have been invited in an observer capacity: Algeria, Angola, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Brunei Darussalam, Burundi, Cameroon, Cape Verde, Chad, Chile, China, Comoros, Côte d'Ivoire, Cuba, Czech Republic, Dominican Republic, Egypt, El Salvador, Eritrea, Ethiopia, Guatemala, Guinea-Bissau, Guyana, Haiti, Holy See,\* India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mexico, Monaco, Morocco, Mozambique, Nepal, Nicaragua, Oman, Pakistan, Philippines, Qatar, Republic of Moldova, Russian Federation, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Seychelles, Singapore, Solomon Islands, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Ukraine, United Arab Emirates, United States of America, Uzbekistan, Viet Nam, Yemen and Zimbabwe.

## **States that are not parties to the Rome Statute**

States that are not parties to the Rome Statute and that have not signed the Final Act or the Statute do not have observer status. Rule 94 of the Rules of Procedure provides that, at the beginning of each session of the Assembly, the President may, subject to the approval of the Assembly, invite those States to be present during the work of the Assembly (Bhutan, Cook Islands, Democratic People's Republic of Korea, Equatorial Guinea, Grenada, Kiribati, Lao People's Democratic Republic, Lebanon, Maldives, Mauritania, Micronesia (Federated States of), Myanmar, Niue, Palau, Papua New Guinea, Rwanda, Saint Kitts and Nevis, Somalia, Suriname, Swaziland, Tonga, Turkmenistan, Tuvalu and Vanuatu).

International organizations and non-governmental organizations have been invited to attend the Assembly as observers.

**BIOGRAPHICAL NOTES**



**H.R.H. Prince Zeid Ra'ad Zeid AL-HUSSEIN (Jordan)  
President of the Assembly of States Parties**

In September 2002, Prince Al-Hussein was elected the first President of the Assembly of States Parties to the Rome Statute of the International Criminal Court; a post he holds for a three-year term. During the earlier Preparatory Commission phase, he coordinated the informal consultations on the Elements of Crimes for Genocide, Crimes against Humanity and War Crimes.

Besides his functions as President of the Assembly of States Parties, since 2000, he has been the Ambassador and Permanent Representative of the Hashemite Kingdom of Jordan to the United Nations. In this capacity he chairs the Consultative Committee for the United Nations Development Fund for Women (UNIFEM).

For several years he was also coordinator for the Non-Aligned Movement on Peacekeeping and has chaired various panels and ad hoc committees, serving the United Nations.

Prince Al-Hussein holds a B.A. in political science from the Johns Hopkins University and a Ph.D. in history from Cambridge University (Christ's College). He previously served in the Jordanian military, and was a political affairs officer with UNPROFOR in the former Yugoslavia from February 1994 to February 1996.

His publications include: "A 'Nightmare' Avoided: Jordan and Suez 1956" in *Israel Affairs* (Winter 1994); and "Religious Militancy and the Arab Middle East: Threats and Responses 1979-1988" in the *Cambridge Review of International Affairs* (Spring 1989).



**Medard RWELAMIRA (South Africa),  
Director of the Permanent Secretariat of the  
Assembly of States Parties**

In 2004, Mr. Rwelamira was appointed Director of the Permanent Secretariat of the Assembly of States Parties to the Rome Statute. He participated in the process of the establishment of the International Criminal Court. From 1997 to 2001 he led the South African delegation to the Preparatory Commission and was Chief Legal Adviser to the South African Delegation to the 1998 Diplomatic Conference of Plenipotentiaries that adopted the Rome Statute. He also served as a Vice-President of the Commission on the establishment of the ICC and coordinated Part IV of the Statute on the “Composition and Administration of the Court.”

Before his appointment as Director of the Permanent Secretariat of the ASP, Mr. Rwelamira was Head of Policy Unit at the Department of Justice and Constitutional Development of South Africa (1994-2001), during this period he also chaired the Drafting Committee for the Truth and Reconciliation Commission Legislation. From 2001 to 2004 he was Special Adviser to the South African Minister of Transport and between 2002 and 2003 he was Director-General of the Department of Transport.

Mr. Rwelamira has a Bachelor of Law degree from the University of Dar-es-Salaam, in Tanzania. He obtained his masters and doctorate degrees in law from Yale Law School in the United States. Between 1972 and 1994 he was a professor of law at a number of universities including the National University of Lesotho, University of the Western Cape, in Cape Town and University of Pretoria, South Africa.

He has written three books and many articles in professional journals on human rights, humanitarian and international law.