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**International
Criminal
Court**

Fifteenth Diplomatic Briefing of the International Criminal Court

Compilation of Statements

The Hague, 7 April 2009

Judge Sang-Hyun Song, President

Excellencies,
Ladies and Gentlemen,

Good afternoon. It is my pleasure to welcome you to the fifteenth diplomatic briefing of the International Criminal Court. Philippe Kirsch has been a fixture at these events over the past six years. Those of you who have been here for awhile may find it somewhat jarring to see a new face in his place. I would like to begin by expressing my deep gratitude for his leadership. During his tenure, the Court developed from a piece of paper into a fully functioning judicial institution.

I have the great fortune to take over the Presidency at this time when patient investment in the Court has begun paying dividends. Since January, all parts of the Court have been engaged in supporting the first trial proceedings before this Court. The judges of Trial Chamber I are currently hearing the case of Mr. Thomas Lubanga Dyilo. This is the most obvious indication that the Court has entered a new phase since the last diplomatic briefing in October. But behind every trial lies a complicated web of painstaking preparations on the part of each organ. Most of the work takes place outside of the courtroom. It often goes unrecognized. It is my hope that today we can shed light on all aspects of judicial proceedings.

I will begin by reviewing the role of Presidency and Chambers in the proceedings, and challenges that have arisen. Then the Deputy Prosecutor and Registrar will do the same for their organs. Ultimately, all of this work relies on the support of States Parties. The Director of the Secretariat of States Parties will provide an overview of the Secretariat's activities since the last diplomatic briefing.

Judicial proceedings

At the time of the last briefing, there was a stay of proceedings in the case of the *Prosecutor v. Thomas Lubanga Dyilo*. In October, the Appeals Chamber upheld the Trial Chamber's decision to halt proceedings and ruled that the stay could only be lifted once the Prosecution had complied with his obligation to disclose potentially exculpatory evidence to the Defence. At the same time, the Appeals Chamber overruled the Trial Chamber's order to release Mr. Lubanga. On 18 November, the Trial Chamber lifted the stay of proceedings, having satisfied itself that a fair trial now was possible. In a milestone for the ICC, the Lubanga trial began on 26 January 2009. Seventeen witnesses have testified so far.

Also in the situation of the Democratic Republic of Congo, there have been notable developments in the case of *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*. In October, the Presidency constituted Trial Chamber II and assigned the case to it. That month and the following month, the Trial Chamber rejected Defence applications for release of the Accused. Two weeks ago, it scheduled the start of the trial – the Court's second – for 24 September. In the meantime, the Chamber will consider an application from Mr. Katanga's Defence challenging the admissibility of the case and rule on nearly 150 victim applications for participation.

There have been no new judicial developments in the case of *The Prosecutor v. Bosco Ntaganda* because the suspect remains at large.

Turning to the situation in the Central African Republic, and the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, there have been a number of developments. In October 2008, the Pre-Trial Chamber ruled on matters of disclosure of evidence. In November, it rejected Defence applications for interim release of the suspect and a lifting of a seizure of his assets. The Appeals Chamber upheld the ruling on provisional release in December. That same month, the Pre-Trial Chamber scheduled a confirmation of charges hearing for January 2009, which was conducted over four days. On 4 March, the Pre-Trial Chamber adjourned the confirmation of charges hearing. It asked the Prosecutor to consider submitting an amended document containing the charges. The Chamber indicated that the legal characterisation of the facts of the case may amount to a different type of responsibility than that pleaded.

As I am sure everyone here is aware, there also have been judicial developments related to the situation in Darfur, Sudan. In November 2008, the Prosecutor presented evidence to Pre-Trial Chamber I, requesting arrest warrants for three Darfur rebel leaders. In December, the Pre-Trial Chamber requested additional information from the Prosecutor, which was provided in January 2009. On 2 March, the Chamber rejected a prosecution request for expedited consideration of the warrant request. Then on 4 March, the Chamber issued a warrant of arrest for Omar al-Bashir, the President of Sudan. The Prosecutor had requested this in July 2008. Pre-Trial Chamber I issued a warrant of arrest for alleged war crimes and crimes against humanity, but not for genocide. On 10 March the Prosecution sought leave to appeal the decision not to issue a warrant of arrest in respect in respect of the alleged genocide charges.

Also related to Darfur, there have been no judicial proceedings in the case of *The Prosecutor v. Ahmad Muhammad Harun and Ali Muhammad Ali Abd-al-Rahman*. The suspects remain at large.

Similarly, with regard to the situation in Uganda, the suspects—Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen—have not been apprehended. In October 2008, Pre-Trial Chamber II initiated a review of admissibility of the case in light of establishment of a new division in Uganda's High Court to try serious crimes committed during the conflict. In March 2009, after considering submissions from the government of Uganda, the Chamber found that at this stage of the proceedings the case remains admissible.

Challenges

The judicial proceedings at the Court since October have raised a number of challenges. These include legal challenges, as well as challenges in the Court's external relations.

The judges have contended with complex and often novel legal issues in these still early days of interpreting the Rome Statute. I will offer just a few examples. In the Bashir case, the Pre-Trial Chamber ruled on the threshold requirements in particular for issuing a warrant on charges of genocide. Moreover, it ruled on the non-applicability of immunities before the Court based on the status of a suspect as a Head of State. In the Lubanga case, the Trial and Appeals Chamber have worked through the difficult issues involved in disclosure of sensitive information provided to the Prosecution on a privileged basis. In November, in the *Katanga/Ngudjolo* Chui case, the Appeals Chamber ruled on how differences between the Prosecutor and the Registry's Victims and Witness Unit over the adoption of protective measures for witnesses should be addressed. For its part, the Presidency reviewed appeals of Registry decisions. For example in February, the Presidency upheld the Registrar's determination that Mr. Bemba is not indigent, and therefore not entitled to Court-paid legal defence. Then last month, the Presidency ruled that the Court must provide a certain number of family visits for indigent detainees.

With full judicial activity underway, the world has taken increasing notice of our work. Justice has taken its rightful place at the centre of important discussions over lasting peace. As a judicial institution, we can have no part in this political debate. However, opponents of the Court often have grounded their attacks in falsehood. Now more than ever, we must work to disseminate accurate information about the Court's mandate and its judicial independence. Ignorance is our greatest enemy.

In this regard, I would ask for your assistance. The success of this institution depends on state cooperation. This includes such areas as arrests, witness relocation and enforcement of sentences. But defending this institution from criticism based on misinformation also requires the consistent, vocal support of states.

I look forward to taking your questions on judicial proceedings later this afternoon. Of course, there would be no proceedings at all without information developed through investigations of the Office of the Prosecutor. I will hand over now to the Deputy Prosecutor, Ms. Fatou Bensouda.

Fatou Bensouda, Deputy Prosecutor

Excellencies, Ladies and Gentlemen,

Thank you for being here.

Today, 7 April, is the day of Remembrance of the Rwanda Genocide. It has been 15 years since the killings started and the unthinkable happened, again. It is a solemn reminder of the responsibility of States Parties to the Rome Statute. It is a call for action to arrest Bosco Ntaganda, Joseph Kony, Ahmed Harun and Omar Al-Bashir, as well as to stop the massive crimes that they are still committing.

Let me update you on the Office activities since our last meeting.

The Democratic Republic of the Congo (DRC)

It has been 5 years since President Kabila referred the situation of the DRC to the International Criminal Court, and international justice has become an integral part of the efforts for peace and reconciliation in the Great Lakes region.

In **DRC 1**, *Prosecutor versus Thomas Lubanga Dyilo*, the Trial Chamber has examined 16 Prosecution witnesses. This includes former child soldiers, political, military and other insiders, as well as experts. We have presented documentary evidence, including videos, and documents from the UPC. In the next weeks, we will hear around 20 prosecution witnesses. We expect the Prosecution case to be completed by June 2009. The Defence has announced that they will call witnesses; in principle, they will appear in September.

These 11 weeks of trial have confirmed the existence of two main challenges for the whole Court: the need to ensure the protection and the proper conditions for vulnerable witnesses coming from situation countries, where tensions still remain. We still have concerns in this regard and we will address it with the Registry and Chambers.

In the **DRC 2** case, we are ready to go to trial. The beginning of the trial is scheduled for 24 September.

We are trying to present each prosecution case in less than six months. We will present about 25 witnesses in the Katanga/Ngudjolo case.

As you know, we still have one suspect at large in DRC, Bosco Ntaganda. He has been active in the Kivus as Chief of staff of the CNDP. Bosco seems to have taken over the leadership of the group when Nkunda was arrested by Rwanda. The DRC Government is conscious of its obligations under the Rome Statute and we are in discussion with them and all partners in the region in order to ensure that Bosco is surrendered soon.

Our third investigation in the DRC continues, with a focus on the Kivu provinces. We are working on all the groups active in the region, but for operational reasons cannot disclose much information at this stage. In this **DRC 3** case, we are aiming at a coordinated approach whereby national judicial authorities in the region and beyond as appropriate will take over cases in order to ensure that all perpetrators are prosecuted. The possibility for us to transfer information collected in the course of our investigations will depend on the development locally of protection for witnesses and judges.

Let me turn to **Northern Uganda**

President Museveni referred the case to us 5 years ago. The Court has done its job, issuing arrest warrants as early as 2005. But arrests have not been prioritized by the international community. Negotiations have allowed the LRA to re-build and re-arm.

LRA crimes against civilians have resumed with the same cruelty and across a growing area in Northern DRC, Southern Sudan and close to CAR.

The joint operation by regional states that we witnessed is recognition of the need for action. The fact that the Governments of the region acted together, with the objective of executing a warrant, is an encouraging signal.

The capture of high level commanders, and information gathered on supply networks should help continue the work against the LRA. Our understanding is that the Ugandans will continue to assist DRC counterparts.

Outstanding arrest warrants have to be executed.

As President Song mentioned, on 10 March, PTC II ruled that the Uganda case is admissible. It is important that the three indictees, as soon as they are arrested, are transferred to The Hague. I insist once more that work in Uganda to build up accountability mechanisms must focus on the other LRA combatants, who are not sought by the Court. I strongly discourage States Parties to encourage Court shopping for the three indicted LRA leaders.

Let me now turn to **the Central African Republic**, a situation referred to us in 2004 by President Bozize.

As the President mentioned, Jean-Pierre Bemba's confirmation hearing took place on 12-15 January 2009.

On 3rd March, the PTC requested the Prosecution to consider submitting an Amended Document Containing the Charges, addressing Article 28 of the Statute on command/superior responsibility. We did so on 30 March 2009. The initial mode of liability under Article 25(3)(a) for individual criminal responsibility has not been dropped. Both modes of liability are submitted as alternatives. The evidence supports both forms of liability.

In the meantime, the investigation goes on: We have performed forensic activities in Bangui (exhumation and autopsy) and are grateful for the cooperation extended by the Central African authorities and a number of partners. During our last diplomatic briefing, the CAR Minister of Justice was with us and committed to such cooperation; it has been forthcoming.

Let me turn to **the situation in Darfur, the Sudan**

The OTP presented a third case in November 2008, regarding the alleged responsibility of 3 rebel commanders for crimes committed against AU peacekeepers in Haskanita on 29 September 2007. We hope to have a decision from the Judges this month. Different rebel groups publicly committed to ensure the appearance of potential suspects in Court. Should the Judges rule in favour of our request, judicial proceedings could start soon.

A month ago, the ICC decided that Omar Al-Bashir shall be arrested to stand trial for crimes of rapes, extermination and killings committed against millions of civilians in Darfur.

The Sudan is obliged under international law to execute the warrant on its territory. If it does not enforce the warrant, the United Nations Security Council, which referred the case to the ICC, will need to ensure compliance.

In order to prevent future crimes in Darfur, to avoid thousands of deaths next month, we must act now. After the Court's decision, Omar Al-Bashir expelled humanitarian organisations. This is not just an aggravation of the humanitarian crisis. The expulsion of aid workers is another step in the commission of the crime of extermination.

In accordance with the Rome Statute, States Parties have to guarantee lasting respect for and enforcement of international justice. States should implement a consistent diplomatic campaign to support the Court's decision and to deny Omar Al-Bashir any form of support. The Office of the Prosecutor wishes to consult with States Parties on possible initiatives in this regard and possibly request your assistance:

Non-essential contacts with Omar Al-Bashir should be severed. When contacts are necessary, attempts should be made first to interact with non-indicted individuals; there are at this time only three persons sought by the Court: Ali Kushayb, Ahmed Harun and Omar Al-Bashir.

In bilateral and multilateral meetings, States Parties should proactively express their support to the enforcement of the Court's decision, request cooperation with the Court in accordance with Security Council resolution 1593, and demand that attacks against the displaced, including through expelling humanitarians, cease immediately. The Office is grateful for initiatives already taken by some States in this regard.

There can be no “business as usual” attitude regarding the warrant. Strong leadership is required. The kind of leadership we have found in the Great Lakes Region. There, African heads of States have chosen the path of justice and called upon the ICC to help them. National leaders as well as regional and international organisations are working together, integrating the tracks of justice, humanitarian assistance, peace and security. There is still a long way to go. But they have said no to massive crimes. This is the way forward. And this is not happening for Darfur. Why?

As a Deputy Prosecutor, and as an African woman, I am dismayed by suggestions that this Court is targeting Africans. This Court has indicted the President of the Sudan because he pursues the extermination of 2.5 million Africans.

This Court, in liaison with the African Union and the Arab League, two organisations publicly committed to fighting impunity, has examined for years whether the Sudanese authorities have investigated and prosecuted the massive crimes committed in Darfur. They have done nothing. Worse, they have condoned the rape of women and girls for five years, African women, African girls. This Court is defending African victims and will continue to do so.

Former President Mbeki of South Africa, as the leader of the AU panel, is in contact with Prosecutor Moreno-Ocampo. We explained to him that the ICC has conducted investigations against six individuals, including the three rebel commanders. There are no sealed arrest warrants and the Court is not conducting new investigations. President Mbeki has the huge task of moving the process of accountability ahead for all the other individuals involved in the commission of crimes. We are committed to working with him.

Let me now turn to **other situations**

Situations in five countries on four continents are under analysis: Colombia, Georgia, Kenya, Côte d’Ivoire, and Afghanistan.

On 30-31 March, upon the invitation of former Secretary General Kofi Annan, the Office participated in the Geneva Conference on Kenya with government representatives, as well as members of the civil society. The leadership of Kofi Annan is essential. We fully support his efforts to encourage local accountability mechanisms. We stand ready to assist Kenya.

On 22 January 2009, the Palestinian National Authority lodged a declaration accepting jurisdiction of the Court in accordance with Article 12(3). The OTP has also received 326 communications related to the situation of Israel and the Palestinian Territory. The Office will examine all issues related to its jurisdiction, including whether the declaration by the Palestinian Authority accepting the exercise of jurisdiction by the ICC meets statutory requirements, whether crimes within ICC jurisdiction have been committed and whether there are national proceedings in relation to alleged crimes.

Before I conclude, let me appraise you of **developments in the area of positive complementarity**

Next to its existing cooperation networks, the Office has developed a network with law enforcement agencies. After three meetings to exchange experience with war crime units from around the world, the Office has started a project with interested countries and INTERPOL to increase our mutual cooperation. From mid February to March 2009, investigators and prosecutors from 8 different countries including, among others, the *Premier Substitut du Procureur de la République Centrafricaine à Bangui* stayed in the Office, exchanging experiences and practices.

The Rome Statute created more than a Court in far away Den Haag. It established an innovative model of international cooperation. We, together with national police institutions, and together with national judiciary, will do the investigative and prosecutorial work. We need you, the diplomatic community, to ensure that justice is respected and arrest warrants are implemented.

Silvana Arbia, Registrar

Excellencies

Ladies and Gentlemen,

As always, it is a pleasure to participate in the 15th briefing of the Court to the diplomatic community. The President and the Deputy Prosecutor have highlighted that the Court's first trial has now begun. Indeed, light is now being shone on the Court's judicial machinery more than ever before. Much of the oil needed for that machinery to run smoothly comes from the Registry.

Illustratively, I will go through some of the work that the Registry has undertaken in order to support the Lubanga trial which opened on 26 January. The 43 days of trial to date have been interpreted in English, French and Swahili, and 4,626 pages of transcripts have been prepared in English and 4,550 pages in French. Evidence has been presented through electronic and audio visual means, and the Registry has provided the technological know-how to do this.

To date 15 witnesses and 1 expert witness have appeared before the Trial Chamber, most under protection. In addition to ensuring their appearance in Court, the Registry was entrusted by the Trial Chamber to provide extensive witness familiarization and psycho-social support. Our work in this area has ensured that the Court's goal of having witnesses testify with confidence in Court, in a timely manner, is being met.

The beginning of the first trial has also allowed the modalities for the participation and representation of victims in the proceedings to develop. At the start of the trial, the 7 lawyers representing 93 victims proposed to form themselves into two teams, so that each of the lawyers would remain involved, even though there would only be one lawyer appearing before the Court on behalf of each team at any one time. With this system, victims who already had established a relationship of trust with their lawyer were not put in the position to have to change lawyers. The Trial Chamber accepted the proposal, and a similar proposal is currently pending before Trial Chamber II for the Katanga/Ngudjolo trial, which, as the President said, is scheduled to start in September.

Early decisions of the Trial Chamber have also seen the development of the system governing how victims actually participate in the courtroom. I would highlight two aspects. First, in order to intervene during the trial, victims need to show that their interests are affected. Second, the Appeals Chamber confirmed that "victims may possibly lead evidence pertaining to the guilt or innocence of the accused when requested, and challenge the admissibility or relevance of evidence in the trial proceedings."

Apart from their active and vigorous participation in the proceedings, victims in the DRC have also been engaged through a well-planned outreach campaign. The Court conducted outreach activities to bring the trial to such affected communities as those in Bogoro, Kasenyi, Tchomia, Nyakunde, Marabo and Bunia. In total, outreach

activities reached 5,679 representatives of key target groups. Furthermore, using eight community radio stations in Ituri, the Court is informing an estimated audience of 1.8 million people about the proceedings. At the national level, an estimated audience of 15 million people followed the start of the trial, and has been regularly informed through broadcast of the weekly audio and video summaries of the proceedings in national television and radio stations.

To reach a global audience, the Court accredited 65 journalists from press agencies and major media organizations, who reported during the first week of the hearing. During the first two days of the trial, we provided real-time information, via satellite, to all television stations world-wide. Web streaming of the trial on the ICC website remains available during all public hearings. During the first day of the trial, 10,496 persons visited the website, compared to 6,000 on a usual day, and 76,014 pages were consulted, compared to 50,000 on an average day.

I would be remiss in not mentioning the Registry's role in another recent judicial development at the Court. In its decision to issue an arrest warrant against the President of Sudan, Pre-Trial Chamber I ordered the Registry to prepare requests for cooperation in the arrest and surrender of Omar al Bashir and to transmit these to the Sudanese authorities, to all States Parties to the Rome Statute and to all Security Council members not party to the Rome Statute, as well as to any other state, as appropriate.

In the space of two weeks, 96 embassies in The Hague and in Brussels received representatives of the Registry for the purpose of these transmittals. Twelve States Parties opted for the Permanent Mission of their country to the United Nations to receive the communication, and our New York Liaison Office transmitted these.

Despite this busy agenda, the Registry has also been active in other matters before the Court. I have distributed a fact sheet providing you with some statistics, which will serve to highlight the depth and breadth of work that the Registry has been undertaking.

Judicial developments can create new obligations for the Registry. A recent example of this relates to the Court's detention regime. In a decision of 10 March 2009, the Presidency recognized a "positive obligation to fund family visits in the particular circumstances of the detainee". The decision entrusts me with the responsibility to ensure that family visits are funded through the budget of the Court. I am now consulting with The Hague Working Group to ensure that I will be in a position to fulfill this mandate.

In the year since I have taken up my position, I have made rendering our presence in the field more effective a priority. I have visited all our field offices, most recently in the Democratic Republic of the Congo and in Chad. I have seen first hand the great work done by my staff in difficult circumstances, especially in the field of outreach and security. I have also conducted a full operational and structural review of the Court's field operations, and developed a two year implementation plan, with

budget-neutral safeguard measures to be taken this year at headquarters, and consolidation measures aimed at strengthening offices in the field rolled out in 2010.

These coming months will see the elaboration of the Court's 2010 budget, on which I intend to liaise closely with states. I will not dwell on this subject now, as it will be a matter for discussion at the next diplomatic briefing. I would, however, note here that we are conducting a court-wide exercise at identifying measures the Court can take to increase its efficiency.

One aspect where the Court has already shown increased efficiency is in its recruitment process. I am proud to note that last year, the Court filled a record number of 195 vacancies. This high number can be attributed in part to the measures adopted in the fourth quarter of 2007 which aimed at speeding up recruitment processes. I hope that measures such as these will create savings, and increase effectiveness and transparency. The two other aspects of human resources policy I wish to highlight are the introduction of systematic training to implement the performance appraisal system, and the drastic reduction in the use of unapproved GTA contracts.

I will briefly turn now to your invaluable cooperation pursuant to Part 9 of the Statute. The Court is grateful to the ten states that have concluded witness relocation framework agreements with the Court. I wish to highlight, however, that more are needed in order for the Court to have the tools necessary to protect victims and witnesses effectively. I would, therefore, urge you to bring this matter to the attention of your capitals, and point you to the obligations taken on by states under Article 93(1)(j) of the Statute.

In the area of witness protection, we are developing a novel concept: the possibility of tripartite agreements. Here, the Court would enter into an agreement with a state that wishes to pay for another state to take on the responsibility to relocate a witness. This mechanism would also assist that third state to develop its witness protection programme. My staff and I are available to explore further with you the possibilities of this new concept.

Whilst on Part 9 of the Statute, I bring to your attention two more matters. First the urgent need for implementing legislation in the national laws of all state parties. Cooperation is not possible without such laws. Second, the eight pending arrest warrants, and here I call for your cooperation in ensuring their enforcement. I was recently in the Democratic Republic of the Congo, and had fruitful discussions with the relevant authorities on the need to arrest and surrender Mr. Bosco Ntaganda to the Court. I am hopeful that they took heed of my call, so that proceedings in his case too can continue.

I will be please to answer your questions later on, and I will now pass the floor to Mr. Villacis, who will update you on the work of the Secretariat of the Assembly of State Parties.

Renan Villacis, Director *ad interim* of the Secretariat of the Assembly of States Parties

Excellencies,
Ladies and Gentlemen,

It is an honour for me to be with you in order to convey some of the more important developments regarding States and the Court since our last diplomatic briefing.

Eighth session of the Assembly of States Parties

By resolution ICC-ASP/7/Res.3, adopted at its seventh session, the Assembly decided to hold its eighth session from 18 to 26 November 2009, in The Hague. The Secretariat expects to convey letters of invitation to States, international and regional organizations and the NGO community in a couple of weeks.

Among the issues to be considered are the programme budget for 2010, the Review Conference, permanent premises and the election of five members of the Board of Directors of the Trust Fund for Victims. In connection with this last item, a note verbale shall also be sent to States shortly; the nomination period for the election shall run from 20 May to 11 August 2009.

Seventh session of the Assembly of States Parties

The seventh session of the Assembly was held in The Hague from 14 to 22 November 2008 and was presided by Ambassador Christian Wenaweser (Liechtenstein).

General debate

A general debate was held on 14 to 15 November 2008, in which 52 representatives of States Parties and non-States Parties took part in. A total of 128 States attended the seventh session: 91 States Parties, 33 Observer States and 4 Invited States.

Main decisions

At its seventh session, the Assembly approved a programme budget for 2009 of €101,229,900 and, in relation to the permanent premises of the Court, accepted the host State offer of a loan for up to a maximum amount of €200 million, to be repaid over 30 years with an interest of 2.5 per cent.

The Assembly held the first and second resumptions of its seventh session at United Nations Headquarters, New York, from 19 to 23 January and 9 to 13 February, 2009, respectively.

Elections

a) Judges

At the first resumption of the seventh session, the Assembly elected six judges, for nine-year terms. On 11 March, five new judges made the solemn undertaking and began their term of office.

By a communication dated 16 February 2009, judge Mohammed Shahabuddeen informed the President of the Assembly that he was not in a position to assume his

duties as a judge of the Court. Later today, the Bureau would consider a decision on the date for the election to fill the vacant seat.

b) Members of the Committee on Budget and Finance

At the first resumption, the Assembly also elected six members of the Committee on Budget and Finance for three-year terms commencing 21 April 2009.

Crime of Aggression

The Special Working Group on the Crime of Aggression continued its discussions on the basis of revised discussion papers prepared by the Chairman, Ambassador Christian Wenaweser (Liechtenstein), and completed its work at the February session. The Special Working Group focused on, inter alia, the definition of the crime of aggression, the conditions for the exercise of jurisdiction and the implications of article 121, paragraph 5, for Security Council referrals.

An informal inter-sessional meeting on the Crime of Aggression, hosted by the Liechtenstein Institute on Self-Determination (Woodrow Wilson School, Princeton University), would be held from 8 to 10 June 2009 in New York City. As indicated in the invitations sent to all States last week, the meeting will take place in the same format as previous inter-sessional meetings of the Special Working Group i.e. it will be open to participation by all States as well as by some representatives of the Coalition for the International Criminal Court. Future work on the crime of aggression shall be chaired by H.R.H. Prince Zeid Ra'ad Zeid Al-Hussein (Jordan).

Review Conference

By resolution ICC-ASP/7/Res.2, the Assembly decided to hold the Review Conference in Kampala, Uganda. The President of the Assembly has held consultations with the Government of Uganda on the tentative dates of the Review Conference. The Bureau would consider these dates later today, while a decision on the exact duration of the Conference would be taken at a later stage. The invitations to the Review Conference would be conveyed to States in July.

At its seventh session, the Assembly re-appointed Ambassador Rolf Fife (Norway) as the focal point of the Assembly for the review of the Rome Statute. The New York Working Group of the Bureau under the joint facilitators, Mr. Marcelo Böhlke (Brazil) and Ms. Angela Nworgu (Nigeria), held informal consultations on the Review Conference on 11 March and a new round of informal consultations shall be held on 14 April. A summary of the 11 March consultations was conveyed to all States this morning via e-mail.

Currently, there are no formal proposals for amendments to the Rome Statute. Any proposals, other than those relating to the crime of aggression, would be considered in the context of the New York Working Group of the Bureau.

The Hague Working Group of the Bureau

On 14 January 2009, the Bureau assigned the following mandates to The Hague Working Group: legal aid (defence), legal aid (victims), family visits for detainees,

strategic planning process, cooperation, Secretariat of the Trust Fund for Victims, proposed programme budget, the Contingency Fund and the independent oversight mechanism. The Bureau appointed Vice-President of the Assembly, Ambassador Jorge Lomonaco, as Coordinator of the Working Group. The Working Group has held five meetings so far, with most of the work scheduled for completion before the mid-year break.

The New York Working Group of the Bureau

The Bureau assigned the following mandates to the New York Working Group: arrears, geographical representation and gender balance in the recruitment of staff members, Plan of action for achieving universality and full implementation of the Rome Statute, and Review Conference. The Bureau appointed Vice-President of the Assembly, Ambassador Zachary D. Muburi-Muita (Kenya), as Coordinator of the Working Group.

Committee on Budget and Finance

The Committee on Budget will hold its twelfth session from 20 to 24 April 2009, and will consider, inter alia, financial performance data of the 2008 and 2009 budgets, human resources, implications of the global financial crisis, legal aid and family visits.

Oversight Committee for the permanent premises

Under the Chairmanship of Ambassador Lyn Parker (United Kingdom) the Oversight Committee has held four meetings. The agreements for the implementation of the host State loan referred to previously were approved by the Committee, with the signature by the Court and host State taking before a notary public on 23 March 2009.

At its forthcoming meeting on 24 April, the Committee would decide on the architect with whom further negotiations would be conducted, on the basis of the recommendations of the Project Board. A final decision on the selection of an architect is contingent on the outcome of these negotiations.

Publications

The Secretariat has produced a few publications which are available as you exit the building today. These include the Official Records of the seventh session, as well as of its two resumptions, an updated second edition of the Selected Basic Documents of the Court, as well as a publication of the Tenth Anniversary Commemoration of the adoption of the Rome Statute. These publications have been produced in Arabic, English, French and Spanish; in some cases the texts are currently with the printers and will be mailed in the coming weeks to the respective Embassies and Permanent Missions to the United Nations. The Official Records are however available in all six languages of the Assembly.

I thank you for your attention.