



**Thirteenth ICC-ASP Bureau Meeting
12 October 2009
Agenda and Decisions**

The President of the Assembly, H.E. Mr. Christian Wenaweser (Liechtenstein), chaired the meeting

1. Review Conference

a) Proposals for amendment of the Rome Statute

The United Nations Office of Legal Affairs informed the Secretariat that, as at 30 September 2009, the following five States Parties had submitted to the Secretary-General proposals for amendment of the Rome Statute:

- i) Belgium
- ii) Mexico
- iii) Netherlands
- iv) Norway
- v) Trinidad and Tobago

In addition, the proposals on aggression elaborated by the Special Working Group on the Crime of Aggression have been submitted by Liechtenstein as former Chair of the Special Working Group. The proposals to amend the Rome Statute will be conveyed to States by the United Nations Secretary-General in the latter half of October. Additional information on the Review Conference may be found on the website of the Court (www.icc-cpi.int), under “Assembly of States Parties”.

As regards the 30 September 2009 deadline for submission of proposals for amendments, it was recalled that the Bureau had agreed to set that date in order to have a smooth and transparent preparation for the Conference. Bearing in mind article 121 of the Rome Statute, the 30 September deadline was not of a legal nature, yet it was the expectation that all States would respect the deadline which they had all concurred with, since no request for an extension thereto had been raised. It was the Assembly itself that, at its eighth session, would decide what amendment proposals to convey to the Conference. Furthermore, it was recalled that the 2010 Conference was merely the first, not the last occasion for consideration of proposals for amendment of the Rome Statute and that interested States could at any time submit such proposals for consideration at future sessions of the Assembly.

b) Duration of the Conference

It was discussed that the length of the Conference should be decided in light of the scope of the Review Conference and of the amendments to be considered. Furthermore, it was understood that a final decision on duration should be taken by the end of the eighth session of the Assembly.

2. Reports of the Working Groups

The Bureau adopted and conveyed the following reports for consideration by the Assembly at its eighth session:

- i) Report of the Bureau on Legal Aid (Defence): Alternate Methods for the Assessment of Indigence.
- ii) Report of the Bureau on legal aid for victims' legal representation;
- iii) Report of the Bureau on family visits for detainees; and
- iv) Report of the Bureau on the arrears of States Parties.

The remaining reports of The Hague and the New York Working Groups would be conveyed to the Bureau during the week of 26 October 2009, for consideration at its next meeting.

3. Elections

a) Status of nominations

- i) Election to fill two judicial vacancies

The Bureau took note that as at 8 October 2009, the Secretariat had received five nominations for the election to fill two judicial vacancies and that under the terms of paragraph 11 of resolution ICC-ASP/3/Res.6, the nomination period for the judges had been extended twice, to 14 October 2009.

- ii) Election of the Board of Directors of the Trust Fund for Victims

The Bureau was informed that at the close of the third extension of the nomination period the Secretariat had received five nominations for the election of the Board of Directors of the Trust Fund for Victims, which corresponded to the number of seats available.

b) Selection of national tellers

For the election to fill two judicial vacancies it would be necessary to appoint five individuals, one from each of the five regional groups, to serve as national tellers during the election. The Bureau agreed to designate the following members to consult within their respective groups in order to identify a national teller who would assist during the election process: Burkina Faso and Gabon, Japan, Slovenia, Mexico and Norway.

4. Preparations for the eighth session of the Assembly

a) Provisional programme of work

The Bureau agreed to consider a revised provisional programme of work for the eighth session of the Assembly, with a view to its dissemination to States.

b) Seating arrangements

In accordance with decision ICC-ASP/1/Decision 4, the President of the Assembly drew lots for the purpose of choosing the State Party that would occupy the first desk on the Assembly floor. The name of the State Party drawn was Brazil. Consequently, the delegation of Brazil will sit at the first desk to the right of the President. The other States Parties will follow in the English alphabetical order.

c) *General debate*

The Bureau agreed to hold the general debate on 19 and 20 November 2009.

The Bureau requested delegations to limit their statements to five minutes and set 26 October 2009 (Central European Time) as the date for the opening of the list of speakers. Furthermore, the Bureau agreed to recommend to the Assembly that 45 minutes be allocated to the participation in the general debate by observers under rule 92 of the Rules of Procedure of the Assembly, as well as an additional 45 minutes for statements by non-governmental organizations at the end of the general debate.

5. Other matters

a) *Residual mechanisms*

The Bureau took note of the letter, dated 1 October 2009, and expressed its support for the approach reflected therein whereby the Registrar informed the President of the Assembly of her intention to enter into a dialogue with the United Nations Office for Legal Affairs concerning the matter of residual mechanisms and archives related to the *ad-hoc* tribunals.

b) *Independent oversight mechanism*

The Bureau agreed to consider the forthcoming draft resolution on the independent oversight mechanism via a silence procedure so that it could be submitted for consideration by the Assembly in due time.

c) *Oversight Committee on permanent premises*

The Oversight Committee would submit its report to the Bureau for consideration at its next meeting.
