



**Eighth ICC-ASP Bureau Meeting
5 May 2009
Agenda and Decisions**

At the outset, the Bureau observed a minute of silence in remembrance of Judge Fumiko Saiga.

1. Election to fill judicial vacancies

The Bureau took note of a letter, dated 27 April 2009, by which the President of the Assembly informed the Bureau of the passing away of Judge Fumiko Saiga, as well as of a letter, dated 1 May 2009, from the First Vice-President of the Court, Judge Fatoumata Dembele Diarra, acting as President, containing the views of the Presidency on the timeline for filling the judicial vacancy.

Pursuant to article 37 of the Rome Statute and resolution ICC-ASP/3/Res.6, the Bureau decided that the election to fill the two judicial vacancies would be held during the eighth session of the Assembly of States Parties and that the nomination period would run from 5 August to 16 September 2009.

The Bureau further took note of the request of the Acting President that the candidates be informed that they should be prepared to serve on a full-time basis within two months of their election.

2. Provisional agenda of the eighth session of the Assembly

The Bureau requested the Secretariat to include an item entitled “Election to fill judicial vacancies” in the provisional agenda for the eighth session.

3. Review Conference

The co-facilitator for the issue of the Review Conference, Ms. Angela Nworgu (Nigeria), informed the Bureau that the New York Working Group had held informal consultations on 14 April 2009 where it considered the Belgian proposal concerning additions to article 8 of the Rome Statute, which deals with war crimes, and article 124 of the Statute.

She indicated that the discussions on the Belgian proposal had been moderated by Mr. Pierre Cartuyvels (Belgium). While there was some support for both the Belgian proposal and the mandatory review of article 124 of the Statute, concerns were also expressed regarding the potential impact of the amendments on the universality of the Rome

Statute and the possibility of overloading the agenda of the Review Conference, thereby distracting from key issues such as the crime of aggression.

Furthermore, the discussions on article 124 were based on the non-paper dated 11 March 2009 prepared by the joint-facilitators.

The facilitator indicated that consultations were on-going and that the next meeting of the Working Group on this issue would take place in late May/early June.

4. Committee on Budget and Finance

a) Election of officers

The Bureau took note of the election by the Committee on Budget and Finance at its twelfth session of Mr. Santiago Wins (Uruguay) as Chairperson and Mr. Ugo Sessi (Italy) as Vice-Chairperson, as well as the appointment of Mr. Masud Husain (Canada) as Rapporteur.

b) Dates of the thirteenth session

The Bureau took note of the decision of the Committee on Budget and Finance to hold its thirteenth session in The Hague from 24 August to 1 September 2009.

5. Other matters

a) Letter to the President of the Court regarding the composition of the Appeals Chamber

The President indicated that, pursuant to the Bureau's request at its seventh meeting, he had transmitted to the President of the Court a letter, dated 9 April 2009, conveying the concern of the Bureau on the composition of the Appeals Chamber. He indicated that discussions were on-going within the Court on this matter and he would update the Bureau at its next meeting.

b) Consultations on a possible liaison office in Addis Ababa

The Vice-President of the Assembly, Ambassador Zachary Muburi-Muita (Kenya), briefed the Bureau on informal consultations among the African States Parties on this issue. He indicated that there was general recognition that establishing a liaison office in Addis Ababa would facilitate better interaction between the African Union and the Court. He noted that consultations were on-going and that on 7 May 2009 the Registrar would brief the New York-based delegations on the Court's efforts in this regard. The issue would be further discussed at an informal meeting of African States Parties on 7 May.

Some Bureau members expressed concern regarding the meeting of African States Parties scheduled to take place in Addis Ababa on 8 to 9 June 2009 and requested Bureau members of the African Group to provide additional information thereon. The Vice-President noted that there had been no formal communication to States from the African Union regarding the meeting and that the 7 May informal meeting of African States Parties would also consider the matter; the Bureau would be updated on the issue at its next meeting.

c) *Plan of action: proposed seminar series*

The facilitator for the Plan of action for achieving universality of the Rome Statute, Mr. Marko Rakovec (Slovenia), informed the Bureau that plans were at an advanced stage towards holding the first seminar of the seminar series entitled “Process of Global Cooperation against Impunity – Towards Universality and Full Implementation of the Rome Statute of the International Criminal Court” at United Nations Headquarters, New York, on 19 May 2009. Participants in the seminar would include the President of the Assembly, the President of the Court, the United Nations Legal Counsel, representatives of academia and the NGOs. The seminar was intended to be a cross-regional event and States Parties were encouraged to participate and to support the event as co-sponsors.

d) *Report of the Prosecutor to the United Nations Security Council*

The President indicated that the Prosecutor’s briefing to the Security Council on the situation in Darfur was scheduled for Friday, 5 June and that States Parties were encouraged to attend.

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