



Reference: ASP/2009/139
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Secretariat - Secrétariat

Excellency,

In my capacity as President of the Assembly of States Parties to the Rome Statute of the International Criminal Court, I have the honour to refer to the letter, dated 7 August 2009, of the United Nations Secretary-General, inviting your Government to attend the Review Conference, scheduled to take place in Kampala, Uganda. The Review Conference will begin on 31 May 2010, and its exact duration (between one and two weeks) will be decided and communicated in due course.

Pursuant to articles 121 and 123 of the Rome Statute, the Review Conference will be the first opportunity for States Parties to consider and adopt amendments to the Statute.

Firstly, pursuant to resolution ICC-ASP/1/Res.1 and resolution F of the Final Act of the Rome Conference, the Review Conference will consider including a provision on the crime of aggression in the Rome Statute. Proposals for a provision on aggression have been elaborated by the Special Working Group on the Crime of Aggression, which concluded its work in February 2009.

Secondly, the Review Conference will review the transitional provision of article 124 of the Statute on deferred acceptance of jurisdiction of the Court for war crimes.

Thirdly, the Review Conference may consider other amendments to the Rome Statute. In this connection, I wish to recall that, at its seventh session, the Assembly decided in resolution ICC-ASP/7/Res.3 that proposals for amendments to the Rome Statute should be first considered at the eighth session of the Assembly of States Parties in November 2009, with a view to promoting consensus and a well prepared Conference. The Bureau, at its tenth meeting, held on 9 July 2009, suggested that 30 September 2009 should be the deadline for the formal submission of amendment proposals to the Secretary-General of the United Nations in accordance with article 121, paragraph 1, of the Statute.

I further wish to recall that at its seventh session, in November 2008, the Assembly of States Parties recommended in resolution ICC-ASP/7/Res.3 that, in addition to the consideration of amendments, the Review Conference should be an occasion for a “stocktaking” of international criminal justice in 2010. The Assembly further noted the desirability for the Review Conference to focus on a limited number of key topics.


The Bureau is mandated to continue the preparations of the Review Conference including with regard to scope, financial and legal implications, as well as practical and organizational issues. This important process is being conducted in the framework of the New York Working Group of the Bureau. All substantive suggestions, which would include any amendment proposals as well as the modalities of the “stocktaking” exercise, should be coordinated informally within this framework and with the assistance of the joint facilitators appointed by the Bureau, Mr. Marcelo Böhlke (Brazil) and Ms. Angela Nworgu (Nigeria).

This first Review Conference is a significant milestone for the International Criminal Court. It constitutes a unique opportunity for States to reflect on the achievements of the Court since the entry into force of the Statute and to reaffirm their commitment to combating impunity for the most serious crimes of concern to the international community.

In light of the crucial importance of the Conference, I would invite your Government to be represented at the highest possible level. In this regard, I am pleased to inform you that the United Nations Secretary-General has indicated that he shall make every effort to participate personally. I am confident that this would augment the prominence of the Review Conference and serve as a catalyst for a more fruitful exchange of ideas among States and between States and the Court. Such high-level participation is also appropriate in light of the historic opportunity to activate the Court’s jurisdiction over the crime of aggression, more than 60 years after the conclusion of the Nuremberg Trials.

The draft provisional agenda for the Conference is attached for your information. The Secretariat of the Assembly of States Parties (e-mail: asp@icc-cpi.int) will, in due course, provide information on organizational matters.

Please accept, Excellency, the assurances of my highest consideration.



Christian Wenaweser
President of the Assembly of States Parties
to the Rome Statute of the
International Criminal Court