

**Seventh ICC-ASP Bureau Meeting  
6 July 2007  
Agenda and Decisions**

*Ambassador Aliioaiga Feturi Elisaia, Permanent Representative of Samoa to the United Nations and Coordinator of the New York Working Group of the Bureau chaired the meeting.*

**1. Report by the Coordinator of the New York Working Group**

Ambassador Elisaia provided an update on the activities of the Group, which held its fourth meeting on 6 July. He distributed copies of the report prepared by the Facilitator for the “Plan of Action for the universality and full implementation of the Rome Statute” on the results of the consultations conducted on 3 July and recalled that the Facilitator for the topic “Cooperation” had concluded her work and distributed a draft version of the section of the report covering the topics discussed in New York.

The Facilitator for the topic “Review Conference” updated the Bureau on the results of the consultations conducted in May and June. He indicated that the draft rules of procedure for the review conferences were discussed on third reading and that a clean text would be distributed later, together with the report, for approval under a silence procedure. The Facilitator also referred to the consultations held on 8 June with Ambassador Rolf Fife (Norway), Focal Point of the Assembly for the topic, and indicated that due to practical considerations, it is likely that the Review Conference would take place early in the year 2010.

Ambassador Elisaia invited the Facilitators to submit their draft reports no later than the end of the first week of September 2007 to allow sufficient time for the Bureau to consider them and facilitate their early distribution to States Parties.

**2. Distribution of seats in the Committee on Budget and Finance**

Ambassador Elisaia informed that the Secretariat had received four nominations from States for the election of members of the Committee on Budget and Finance. He requested members of the Bureau to ensure that their regional groups bear in mind the nomination period and encouraged the presentation of candidates from all regions.

It was recalled that, as agreed at the third session of the Assembly, the provisions of resolution ICC-ASP/1/Res.5, determining the distribution of seats on the Committee for the first election, would remain the same until the Assembly decided otherwise.

### **3. Facilitators**

- a) On the appointment of a Facilitator of the New York Working Group on the issue of the oversight mechanism, the Bureau felt that this was an important and sensitive area that needed wider consultation to ensure that the right person is selected. Ambassador Elisaia offered to bring the issue to the attention of the President of the Assembly who had earlier agreed to facilitate such an appointment, in order to have this matter resolved satisfactorily and expeditiously.
- b) On the appointment of a Facilitator for the omnibus resolution, the representative of Cyprus offered to act as focal point to facilitate the appointment of the new facilitator as early as possible.

### **4. Sixth session of the Assembly**

#### *a) Election of the President of the Assembly*

Ambassador Elisaia recalled that the election of the new President of the Assembly would be held during the sixth session and encouraged members of the Bureau to consult with States Parties within their regional groups and among regional groups to ensure a smooth transition to the next President.

#### *b) Election of the Registrar*

Ambassador Elisaia informed the Bureau that the term of office of the Registrar will expire in July 2008. He indicated that the President of the Court had informed the President of the Assembly of the plans of the Presidency to seek the recommendations of the Assembly at its sixth session to ensure that the new elected Registrar can assume his/her term of office in July 2008. It was recalled that in accordance with rule 12 (1) of the Rules of Procedure and Evidence, the Presidency must establish a list of candidates and seek the recommendations of the Assembly, before the judges proceed with the election of the Registrar. The vacancy announcement for the position of Registrar had been issued by the Court and the deadline for applications is 15 August 2007.

Ambassador Elisaia encouraged Bureau members to ensure that States Parties within their regional groups are aware of the vacancy announcement and bring the information to the attention of their national authorities or appropriately qualified persons.

#### *c) Election to fill judicial vacancies*

Taking into account the holding of elections to fill judicial vacancies at the sixth session of the Assembly, the Bureau decided to request the Secretariat to organise a mock ballot during the week of 26 November 2007 as was done in the resumed fifth session to provide an opportunity for States parties to ensure the minimum voting requirements are observed. As in the past, the names of candidates and countries will not be included in the mock ballot.

#### *d) Participation of the United Nations Secretary-General*

Ambassador Elisaia informed the Bureau that the President had received a response from the Executive Office of the Secretary-General, dated 21 May 2007, indicating that given the pressures on the schedule of the Secretary-General, it was too early to confirm his participation in the sixth session at that stage.

Ambassador Elisaia undertook to follow up again with the Office of the Secretary-General on whether a decision had been made. The Bureau decided that if no positive response had been received by the end of July 2007, then letters to Foreign Ministers inviting them to take part in the general debate segment of the sixth session would be sent.

## **5. Other matters**

### *a) Dates of the resumed sixth session*

The Bureau decided to schedule the dates of the resumed sixth session from 2 to 6 June 2008 at the United Nations Headquarters, in New York. The resumed session would be devoted to the Special Working Group on the Crime of Aggression.

### *b) Post of Deputy Prosecutor*

Ambassador Elisaia informed the Bureau that, as required by rule 37 of the Rules of Procedure and Evidence, the President of the Court communicated to the President of the Assembly the 14 June 2007 resignation of the Deputy Prosecutor for Investigations, Mr. Serge Brammertz. The Deputy Prosecutor had been elected for a 6 year period, from 3 November 2003 to 2 November 2009. On 5 July 2007 the Prosecutor of the Court, Mr. Luis Moreno Ocampo, had indicated to the Secretariat that he was “not requesting, at the moment, the inclusion of an agenda item on the election of the Deputy Prosecutor at the Assembly of States Parties.”

### *c) Post of Deputy Registrar*

Ambassador Elisaia informed the Bureau that the President of the Assembly received a letter from the President of the Court, dated 15 June 2007, informing him of the decision of the plenary of judges that a Deputy Registrar be elected. He recalled that the Assembly had approved the post of Deputy Registrar at its fourth session and indicated that the vacancy announcement is now advertised on the website of the Court. The deadline for applications is 30 August 2007. Ambassador Elisaia urged Bureau members to draw this vacancy announcement to the attention of the members of their regional groups.

### *d) Geographical representation and gender balance in the recruitment of staff*

The Bureau reiterated its support to the work done by Ambassador Mirjam Blaak (Uganda), Facilitator for the topic on Geographical representation and gender balance in the recruitment of staff, and decided to continue its discussions on issues raised at previous meetings once her report is submitted for consideration by the Bureau.

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