



Third ICC-ASP Bureau Meeting

9 March 2010

Agenda and Decisions

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

1. Resumed eighth session of the Assembly

Permanent premises- inclusion of an additional agenda item

The Bureau agreed to propose, pursuant to rule 13 of the Rules of Procedure of the Assembly of States Parties, the inclusion of an additional item on the agenda of the resumed eighth session entitled “Premises of the Court”.

2. Review Conference

a) Stocktaking

i) Update on stocktaking by the facilitators

The co-facilitator for the stocktaking exercise for the Review Conference, Mr. Marcelo Böhlke (Brazil), informed the Bureau that The Hague Working Group had, at its second meeting, on 3 March 2010, adopted the outcomes of its consideration of the three topics before it, i.e. complementarity, cooperation and the impact of the Rome Statute system of victims and affected communities.

Complementarity

The Bureau adopted the report of The Hague Working Group entitled “Taking stock of the principle of complementarity: bridging the impunity gap”, dated 5 March 2010 and decided to convey it, together with a draft resolution on complementarity, dated 26 February 2010 and a draft programme for stocktaking - complementarity, dated 17 February 2010, to the resumed eighth session of the Assembly.

Cooperation

The Bureau adopted the Background paper and proposals for outcome, dated 5 March 2010, and decided to convey them to the resumed eighth session of the Assembly.

The impact of the Rome Statute system on victims and affected communities

The Bureau adopted the report of The Hague Working Group, entitled “The impact of the Rome Statute system on victims and affected communities”, dated 5 March 2010, and decided to convey it to the resumed eighth session of the Assembly.

A view was expressed that a distinction should be drawn between the procedure to be followed with respect to texts that had been adopted by the Bureau and those that required further consideration. In this regard, it was suggested that, while the outcome documents of The Hague Working Group’s discussions should not be re-opened, some further consultations on the draft resolutions should be held ahead of the resumed eighth session.

The facilitator informed the Bureau that some delegations had expressed the wish that representatives of the ad hoc international tribunals should participate in the Review Conference, including by addressing the Conference. In this regard, the President indicated that they had been invited to the Review Conference and that some focal points were considering including officials from the ad hoc tribunals in the panels planned under the stocktaking item.¹

ii) Coordination of panels and panellists

The Bureau revised the provisional programme of work for the Review Conference, to facilitate consideration of the topics “Complementarity” and “Cooperation” on the same day.

iii) Invitations to panellists

The Bureau decided that the invitations to the panellists would be conveyed by the President of the Assembly.

iv) Funding of the participation of the panellists

The Bureau noted that the 2010 programme budget for the Secretariat of the Assembly of States Parties, which had been prepared in March 2009, did not provide for the funding of the participation of the panellists in the Review Conference. In accordance with regulation 3.6 of the Financial Regulations and Rules, a supplementary budget proposal would have to be prepared by the Registrar and submitted for consideration by the resumed eighth session. It was noted that the total amount required for funding the panels would be contingent on a decision of the Assembly on their composition. In addition, if high-level panellists were to be invited, invitations to that effect would have to be sent out soon, so an early decision on the composition of the panels was needed.

¹ The participation of the ad hoc tribunals in the Review Conference would be covered by rule 69 of the draft rules of procedure of the Review Conferences. See *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, New York, 30 November - 14 December 2007* (International Criminal Court publication, ICC-ASP/6/20), vol. I, part III, resolution ICC-ASP/6/Res.2, annex IV.

b) High-level participation- updates by the focal points

The focal points appointed to encourage high-level participation by the States in their respective regional groups, the Netherlands, Slovenia, Uganda and Venezuela, updated the meeting on their respective efforts.

The President indicated that he would continue consultations within the Asian group with a view to identifying a focal point for this purpose.

c) Invitation to the members of the Board of Directors of the Trust Fund for Victims

The Bureau decided that the President would convey invitations to the members of the Board of Directors of the Trust Fund for Victims to participate in the Review Conference, given the important role which they have played in issues relating to victims.

The Bureau requested information on the programme budget implications of such participation and decided to revert to this issue at its next meeting.

d) General debate

The Bureau decided that, in accordance with past practice, delegations would be requested to limit their statements in the general debate.

In addition, the Bureau decided that 45 minutes would be allocated for the participation in the general debate by observers, under rule 69 of the draft rules of procedure of the Review Conference, as well as an additional 45 minutes for statements by non-governmental organizations, at the end of the general debate.

The Bureau decided that the list of speakers would open on 16 March and run until 23 April (Central European Time).

The Bureau decided to invite the organs of the Court to address the Review Conference in the framework of the general debate.
