

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Eleventh Diplomatic Briefing of the International Criminal Court

The Hague, 10 October 2007

*Information Package
(As of 9 October 2007)*

*Summary of activities since the tenth Diplomatic Briefing
26 June 2007, Brussels*

Since the entry into force of the Rome Statute in 2002, the Court has become fully operational. The Prosecutor of the Court has opened investigations in four situations. The Court has issued eight warrants of arrest and hundreds of other judicial decisions, developed substantial field presences in four countries and reached out to communities affected by conflicts in the situations under investigation. Preparations are ongoing for the first trial in the case against Mr. Thomas Lubanga Dyilo.

As the ICC's activities have progressed, the Court has been credited with having a positive impact in preventing further crimes from being committed. This has been achievable because the Court presents a credible possibility of international prosecution where national courts are unwilling or unable to act. This credibility stems not only from the Court's strict adherence to its judicial mandate but also from the public and tangible support the Court has received from States and international organisations and from the expectation that decisions of the Court, including arrest warrants, will be enforced.

The ICC system established by States is founded on two pillars: the judicial pillar provided by the Court itself, and the operational pillar, which has to be provided by States and international organisations. For the system to work effectively, their cooperation is essential. While the ICC has achieved substantial progress in its investigations and judicial proceedings, the Court's experience over the past five years has confirmed that in order to achieve the aims expressed by the States Parties in the Preamble of the Rome Statute, the cooperation of States and other actors will continue to be of the utmost importance.

The level of public and operational support exhibited by States and international organisations needs to be further reinforced; respect for and compliance with the judicial process mandated by the Rome Statute need to be strengthened. Six public warrants of arrest remain outstanding – two in the situation in Darfur, Sudan and four in the situation in Uganda. Strong public statements highlighting the importance of justice in general and of cooperation with the Court in particular, including the execution of arrest warrants, reflect States' continued commitment to the objectives enshrined in the Statute and help foster cooperation by others. Providing the necessary operational support in the field is pivotal to the Court's credibility and to the functioning of the institution.

As preparations begin for the 6th Session of the Assembly of States Parties, the Court calls on States to uphold their commitment to the principles they agreed to in Rome. States themselves established the Court and set our common objectives. Whether these goals are achieved now depends both on the Court and on the engagement of States who must respect the judicial process, assist in the execution of the warrants, and provide their support and cooperation at all levels.

Presidency

- The President's external relations activities included a series of meetings with representatives of States, national courts, international organisations, and non-governmental organisations, as well as participation in a seminar on the ICC and meetings held at the Czech Parliament in Prague.
- In terms of administration, the Presidency convened meetings of the Coordination Council to discuss Court-wide strategic issues, including preparation of the 2008 budget.
- In the case against Mr. Thomas Lubanga Dyilo the Presidency issued a decision on 17 July 2007 ordering the Registrar to re-file a decision previously filed on a confidential, *ex parte* basis, as a public decision. The Decision, initially filed on 29 June 27, relates to applications filed by Mr. Lubanga Dyilo concerning the appointment of duty counsel.

Election of Registrar and Deputy-Registrar

- As the term of office of the current Registrar will conclude in July 2008 and in order to allow the Assembly of States Parties to make recommendations upon receiving a list of candidates before the next election of a Registrar, the Presidency initiated the process of election of a new Registrar in accordance with article 43 of the Statute and rule 12 of the Rules of Procedure and Evidence. The Presidency will submit the list of candidates with a request for any recommendations to the Assembly of States Parties in advance of its sixth session.
- A vacancy announcement for the position of Deputy Registrar was issued by the Registrar during the reporting period following the decision by the judges of the Court that there should be a Deputy Registrar. The decision was taken by the judges in accordance with rule 12 during a plenary meeting held in June. The judges of the Court will elect the Deputy Registrar from a list of candidates provided by the Registrar at a future plenary meeting.

Update on Judicial Activities

- During the reporting period Chambers issued a number of decisions in the situations in the Democratic Republic of the Congo, Uganda, and in Darfur, Sudan. The main issues addressed through these decisions are outlined below.

Democratic Republic of the Congo

The situation in the Democratic Republic of the Congo

Victims participation

- In the situation of the Democratic Republic of the Congo victims' participation was the primary issue addressed by Pre-Trial Chamber I. A number of decisions or orders issued by the Chamber dealt with requests regarding access of the Prosecutor, the Office of Public Counsel for the Defence (OPCD) and the Office of Public Counsel for Victims (OPCV) to applications for participation and to previous filings submitted to the Chamber.

- On 17 August 2007, Pre-Trial Chamber I rendered a decision addressing several substantive issues in relation to the whole process of application for victim participation. The decision dealt with the treatment of confidential information about applicants for participation, intermediaries (such as NGO staff) who assist victims, and with issues related to victims' representatives.

Among others, the Chamber rejected the request of the legal representative for victims to have his identity kept confidential, finding that anonymity was incompatible with the functions to be performed by a legal representative. The Chamber likewise rejected the request to send only redacted copies of victims' applications to the OPCD, noting that at the situation level during the initial stages of investigation, the OPCD's role is restricted to safeguarding any potential rights of the defence, and does not extend to any form of direct assistance to a suspect or an accused person.

Recognising the need to protect the safety and security of victims, the Chamber ordered the Prosecution, the OPCD, the OPCV and any Legal Representative of victims to respect the confidentiality of the applicants. In cases where applicants for participation do not have legal representation, the Registrar was ordered to appoint the OPCV as legal representative to provide support and assistance to the applicant until such time as the application has been granted victim status.

On 26 September 2007, Pre-Trial Chamber I rejected the requests of the legal representative for victims in the situation of the DRC to be informed about the status of the investigation conducted by the OTP regarding the crimes committed against them and to review the implicit decision of the OTP not to prosecute.

Request to participate as amicus curiae

- On 17 August 2007, Pre-Trial Chamber I rejected the request submitted by the Women's Initiatives for Gender Justice pursuant to rule 103(1) of the Rules of Procedure and Evidence for leave to submit observations as *amicus curiae* in the situation in the DRC on two issues: (1) the role of the Pre-Trial Chamber in supervising prosecutorial discretion; and (2) the criteria for determining victims' status. The request was rejected on the basis that the Chamber did not find that *amicus curiae* observations by the applicant would be of assistance in this instance or that they would be desirable for the proper determination of the case at this stage. It was the first request for leave as *amicus curiae* made before the Court.

The case of the Prosecutor v. Thomas Lubanga Dyilo

Election of the Presiding Judge of Trial Chamber I

- On 12 July 2007, the judges of Trial Chamber I elected Judge Adrian Fulford as Presiding Judge in the case against Mr. Thomas Lubanga Dyilo.

Defence counsel of Mr. Thomas Lubanga

- Following the withdrawal of Mr. Jean Flamme as defence counsel on 21 February 2007, the Registrar appointed Ms. Catherine Mabilie as counsel for Mr. Lubanga. Her solemn undertaking was

registered by Trial Chamber I on 6 July 2007. Co-counsel for the defence, Mr. Jean-Marie Biju-Duval, was sworn in on 28 September 2007.

Preparation for trial

- During the reporting period, the majority of decisions and documents filed in the record of the case against Mr. Lubanga Dyilo related to preparation for the Court's first trial.
- In order to facilitate the efficient preparation of the trial pursuant to Article 64 of the Statute, on 18 July 2007, the judges of Trial Chamber I set forth a list of subjects that require early determination, proposing a calendar for the filing of submissions of those issues as well as a series of hearings. The list included subjects such as the date of the commencement of the trial against Mr. Lubanga Dyilo; the languages to be used in the proceedings; the timing and manner of disclosure of evidence; and the use of an "e-court protocol" for the electronic submission of evidence and other materials during trial proceedings. Other issues included the role of victims in proceedings, procedures to be adopted for instructing expert witnesses, approaches for witness familiarization and/or witness "proofing", and the status before the Trial Chamber of evidence heard by the Pre-Trial Chamber or of decisions rendered by the Pre-Trial Chamber.
- On 16 August 2007, the Chamber granted the defence request to suspend the timetable on the subjects that require early determination in order to allow the new defence team to familiarise itself with the voluminous case file. On 4 September 2007, a status conference was held, following which the judges of the Trial Chamber set a timetable for hearings and for the filing of submissions in an order issued on 5 September. A hearing was held in closed session on 7 September 2007.
- The first hearing addressing the list of issues requiring early determination was held from 1-2 October. Further hearings are scheduled for 30, 31 October, 1 and 2 November, and 20 November. The Chamber has likewise set deadlines for written submissions on the issues in advance of the hearings.

Uganda

- Developments in the situation in Uganda and the case against *Joseph Kony, Vincent Otti, Okot Odhiambo, Raska Lukwiya and Dominic Ongwen*, related to three main issues summarised below.

Termination of proceedings against Raska Lukwiya

- In the situation in Uganda, the Government of Uganda, with the assistance of the OTP, certified that one of the persons for whom an arrest warrant has been issued, Raska Lukwiya, was killed. A death certificate was submitted to the Court, and on 11 July 2007, Pre-Trial Chamber II terminated the proceedings against Mr. Lukwiya, thereby rendering the warrant of arrest without effect. The Chamber ordered the Registrar to notify the Democratic Republic of the Congo, the Republic of Sudan and the Republic of Uganda of the termination of proceedings.
- The remaining four warrants are still outstanding and have not been executed.

Victims' participation

- In a decision issued on 10 August 2007, the Single Judge of Pre-Trial Chamber II, Judge Mauro Politi, rendered a decision on applications that have been submitted by victims seeking to participate in proceedings before the Court. The Single Judge ruled that of the 49 applications submitted, six applicants are entitled to participate in the proceedings in the case of Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen, and that two of the applicants are likewise entitled to participate in the proceedings of the situation.
- The Single Judge recognised that in a country such as Uganda many areas have been ravaged by ongoing conflicts and it may be difficult to expect applicants to provide proof of identity, however he noted that the right to participate may have a profound impact on the parties, and ultimately, on the overall fairness of proceedings. Consequently, the Single Judge found that some kind of proof meeting a few basic requirements must be submitted for the application to be accepted, namely: (1) proof of identity consisting in a document issued by a recognised authority; (2) stating the name and date of the birth of the applicant; and (3) including a photograph.
- On 28 August 2007, the Single Judge decided to appoint the principal counsel of the OPCV as legal representative for the applicants who were granted the status of victims in the situation in Uganda.

Unsealing of the documents

- On 12 July 2007, the Single Judge in charge of unsealing of documents in the record of the situation and of the case, ordered the Prosecutor and the Division of Victims and Counsel to submit observations and their proposed treatment of sealed documents contained that have not yet been subject to a Chamber decision. This decision continues the ongoing process of reviewing existing levels of confidentiality previously assigned to documents in the record of the situation in Uganda and in the case of Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen.

Darfur

- During the reporting period, the decisions rendered by Pre-Trial Chamber I primarily addressed issues related to victim participation, including a request to access reports of the Registry on victims' applications and requests regarding the submission of observations by the Prosecution and the OPCD on applications for participation in the proceedings.
- In a decision dated 18 September 2007, Pre-Trial Chamber I rejected a request submitted by the former Ad hoc counsel for the defence, Mr. Hadi Shalluf, to review the decision of the Registry on the payment of his fees for the month of November 2006 and to order payment of those fees.

See the website of the Court, <http://www.icc-cpi.int/>, for the full listing and text of public decisions and orders. Information on hearings, including a forthcoming schedule of hearings can also be found on the site.

Registry

Contributions as of 31st of August 2007

- Contributions received: 82.94% of the total 2007 (€88,871,800)
- Contributions received: 94.59% of the total 2006 (€80,417,200)
- Outstanding contributions for 2004 and 2005 amount respectively to 0.03% and 0.83%

Human Resources as at 1st of September 2007

Number of staff on established posts: 473 (female 46.09%, male 53.91%)

Staff subject to geographical representation:

- 16.59 % from the African Group of States (target: 13.09%)
- 6.34 % from the Asian Group of States (target: 7.69%)
- 7.80 % from the Group of Eastern Europe (target: 7.32%)
- 12.20 % from the Latin American and Caribbean Group of States (target: 14.15%)
- 57.07 % from the Western European and others Group of States (target: 57.74%)

Applications received in 2006: 13.656 - in 2007 as at 1st September: 11.299

Division of Common Administrative Services

Budget

- 2008 draft programme budget was submitted to States Parties and the Committee on Budget and Finance.

Human Resources

- Continued development of systems and mechanisms for the recruitment of staff of the highest standards and with due regard to geographical representation, gender balance and legal systems.
- Began work on a comprehensive Human Resources Strategy (HRS) which will provide the framework for implementation of the human resources aspects of the ICC Strategic Plan. The HRS focuses on identifying career development opportunities for well performing staff, staff well-being and recruitment strategies.

ICT

- Integration between different application systems supporting judicial, administrative and document management processes is in its first phases of deployment.
- Opened an ICT Project Management Office, responsible for standardization, optimization and improvement of the current and future ICT projects, with the aim of contributing to the efficiency of the judicial and administrative operations of the Court.

Field Operations

- Set-up of a new field office location in Bangui, Central African Republic.
- Greatly enhanced communications in the field offices, in particular with the deployment of both hardware and software encryption techniques and protection devices.
- Health care provisions for staff in the field were surveyed and a sustainable Field Medical Support service system for staff travelling on mission and staff in the field is being implemented.

Division of Court Services

- Second terminology bulletin issued: post titles and Organigramme of the ICC in 7 languages; translation in progress of the Rome Statute into Acholi and Swahili.
- Finalised the Handbook for Detained Persons in English, French and Swahili compiling all provisions related to the rights of the detained persons and the detention regime in order to facilitate their understanding by the detained persons.
- Organised visits of Thomas Lubanga's family to the ICC prison complex (22 July-3 September 2007).
- Increased efforts to conclude additional agreements on relocation of witnesses are underway as 500 persons (witnesses and family) are expected to be referred for entry in the witness protection program of the Court by the end of 2007.

Division of Victims and Counsel

- List of counsel eligible for appointment to accused and victims contains 216 counsel to date.
- Provided assistance to the new defence team of Mr. Thomas Lubanga Dyilo, and to Mr. Lubanga in particular with respect to the appointment of a new defence counsel.
- Provided assistance to the *ad hoc* counsel appointed to represent and protect the general interests of the defence (situations in Darfur and Uganda).
- Provided support, assistance and information to legal representatives of victims participating in the first status conference before Trial Chamber I in the Lubanga case.
- Decision on legal assistance paid by the Court for a legal representative of a victim to participate in the status conference hearings leading up to the trial in the Lubanga case.
- Received and processed 144 applications for victims' participation in the proceedings in relation to the situations (1 May to end September 2007).
- Conducted 12 informational and training activities in DRC and Uganda and in relation to situation in Darfur.

Public Information and Documentation Section

- 14th, 15th and 16th ICC Newsletters were published and disseminated.
- A DVD compilation of video images showing various aspects of the Court and Detention Centre was produced.
- A CD compilation of photos for professional use was completed.
- A video on victims and witnesses issues was produced in the working languages of the Court (English and French), as well as Swahili, Acholi and Arabic.
- 1,094,342 visitors accessed the ICC website during the reporting period (37 % increase compared to the same period of last year) and 2, 331 visitors attended briefing at the Court (5,1% increase).

Immediate Office of the Registrar

- Field missions of the Registrar to Bangui/Central African Republic, Kinshasa/D.R. Congo, New York.
- Registrar participated in two expert meetings on permanent premises – June and September 2007.
- Annual meeting of the Registrars – Turin, Italy, May 2007.

Office of Public Counsel for Victims

- Developed victims' database to manage legal assistance and legal representation provided to victims and legal representatives.
- Provided legal advice on 70 occasions and assistance with legal research 22 times to legal representatives in three situations and two cases.
- Provided legal assistance to 49 applicants in the Uganda situation and in the Kony and others case.
- Provided legal representation to 2 applicants in the Uganda situation.
- Provided legal representation to 70 applicants in the DRC situation.

Office of Public Counsel for Defence

- Undertook the mandate as *ad hoc* counsel for the defence on three different occasions in relation to 104 applications to participate as victims in the DRC situation and on two different occasions in relation to 20 applications in the situation in Darfur.
- Participated in seminars, conferences and training sessions such as a training seminar for judges, lawyers and NGOs in Kinshasa and Lubumbashi in June 2007 and also contributed to a training program for African lawyers in Benin in August.
- Provided assistance to defence counsel in case of Thomas Lubanga, and *ad hoc* counsel appointed to the Uganda situation and Kony and others case.

Update on Outreach Activities

Democratic Republic of Congo

- After confirmation of charges in the Lubanga case, outreach activities are converging from Kinshasa towards the Ituri region in order to reach affected communities. Particular attention is given to prepare the population for beginning of trial.
- Two outreach assistants redeployed from field office in Kinshasa to Bunia's field office in order to meet needs of the Outreach Unit.
- In addition to outreach activities targeting civil society networks and community leaders, the outreach team is conducting mass outreach activities targeting the general public through the media and through town hall meetings.
- Series of radio programs launched in July in collaboration with Radio Okapi, such as « *Connaître la Cour pénale internationale* », « *Chroniques* », « *Droits et devoirs* », and « *Institution, c'est facile à comprendre* ». In Ituri, Court is cooperating with 8 local radio stations in Ituri broadcasting « *Connaître la Cour pénale internationale* » in French but also in local languages Swahili and Lingala. Radio programs are reaching an estimated population of 1, 800, 000 persons in Ituri.
- As of July 2007, sketches about the Court being broadcasted on RTNC and Digital Congo TV. Estimated population of 4, 000 persons in Bunia and surroundings follow this program regularly.
- Setting up of "listeners clubs" in Bunia's higher institutes and neighbourhoods, in order to bring population closer to the Court and to evaluate the impact of the radio programs and other activities carried out in the field.
- ICC experts from PIDS, VPRS and OTP participated in several outreach events listed below:
 - ICC informational meetings for grassroots religious community in Bunia from 27 June to 7 July;

- Participation at a workshop on the psychology of victims of international crimes and the problems associated with their protection, designed for judges and organised in collaboration with Avocat Sans Frontières in Kisangani from 9 to 13 July;
- Participation at a workshop targeting lawyers and analysing the decisions rendered by the Court which allow better understanding of the Statute, organised in collaboration with Avocats Sans Frontières in Kinshasa from 16 to 21 July;
- Participation on the TV News of the Channel “L’avenir” on 9 August, providing information about the decision of the Trial Chamber I, issued on 18 July, and preparing for the trial of Lubanga;
- Participation in informative meetings with UNHCHR, Kinshasa in August and September. Upon each new intake of interns, the High Commissioner for Human Rights is asking the Outreach Unit to give a presentation on the Court;
- Participation at information sessions in August with journalists, NGOs, local authorities and community leaders in Bunia, Mahagi, Aru, Mambassa, Kasenyi, about the role and mandate of the Court, the recent developments in the Lubanga case and the preparation for the trial.

Uganda

- Outreach Team re-directed its strategy towards conducting mass outreach activities targeting the grass roots population most directly affected by the conflict and the internally displaced communities of northern and north-eastern Uganda.
- ICC experts from PIDS, VPRS and OTP participated in the mass outreach activities listed below:
 - Workshop for 70 leaders from IDP Camps of Amuria district, Teso region 27 June 2007;
 - Workshop for 1,500 people from IDP Camps, in Kaberamaido district, Teso region 28 June 2007;
 - Interactive meeting with 1,000 participants of Otuboi camp in the Kaberamaido district, in the Teso region on 29 June 2007;
 - Workshop for 70 police officers from Kampala on 17 July 2007;
 - Workshop for 96 representatives from civil society organisations working in the Kitgum and Pader districts of the Acholi sub-region on 22 August 2007;
 - Training session for 30 journalists working in the Lango and Acholi sub-regions of Gulu in northern Uganda on 22 August 2007;
 - The Court has continued to target the general public in Uganda through the media, especially through Mega FM Radio in Gulu and The New Vision and The Monitor newspapers. In this context, the Court’s Outreach section is funding the popular radio talk show, “The Mega Lawyer”.

Darfur

- One Outreach Officer for Sudan based in The Hague recruited in June 2007 (not established post). A Senior Outreach Assistant recruited in September with Abeche as duty station who will take office in October for 3 months to work on a defined project, namely training of drama groups to represent pieces on the work of the Court in the refugee camps.
- The Court’s Outreach Programme for Darfur has focused its efforts on the following objectives:
 1. Increasing the understanding of, and support for, the involvement of the ICC in Darfur of decision makers and opinion leaders from Sudanese communities based in Europe with influence in their home country.

2. Providing information and explanations on the judicial activities of the Court with respect to Darfur to Sudanese refugees in four camps in Chad.

- In order to achieve these objectives, the Section held the following meetings:
 - Two meetings organised in July in an African country with 50 key representatives of various groups: lawyers, journalists, NGOs, students from different universities, teachers, artists and community leaders from Khartoum and Darfur;
 - Initial meeting with the Sudanese community based in The Netherlands held in August 2007 which included 25 participants;
 - One Sudanese artist and one graphic designer have been hired to help design communication tools;
 - Existing outreach materials have been adapted for the situation in Darfur. In addition, specific information products are also being developed to target the illiterate Sudanese population including a comic strip, posters, and a passport-sized publication containing a basic visual explanation of the work of the Court. A video will also be developed.
 - Developing a script for drama performances on the work of the Court.

Central African Republic

- Outreach Coordinator has been recruited (post not established) to prepare an initial assessment and develop a strategy for conducting the outreach activities in CAR.

Recent accession to the Rome Statute: Japan

Recent ratifications of the Agreement on the Privileges and Immunities of the Court: The Democratic Republic of the Congo, Greece, Mexico and Portugal.

Sixth session of the Assembly

- Documentation, including the proposed programme budget for 2008, as well as information regarding the provisional agenda, credentials and registration for the sixth session of the Assembly of States Parties, to be held at United Nations Headquarters in New York from 30 November to 14 December 2007, is available on the website of the Court (www.icc-cpi.int), under 'Assembly of States Parties'.
- The twelve week nomination period for the election to fill three judicial vacancies, scheduled to take place at the sixth session of the Assembly, ended on 24 August 2007. At that date, the Secretariat had received six nominations from States Parties. By a communication, dated 20 September 2007, one State Party announced the withdrawal of its candidature. Consequently, there are five nominations for the election of judges (ICC-ASP/6/15 and Add.1).
- As regards the election of six members of the Committee on Budget and Finance, at the end of the nomination period on 24 August the Secretariat had received nine nominations (ICC-ASP/6/9).
- At its eighth meeting, on 3 October 2007, the Bureau designated Ambassador Rosemary Banks (New Zealand) to undertake informal consultations regarding the election of the President of the Assembly for the seventh to ninth sessions.

The Bureau

- At its seventh meeting on 6 July the Bureau was informed that since the term of the Office of the Registrar, Mr. Bruno Cathala, will expire in July 2008, the Court had commenced the procedure set out in rule 12, sub-rule 1, of the Rules of Procedure and Evidence, whereby the Presidency would establish a list of candidates and seek the recommendations of the Assembly at its sixth session. Subsequently, the judges would proceed to elect the Registrar taking into account any recommendations by the Assembly.
- Furthermore, the Bureau took note of the decision of the plenary of judges that a Deputy Registrar be elected; the post had been approved by the Assembly at its fourth session in 2005.
- The Bureau also took note of the 14 June 2007 resignation of the Deputy Prosecutor for Investigations, Mr. Serge Brammertz, and was informed that the Office of the Prosecutor was not requesting, at the moment, the inclusion of an agenda item on the election of a Deputy Prosecutor for the sixth session of the Assembly.

- Furthermore, the Bureau decided that the resumed sixth session of the Assembly would be held at United Nations Headquarters in New York, from 2 to 6 June 2008. This resumed session would be devoted to the Special Working Group on the Crime of Aggression.
- At its eighth meeting, on 3 October 2007, the Bureau adopted and decided to submit for consideration by the Assembly the following reports from its Working Groups:

The Hague Working Group

- a) Report on equitable geographical representation and gender balance in the recruitment of staff.

The New York Working Group

- b) Report on the Plan of Action for the universality and full implementation of the Rome Statute;
- c) Report on the arrears of States Parties; and
- d) Report on the Review Conference.

In addition, the Bureau also adopted and decided to submit for consideration by the Assembly the report on cooperation, which was prepared jointly by both Working Groups.

- Furthermore, the Bureau adopted a provisional programme of work for the sixth session. It was, inter alia, agreed that the election to fill judicial vacancies, as well as the election for the Committee on Budget and Finance, would be held on Friday, 30 November 2007. The general debate is scheduled to be held on 3 and 4 December. The list of speakers shall open on 1 November.

The Hague Working Group

- The fourth meeting of experts on the issue of permanent premises was held from 5 to 7 September. Through a rigorous validation process of the second functional brief, the experts reached consensus on the area requirements of 46,000 square metres including the provision of three courtrooms, and also determined a preliminary financial envelope of 165 million euros for the construction costs of the permanent premises.
- As regards the issue of governance the experts proposed a structure that recognised the critical role of the Court in identifying the operational requirements and subsequently providing assurance on the viability of specific proposals, while also allowing effective oversight by the Assembly of States Parties.
- The Hague Working Group has scheduled an additional four meetings to further consider the issues of permanent premises, budget and the Strategic Plan of the Court, as well as to adopt the respective reports to the Bureau.
- Furthermore, the Coordinator of The Hague Working Group, as well as the facilitator on the budget, Ambassador Hans Magnusson (Sweden), and the facilitator on permanent premises, Mr. Masud Husain (Canada), shall travel to New York for meetings on 29/30 October to brief delegations on the issues under their responsibility and to seek their views in advance of the sixth session of the Assembly.

The New York Working Group

- The New York Working Group held its fourth and fifth meetings on 6 July and 4 September, respectively.
- At its fifth meeting, the facilitator on the issue of the Review Conference indicated that as a result of the informal consultations that were held throughout the year, a recommendation would be made to the Assembly of States Parties to schedule the review conference for the first semester of 2010, for a period of 5 to 10 days.

Committee on Budget and Finance

- The Committee held its ninth session from 10-18 September 2007 in The Hague and discussed, *inter alia*, the proposed programme budget for 2008, audit issues, the premises of the Court and the pension scheme for judges.
- As regards the issue of the permanent premises, the Committee recommended that since at this stage the main objective of all parties involved was to proceed with the first phase of the architectural design competition, the Assembly should proceed on the basis suggested by the experts on permanent premises of The Hague Working Group.
- The Committee also considered draft amendments to the pension scheme regulations for judges and recommended their adoption as they would result in yearly savings of €2.2 million once fully implemented.
- Furthermore, the Committee recommended that the Internal Auditor report annually, and on an *ad hoc* basis where appropriate, to the Committee on Budget and Finance, through the Chair of the Audit Committee. The Committee on Budget and Finance would refer any matter to the Assembly that requires its attention.
