



Diplomatic Briefing

The Hague, 3 November 2010

Statement by the Director of the Secretariat of the Assembly of States Parties, Mr. Renan Villacis

Excellencies, Ladies and Gentlemen,

It is an honour for me to address you in order to convey some of the most recent developments concerning the Assembly.

Recent ratifications

Rome Statute: The Statute will enter into force for the Republic of Moldova on 1 January 2011, bringing the total number of States Parties to 114.

Review Conference

The *Official Records* of the Review Conference will be disseminated in a few days. We have been awaiting the dissemination of the depositary communications from the United Nations Treaty Section to UN Missions. That would allow States considering ratification of the amendments or new prospective States Parties to submit the amendments for ratification by their parliament.

Ninth session of the Assembly

The ninth session of the Assembly shall be held at UNHQ from 6 to 10 December 2010. The Bureau has approved a provisional work programme, which was emailed to all States on Monday.

The speakers list for the general debate opened on 1 November. Requests should be submitted via email to the Secretariat with an indication of the name and position of the speaker, as ministerial level representatives will be accorded precedence. As of this morning 8 States have inscribed themselves for the general debate.

An advance version of the Journal containing the official programme of work and the side-events foreseen will be disseminated electronically early next week. If any events have not been conveyed to the Secretariat yet, please let us know as soon as possible. We only received an indication of five side-events so far.

It is foreseen that the Assembly would constitute two working groups, one on the proposed programme budget and another to deal with the proposals for amendments that the Assembly had decided would be considered after the Review Conference. The Working Group on Amendments, will be chaired by Amb. Paul Seger, the Permanent Representative of Switzerland to the United Nations. Amb. Seger will brief the Bureau on 10 November about how he plans to conduct the Working Group.

The work programme foresees a segment dealing with the Follow-up to the Review Conference, where the respective focal points for the subtopics (i) The impact of the Rome Statute system on victims and affected communities; ii) Peace and justice; and iii) Complementarity), will hold consultations. This will also include a brief segment on the pledges made at Kampala. Another segment will be devoted to the issue of cooperation.

A plenary session will take place on 9 December to hear the reports of the working groups and, if the respective consultations are completed, to elect the new President of the Assembly for the following triennium.

We have yet to be informed about the date when the Security Council will consider the report of the Prosecutor on the situation in Darfur, but if it coincides with a meeting of the Assembly, delegations would be given an opportunity to attend the presentation to the Council.

The omnibus resolution will be chaired by Mr. Zenon Mukongo (Democratic Republic of the Congo), who will hold informal consultations in New York in the coming days, based on the draft paragraphs that would be conveyed to him from The Hague and New York Working Groups on different topics.

Independent Oversight Mechanism

In 2009 the Assembly established the Independent Oversight Mechanism (IOM), pursuant to article 112, paragraph 4, of the Rome Statute, with an initial mandate to provide an investigative capacity to address alleged misconduct of elected officials and staff of the Court. In order to continue its consideration of the additional elements of oversight, i.e. inspection and evaluation, the Bureau has decided to conduct a mapping study of the different oversight bodies, via the United Nations Office of Internal Oversight Services; it is foreseen that this study would be completed in the first trimester of 2011.

Arrears

We note that there are seven States Parties currently in arrears and that they would thus not be able to vote in the Bureau nor in the Assembly unless the requisite minimum payments are made by 3 December.

Credentials and registration

On 9 August 2010, States Parties were requested to convey their credentials by the end of November to the Secretariat of the Assembly (ICC-ASP/9/SP/18).

Further information regarding the session, including the official documentation, is available on the website of the Court¹

Key Assembly related developments

Bureau

The Bureau has under its consideration the issue of the procedure for the election of the next Prosecutor. Draft terms of reference for the respective Search Committee will be considered in the following meetings of the Bureau.

Permanent premises of the Court

The preliminary design was delivered at the end of October by the architect and a decision will be taken by 24 November to go to the next phase, with the commissioning of the final design to the architect. At the same time, a decision has to be adopted concerning the tender strategy for the construction phase. Construction is scheduled to begin in July 2012 with a view to having the Court move into the new premises in 2015.

A total of 23 States Parties have informed the Registrar of their decision to opt for one-time payment of their assessed share of the budget for the permanent premises. The deadline for making such a decision is 15 October 2012.²

Visits of the President

President Wenaweser visited the seat of the Court from 11 to 14 October where he held a retreat with the heads of the three organs on Governance issues and met senior Court officials and several delegates that facilitate different topics for the Assembly. President Wenaweser intends to make another visit in January/February 2011 to continue his discussions with the Court and delegations.

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¹ <http://www.icc-cpi.int/Menus/ASP/Sessions/Documentation/9th+Session/Ninth+session+of+the+Assembly+of+States+Parties.htm>

² Resolution ICC-ASP/8/Res.8.