



## Assembly of States Parties

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### Eleventh session

The Hague, 14-22 November 2012

## Annotated list of items included in the provisional agenda

### Note by the Secretariat

The following annotated list of the items contained in the provisional agenda for the eleventh session of the Assembly of States Parties (“the Assembly”) to the Rome Statute of the International Criminal Court (ICC-ASP/11/1) has been prepared to assist the Assembly in its consideration of issues before it at its eleventh session, which will be convened in The Hague, on Wednesday, 14 November 2012, at 3 p.m. The status of the documentation reflected herein is current as at 2 November 2012.

## 1. Opening of the session by the President

In accordance with article 112, paragraph 6, of the Rome Statute, the Assembly meets once a year in regular session. In accordance with rule 5 of the Rules of Procedure of the Assembly of States Parties (“Rules of Procedure”),<sup>1</sup> the Assembly, at the 9<sup>th</sup> meeting of its tenth session, on 21 December 2011, decided to convene its eleventh session in The Hague from 14 to 22 November 2012.<sup>2</sup>

## 2. Silent prayer or meditation

Pursuant to rule 43 of the Rules of Procedure, immediately after the opening of the first plenary meeting and immediately preceding the closing of the final plenary meeting, the President shall invite the representatives to observe one minute of silence dedicated to prayer or meditation.

## 3. Adoption of the agenda

Rules 10 to 13 and 18 to 22 of the Rules of Procedure concerning the agenda are applicable to regular sessions.

In accordance with rules 10 and 11 of the Rules of Procedure, the provisional agenda for the eleventh session was issued on 15 May 2012. In accordance with rule 19 of the Rules of Procedure, the agenda shall be submitted to the Assembly for approval as soon as possible after the opening of the session.

### *Documentation*

Provisional agenda (ICC-ASP/11/1)

## 4. States in arrears

According to article 112, paragraph 8, of the Rome Statute, "A State Party which is in arrears in the payment of its financial contributions towards the costs of the Court shall have no vote in the Assembly and in the Bureau if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years."

At its fourth session, the Assembly took note of the report of the Bureau on the arrears of States Parties<sup>3</sup> and the recommendations therein and invited the Bureau to report back to the fifth session of the Assembly on the status of arrears, including on suggestions, if necessary, of measures to promote the timely, full and unconditional payment of assessed contributions and advances towards the costs of the Court. Furthermore, the Assembly decided that requests for exemption under article 112, paragraph 8, of the Rome Statute, should be submitted by States Parties to the Secretariat of the Assembly at least one month before the session of the Committee on Budget and Finance (“the Committee”), so as to facilitate the Committee’s review of the requests and that the Committee should advise the Assembly before the Assembly decided on any requests for exemption under article 112, paragraph 8, of the Rome Statute.<sup>4</sup>

At its fifth session, the Assembly renewed the appeal to States Parties in arrears to settle their accounts with the Court as soon as possible. In this connection, the Assembly adopted resolution ICC-ASP/5/Res.3 containing recommendations setting out a specific procedure for requesting exemptions from the loss of voting rights<sup>5</sup> and decided that the Bureau should review on a regular basis the status of payments received throughout the financial year of the Court and consider additional measures to promote payments by States Parties, as appropriate.<sup>6</sup>

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<sup>1</sup> *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, First session, New York, 3-10 September 2002* (ICC-ASP/1/3 and Corr.1), part II.C.

<sup>2</sup> *Official Records ... Tenth session ... 2011* (ICC-ASP/10/20), vol. I, part III, ICC-ASP/10/Res.5, para. 88.

<sup>3</sup> ICC-ASP/4/14.

<sup>4</sup> *Official Records ... Fourth session ... 2005* (ICC-ASP/4/32), part III, ICC-ASP/4/Res.4, paras. 40, 43 and 44.

<sup>5</sup> *Official Records ... Fifth session ... 2006* (ICC-ASP/5/32), part III, ICC-ASP/5/Res.3, annex III.

<sup>6</sup> *Ibid.*, para. 42.

*Documentation*

Report of the Bureau on the arrears of States Parties (ICC-ASP/11/23)

**5. Credentials of representatives of States at the eleventh session****(a) Appointment of the Credentials Committee**

Rule 25 of the Rules of Procedure of the Assembly of States Parties, provides that a Credentials Committee shall be appointed at the beginning of each session. It shall consist of representatives of nine States Parties, which shall be appointed by the Assembly on the proposal of the President.

**(b) Report of the Credentials Committee**

Representation and credentials are regulated by rules 23 to 28 of the Rules of Procedure. In accordance with rule 24, the credentials of representatives of States Parties and the names of alternates and advisers shall be submitted to the Secretariat if possible not later than 24 hours after the opening of the session. The credentials shall be issued by the Head of State or Government or by the Minister for Foreign Affairs or by a person authorized by either of them.

Under rule 25, a Credentials Committee, consisting of representatives of nine States Parties to be appointed at the beginning of each session by the Assembly on the proposal of the President, shall examine the credentials of representatives of States Parties and report to the Assembly without delay.

**6. Organization of work**

The Assembly will consider and adopt a programme of work at the beginning of the session on the basis of a proposal by the Bureau.

**7. General debate**

*No documentation*

**8. Report on the activities of the Bureau**

In accordance with article 112, paragraph 2(c), of the Rome Statute, the Assembly shall consider the reports and activities of the Bureau and take appropriate action in that regard.

*Documentation*

Report of the Bureau on legal aid (ICC-ASP/11/2)

Report of the Bureau on complementarity (ICC-ASP/11/24)

Report of the Bureau on the Plan of action for achieving universality and full implementation of the Rome Statute of the International Criminal Court (ICC-ASP/11/26)

Report of the Bureau on the Independent Oversight Mechanism (ICC-ASP/11/27)

Report of the Bureau on cooperation (ICC-ASP/11/28)

Report of the Bureau on non-cooperation (ICC-ASP/11/29)

Report of the Bureau on the strategic planning process of the International Criminal Court (ICC-ASP/11/30)

Report of the Bureau on the Study Group on Governance (ICC-ASP/11/31)

Study Group on Governance: Lessons learned: First report of the Court to the Assembly of States Parties (ICC-ASP/11/31/Add.1)

Report of the Bureau on victims and affected communities and Trust Fund for Victims and on reparations (ICC-ASP/11/32)

Report of the Bureau on the arrears of States Parties (ICC-ASP/11/23)

Report of the Bureau on equitable geographical representation and gender balance in the recruitment of staff of the International Criminal Court (ICC-ASP/11/33)

Report of the Study Group on Governance on rule 132 *bis* of the Rules of Procedure and Evidence (ICC-ASP/11/41)

## **9. Report on the activities of the Court**

Under article 112, paragraph 2(b), of the Rome Statute, the Assembly shall provide management oversight to the Presidency, the Prosecutor and the Registrar regarding the administration of the Court. In accordance with article 112, paragraph 5, of the Rome Statute, the President of the Court, the Prosecutor and the Registrar or their representatives may participate in meetings of the Assembly. As provided in rule 34 of the Rules of Procedure, they may make oral or written statements and provide information on any question under consideration. Accordingly, the President of the Court will present a report on the activities of the Court since the previous session of the Assembly.

### *Documentation*

Report on the activities of the Court (ICC-ASP/11/21)

## **10. Report of the Board of Directors of the Trust Fund for Victims**

By its resolution ICC-ASP/1/Res.6,<sup>7</sup> the Assembly established a Trust Fund for the benefit of victims of crimes within the jurisdiction of the Court, and of the families of such victims, as well as a Board of Directors of the Trust Fund for the benefit of victims.

In accordance with paragraph 11 of resolution ICC-ASP/1/Res.6, the Board shall report annually to the Assembly on the activities and projects of the Fund and on all offered voluntary contributions, regardless of whether they were accepted or refused.

### *Documentation*

Report to the Assembly of States Parties on the activities and projects of the Board of Directors of the Trust Fund for Victims for the period 1 July 2011 to 30 June 2012 (ICC-ASP/11/14)

## **11. Election of the Deputy Prosecutor**

Article 42, paragraph 4, of the Rome Statute, provides that the Deputy Prosecutor(s) shall be elected by secret ballot by an absolute majority of the members of the Assembly from a list of candidates provided by the Prosecutor. The Prosecutor shall nominate three candidates for each position of Deputy Prosecutor to be filled. In accordance with article 42 (4) of the Rome Statute, unless a shorter term is decided upon at the time of the election, the Deputy Prosecutor shall hold office for a term of nine years and shall not be eligible for re-election. The procedure for the nomination and election of Deputy Prosecutor(s) is regulated by Assembly resolution ICC-ASP/1/Res.2.

### *Documentation*

Election of the Deputy Prosecutor of the International Criminal Court (ICC-ASP/11/17)

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<sup>7</sup> *Official Records ... First session, New York, 3-10 September 2002* (ICC-ASP/1/3 and Corr.1), part IV.

## 12. Election of the members of the Board of Directors of the Trust Fund for Victims

By resolution ICC-ASP/1/Res.6, the Assembly established a Trust Fund for the benefit of victims of crimes within the jurisdiction of the Court, and of the families of such victims, as well as a Board of Directors of the Trust Fund. The relevant resolutions for the nomination and election of the members of the Board are ICC-ASP/1/Res.6 (as amended by resolutions ICC-ASP/4/Res.5 and ICC-ASP/4/Res.7) and ICC-ASP/1/Res.7.

At the 5th meeting of its second session, on 12 September 2003, the Assembly elected the five members of the Board of Directors whose terms of office commenced on the same date. At the 6th and 9th meetings of the fifth session, held, respectively, on 30 November 2006 and 1 February 2007, the Assembly elected five members of the Board of Directors to fill the vacancies arising upon the conclusion of the terms of office of the first Board members.

At its seventh meeting, on 28 February 2012, the Bureau decided that the fourth election of the members of the Board of Directors of the Trust Fund for Victims would be held during the eleventh session of the Assembly and that the nomination period for the fourth election would run from 16 May to 8 August 2012. Following the withdrawal of one nomination on 11 October 2012, and in accordance with the 15 October 2012 decision of the Bureau, the nomination period for the members of the Board was reopened for a period of two weeks, from 18 October to 1 November 2012.

The Assembly would elect five members of the Board of Directors for a three-year term, to commence on 1 December 2012, to fill the vacancies arising upon the conclusion of the terms of office of the current members of the Board on 30 November 2012.

### *Documentation*

Fourth election of members of the Board of Directors of the Trust Fund for Victims (ICC-ASP/11/34)

## 13. Consideration and adoption of the budget for the eleventh financial year

In accordance with article 112, paragraph 2(d), of the Rome Statute, the Assembly shall consider and decide on the budget of the Court.

Regulation 3 of the Financial Regulations and Rules of the Court provides that the Registrar shall prepare the proposed programme budget for each financial period and submit it to the States Parties as well as to the Committee on Budget and Finance for consideration. The Committee shall make the relevant recommendations to the Assembly.

At its third session, the Assembly endorsed the recommendation of the Committee that the Court should include in future performance reports data on financial performance and results achieved rather than outputs. This information should be submitted annually to the Assembly through the Committee either in the draft programme budget or in a separate performance report.<sup>8</sup>

### *Documentation*

Progress report of the Court on the implementation of International Public Sector Accounting Standards (ICC-ASP/11/3)

Report of the Court on proposed amendments to the Financial Regulations and Rules (ICC-ASP/11/4)

Report of the Committee on Budget and Finance on the work of its eighteenth session (ICC-ASP/11/5)

<sup>8</sup> *Official Records ... Third session ... 2004* (ICC-ASP/3/25), part II.A.8(b), para. 50, and part II.A.1, para. 4.

Report of the Court on human resources management (ICC-ASP/11/7)

Report on programme performance of the International Criminal Court for the year 2011 (ICC-ASP/11/8)

Proposed Programme Budget for 2013 of the International Criminal Court (ICC-ASP/11/10, Corr.1 and Corr.2)

Report of the Court on its budgeting process (ICC-ASP/11/11)

Report to the Assembly of States Parties on the projects and the activities of the Board of Directors of the Trust Fund for Victims for the period 1 July 2011 to 30 June 2012 (ICC-ASP/11/14)

Report of the Committee on Budget and Finance on the work of its nineteenth session (ICC-ASP/11/15)

Report on budget performance of the International Criminal Court as at 30 June 2012 (ICC-ASP/11/16)

#### **14. Consideration of the audit reports**

Regulation 12 of the Financial Regulations and Rules provides that the Assembly shall appoint an Auditor to conduct audits in conformity with generally accepted common auditing standards, subject to any special directions of the Assembly and in accordance with the additional terms of reference set out in the annex to the Financial Regulations and Rules. At the 11<sup>th</sup> meeting of its first session, on 22 April 2003, the Assembly was informed that the Bureau, acting under the delegated authority of the Assembly,<sup>9</sup> had appointed the National Audit Office of the United Kingdom of Great Britain and Northern Ireland as Auditor for the Court for a period of four years.<sup>10</sup>

In accordance with regulation 12.7, the Auditor shall issue a report on the audit of the financial statements and relevant schedules relating to the accounts for the financial period. In accordance with regulations 12.8 and 12.9, audit reports, before their submission to the Assembly, are subject to examination by the Registrar and the Committee on Budget and Finance. The Assembly considers and approves the financial statements and audit reports forwarded to it by the Committee.

At its tenth session, the Assembly endorsed the Committee's recommendation to appoint *la Cour des comptes* (France) as the new External Auditor of the International Criminal Court and the Trust Fund for Victims for four years starting with the financial year 2012.<sup>11</sup>

##### *Documentation*

Financial statements for the period 1 January to 31 December 2011 (ICC-ASP/11/12)

Trust Fund for Victims - Financial statements for the period 1 January to 31 December 2011 (ICC-ASP/11/13)

#### **15. Premises of the Court**

At its sixth session, the Assembly adopted resolution ICC-ASP/6/Res.1, whereby it, inter alia, decided that the permanent premises of the Court should be constructed on the Alexanderkazerne site. Furthermore, the Assembly established an Oversight Committee, composed of ten States Parties, to provide strategic oversight for the permanent premises project in accordance with annex II of that resolution.<sup>12</sup>

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<sup>9</sup> *Official Records ... First session, New York, 3-10 September 2002* (ICC-ASP/1/3 and Corr.1), part I, para. 29.

<sup>10</sup> *Official Records... First session (first and second resumptions) ... 2003* (ICC-ASP/1/3/Add.1), part I, para. 40.

<sup>11</sup> *Official Records ... Tenth session ... 2011* (ICC-ASP/10/20), vol. I, part II, para. 10.

<sup>12</sup> *Official Records ... Sixth session ... 2007* (ICC-ASP/6/20), vol. I, part. III, ICC-ASP/6/Res.1, paras. 1 and 4.

Annex II of that resolution also provides, inter alia, that the Oversight Committee shall submit any draft resolutions or information to the Assembly through the Bureau and provides that the Chairperson of the Oversight Committee shall report to the Assembly.

At its tenth session, the Assembly adopted resolution ICC-ASP/10/Res. 6, whereby it welcomed the completion of the final design stage and reiterated its firm intention that the permanent premises be delivered within the €190 million budget (at 2014 price) as per resolution ICC-ASP/6/Res.1. The Assembly further approved that the non-integrated elements (2gv) be submitted as part of the annual budget of the Court, whereas the integrated elements (3gv) shall be incorporated in the overall construction budget of €190 million. The Assembly also approved the revised governance arrangements adopted by the Oversight Committee and welcomed the improved effectiveness of the decision making process.

*Documentation*

Report on the activities of the Oversight Committee (ICC-ASP/11/35)

## **16. Recommendations concerning the election of the Registrar**

Under the terms of article 43, paragraph 2, of the Rome Statute of the International Criminal Court, the Registry of the Court is to be headed by the Registrar, who shall be the principal administrative officer of the Court. Pursuant to paragraph 3 of the same provision, the Registrar shall be a person of high moral character, be highly competent and have an excellent knowledge of and be fluent in at least one of the working languages of the Court.

Rule 12 of the Rules of Procedure and Evidence<sup>13</sup> provides, in paragraph 1, that “the Presidency shall establish a list of candidates who satisfy the criteria laid down in article 43, paragraph 3, and shall transmit the list to the Assembly of States Parties with a request for any recommendations.”

Upon receipt of any such recommendations from the Assembly of States Parties, the judges, acting under the terms of article 43, paragraph 4, of the Rome Statute, and in accordance with the procedure laid down in paragraphs 2 and 3 of rule 12 of the Rules of Procedure and Evidence, shall, as soon as possible, elect the Registrar by an absolute majority by secret ballot, taking into account the above-mentioned recommendations of the Assembly of States Parties.

*Documentation*

Election of the Registrar of the International Criminal Court (ICC-ASP/11/19)

Draft recommendation concerning the election of the Registrar of the International Criminal Court (ICC-ASP/11/19/Add.1)

## **17. Independent Oversight Mechanism**

At its eighth session, by resolution ICC-ASP/8/Res.1, the Assembly established the Independent Oversight Mechanism in accordance with article 112, paragraph 4, of the Rome Statute. It was decided that the independent professional investigative capacity would be implemented immediately, while the inspection and evaluation elements would be brought into operation subject to a later decision of the Assembly.

At its ninth session, by resolution ICC-ASP/9/Res.5, the Assembly decided that the investigative function of the Independent Oversight Mechanism shall operate in accordance with the provisions in the appendix to that resolution (“the Operational Mandate”), and decided further that the Bureau would prepare a report on the operationalization of the investigative function of the Independent Oversight Mechanism and the operation of the inspection and evaluation functions within the oversight mechanism, including the terms of

<sup>13</sup>Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, First session, New York, 3-10 September 2002 (United Nations publication, Sales No. E.03.V.2 and corrigendum), part II.A.

reference and related financial implications, with a view to a decision on its adoption at the eleventh session of the Assembly.

At its tenth session, the Assembly decided to continue discussions on the Independent Oversight Mechanism in close consultation with the organs of the Court, fully respecting the provisions in the Rome Statute regarding judicial and prosecutorial independence and the management oversight of the Assembly of States Parties, including articles 40, 42 and 112, with a view for the Bureau to submit, to the eleventh session of the Assembly, a comprehensive proposal that would make possible the full operationalization of the Independent Oversight Mechanism. It further invited the Independent Oversight Mechanism, working in close consultation with the organs of the Court, Staff Union Council and States Parties, to develop an anti-retaliation/whistleblower policy, with a view to its adoption by the Court at the earliest time possible.<sup>14</sup>

*Documentation*

Report of the Bureau on the Independent Oversight Mechanism (ICC-ASP/11/27)

## **18. Amendments to the Rome Statute and the Rules of Procedure and Evidence**

By resolution ICC-ASP/8/Res.6, the Assembly established a Working Group of the Assembly of States Parties for the purpose of considering, as from its ninth session, amendments to the Rome Statute proposed in accordance with article 121, paragraph 1, of the Statute at its eighth session,<sup>15</sup> as well as any other possible amendments to the Rome Statute and to the Rules of Procedure and Evidence, with a view to identifying amendments to be adopted in accordance with the Rome Statute and the Rules of Procedure of the Assembly of States Parties.

*Documentation*

Report of the Working Group on Amendments (ICC-ASP/11/36)

Report of the Study Group on rule 132 *bis* of the Rules of Procedure and Evidence (ICC-ASP/11/41)

## **19. Cooperation**

By resolution ICC-ASP/10/Res.2, the Assembly requested the Bureau to establish a facilitation of the Assembly of States Parties for cooperation to consult with States Parties, the Court and non-governmental organizations, as well as other interested States and relevant organizations in order to further strengthen cooperation with the Court. It also decided that the Assembly shall continue to monitor cooperation with a view to facilitating States Parties in sharing their experiences and considering other initiatives to enhance cooperation and, furthermore, requested the Bureau to report on significant developments to the Assembly of States Parties at its eleventh session.<sup>16</sup>

*Documentation*

Report of the Bureau on cooperation (ICC-ASP/11/28)

On Friday, 16 November 2012, the Assembly will hold a panel discussion in plenary session to consider the topic of cooperation, with a specific focus on a) arrests; and b) identification, tracing, freezing and seizure of assets. The concept note prepared by the facilitator for cooperation, Ambassador Anniken Krutnes (Norway), contains relevant details:

<http://www.icc-cpi.int/Menus/Go?id=cee07024-9374-4e2f-aade-3fb131297cf5&lan=en-GB>  
<http://www.icc-cpi.int/Menus/Go?id=cee07024-9374-4e2f-aade-3fb131297cf5&lan=fr-FR>

<sup>14</sup> *Official Records ... Tenth session ...* 2011 (ICC-ASP/10/20), vol. I, part III, ICC-ASP/10/Res.5, paras. 66 – 67.

<sup>15</sup> *Official Records ... Eighth session ...* 2009 (ICC-ASP/8/20), vol. I, annex II.

<sup>16</sup> *Official Records ... Tenth session ...* 2011 (ICC-ASP/10/20), vol. I, part III, ICC-ASP/10/Res.2, paras. 13-15.



## 20. Review Conference follow-up

The Review Conference, in its consideration of the stocktaking topics, adopted relevant resolutions and a declaration. The Bureau, through its Working Groups, has considered the follow-up to the decisions of the Review Conference on the respective topics.

By resolution ICC-ASP/10/Res.5, the Assembly welcomed, *inter alia*, the substantive discussions carried out within the framework of the stocktaking exercise on international criminal justice to identify opportunities and challenges presented to the Court and the Rome Statute system and committed to the implementation of the resolutions on “Complementarity,” “Impact of the Rome Statute system on victims and affected communities,” and “Enforcement of Sentences,” and the declaration on “Cooperation” as critical next steps in meeting these challenges.<sup>17</sup>

### (a) Complementarity

At its tenth session, the Assembly requested the Bureau to remain seized of this issue and to continue the dialogue with the Court and other stakeholders on complementarity and the further implementation of the Review Conference resolution on complementarity; welcomed the report by the Secretariat on the progress in giving effect to its mandate set out in resolution RC/Res.1 and requested it to report to the eleventh session of the Assembly on further progress in this regard. Furthermore, the Assembly welcomed the report of the Court on complementarity, recalled its limited role in strengthening national jurisdictions, noted that the Court in carrying out its judicial mandate could have a positive impact on the ability and willingness of domestic jurisdictions to investigate and prosecute Rome Statute crimes and can have a positive impact on the functioning of the Rome Statute system, and requested the Court to further cooperate with the Secretariat on this issue and report to the next Assembly session.<sup>18</sup>

On Monday, 19 November 2012, the Assembly will hold a panel discussion in plenary session to consider the topic of complementarity. The concept note prepared by the co-focal points, Denmark and South Africa, contains relevant details:

<http://www.icc-cpi.int/Menus/Go?id=cee07024-9374-4e2f-aade-3fb131297cf5&lan=en-GB>  
<http://www.icc-cpi.int/Menus/Go?id=cee07024-9374-4e2f-aade-3fb131297cf5&lan=fr-FR>

### (b) Peace and justice

At the tenth session, the Assembly recalled that the Review Conference also conducted, as part of its stocktaking exercise, a panel discussion on peace and justice, took note with appreciation of the moderator’s summary and commended this topic for further exploration and development.<sup>19</sup>

### (c) The impact of the Rome Statute system on victims and affected communities

At its tenth session, the Assembly noted the ongoing work of the Court in reviewing its Strategy in relation to victims and its report thereon and requested the Court to finalize the review in consultation with States Parties and other relevant stakeholders and report thereon in advance of the Assembly at its eleventh session. Furthermore, it noted with concern reports from the Court on the continued backlogs the Court has had in processing applications from victims seeking to participate, a situation which might impact on effective implementation of the rights of victims under the Rome Statute, and underlined the need to consider reviewing the victim participation system with a view to ensuring its sustainability, effectiveness and efficiency and requested the Court to conduct such a review in close consultation with the Bureau and relevant stakeholders and to report thereon to the Assembly at its eleventh session.<sup>20</sup>

<sup>17</sup> *Ibid.*, ICC-ASP/10/Res.5, para. 77.

<sup>18</sup> *Ibid.*, paras. 60-62.

<sup>19</sup> *Ibid.*, para. 78.

<sup>20</sup> *Ibid.*, paras. 48 – 49.

*Documentation*

Report of the Bureau on complementarity (ICC-ASP/11/24)

Report of the Secretariat on complementarity (ICC-ASP/11/25)

Report of the Court on complementarity (ICC-ASP/11/39)

Report of the Bureau on victims and affected communities and Trust Fund for Victims and on reparations (ICC-ASP/11/32)

## **21. Advisory Committee on the nomination of judges**

Article 36, paragraph 4 (c), of the Rome Statute provides that the Assembly “may decide to establish, if appropriate, an Advisory Committee on nominations. In that event, the Committee’s composition and mandate shall be established by the Assembly of States Parties.”

At its tenth session, the Assembly welcomed the report adopted by the Bureau pursuant to paragraph 25 of resolution ICC-ASP/9/Res.3,<sup>21</sup> decided to adopt the recommendations contained therein, and requested the Bureau to start the process of preparing the election, by the Assembly of States Parties, of the members of the Advisory Committee on nominations of judges of the International Criminal Court in accordance with the terms of reference annexed to the report.

*Documentation*

Designation of the members of the Advisory Committee on Nominations (ICC-ASP/11/18)

Report of the Bureau Working Group on the Advisory Committee on Nominations (ICC-ASP/11/47)

## **22. Decision concerning the date of the next session of the Assembly of States Parties**

In accordance with rule 5 of the Rules of Procedure, the date of commencement and the duration of each session of the Assembly shall be decided by the Assembly at its previous session. At its tenth session, the Assembly decided to hold its eleventh session in The Hague from 14 to 22 November 2012 and to hold its twelfth, thirteenth and fourteenth sessions in The Hague and in New York, alternately.

## **23. Decisions concerning the dates and venue of the next sessions of the Committee on Budget and Finance**

In accordance with paragraph 4 of the annex to resolution ICC-ASP/1/Res.4, the Committee on Budget and Finance shall meet when required and at least once per year. At its nineteenth session, the Committee decided, tentatively, to hold its twentieth session from 22 to 26 April 2013 and its twenty-first session from 9 to 18 September 2013, respectively.<sup>22</sup>

## **24. Other matters**

*No documentation*

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<sup>21</sup> Report of the Bureau on the establishment of an Advisory Committee on the appointment of judges of the International Criminal Court (ICC-ASP/10/36).

<sup>22</sup> *Official Records ... Eleventh session ... 2011* (ICC-ASP/11/20), vol. II, part B. II, para. 175.