



BUREAU OF THE ASSEMBLY OF STATES PARTIES

Sixteenth meeting

16 December 2020

via Zoom remote link

Agenda and decisions

The meeting was chaired by the President of the Assembly, Mr. O-Gon Kwon (Republic of Korea). The Vice-President of the Assembly, Ambassador Jens-Otto Horslund (Denmark), also participated.

1. ASP19- requests for exemption from loss of voting rights

The Bureau considered a 14 December 2020 request for exemption from the loss of voting rights pursuant to article 112, paragraph 12, of the Rome Statute, submitted by Comoros, and decided to recommend that the Assembly grant the exemption from the loss of voting rights.

The Bureau recalled the recommendations of the Committee on Budget and Finance¹ concerning requests for exemptions from the loss of voting rights in light of article 112, paragraph 8,² as well as the past practice of the Assembly in this regard. It recalled in this regard its 14 December decision to recommend that, for future sessions of the Assembly, requests for exemption would be considered only if submitted before the opening of the session.

2. Update by the Coordinator- draft IER resolution

The Coordinator of the negotiations on the draft resolution on the review of the International Criminal Court and the Rome Statute system, Vice-President Ambassador Jens-Otto Horslund (Denmark), updated the Bureau on the status of the on-going negotiations. The President wished the working groups a successful conclusion of the negotiations.

3. Preparations for the resumed nineteenth session

a) Nomination of national tellers

The Bureau recommended that the Assembly appoint the following additional State Party representatives as national tellers for the elections to be held during the nineteenth session:

Eastern European group:

- Ms. Kristine Fainveica (Latvia)
- Ms. Petra Mijić (Croatia)

Group of Latin American and Caribbean States (GRULAC):

- Ms. Beatriz Clará de Vassil (El Salvador)

¹ Reports of the Committee on Budget and Finance on the work of its thirty-second session (ICC-ASP/18/5), paras. 29-30; on the work of its thirty-third session (ICC-ASP/18/15), paras. 170-171; on the work of its thirty-fourth session (ICC-ASP/19/5), paras. 38-41; and on the work of its thirty-fifth session (ICC-ASP/19/15), paras. 155-158.

² Article 112, paragraph 8, provides in the relevant part as follows:

“a State Party which is in arrears in the payment of its financial contributions toward 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.”

The President encouraged regional groups that had not yet submitted the names of two national tellers to do so before the end of the day.

b) Appointment of a member of the Credentials Committee

The Bureau took note that the appointment of a ninth member of the Credentials Committee was outstanding. The President encouraged regional groups to nominate one additional State Party for appointment to the Credentials Committee pursuant to rule 25³ of the Rules of Procedure of the Assembly.

The Bureau took note further that, under rule 26⁴ of the Rules of Procedure of the Assembly of States Parties, States were entitled to participate provisionally in the session of the Assembly, and that the Assembly had applied the rule in practice.

4. Election of the Bureau for the twentieth to twenty-second sessions

The Bureau recommended, on the basis of a 15 December 2020 note verbale from the Permanent Mission of South Africa in its capacity as Coordinator of the African States Parties, that the Assembly elect the following States Parties to the Bureau for the twentieth to the twenty-second sessions of the Assembly: Republic of Côte d'Ivoire, Republic of The Gambia, Republic of Ghana, Republic of Kenya, and Republic of Senegal.

5. Mandate of the current Bureau

The Bureau had before it a paper titled "Draft recommendations by the Bureau concerning a possible second resumption of the nineteenth session of the Assembly and the term of the current Bureau in relation thereto", dated 15 December 2020.

The Bureau decided to propose to the Assembly for its consideration the draft recommendations contained therein.

* * *

The President noted that the sixteenth meeting was the final Bureau meeting that he had chaired in The Hague, and expressed his deepest appreciation for the cooperation and good spirit that had always existed in the meetings over the past three years.

* * *

³ **Rule 25
Credentials Committee**

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. The Committee shall elect its own officers. It shall examine the credentials of representatives of States Parties and report to the Assembly without delay.

⁴ **Rule 26
Provisional admission to a session**

Pending a decision of the Assembly upon their credentials, representatives of States Parties shall be entitled to participate provisionally in the Assembly.