



Assembly of States Parties

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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 nineteenth session of the Assembly of States Parties (“the Assembly”) to the Rome Statute of the International Criminal Court (ICC-ASP/19/1) has been prepared to assist the Assembly in its consideration of issues before it at its nineteenth session. As a result of the restrictions related to the COVID-19 pandemic, the Bureau decided on 1 and 23 October 2020 that the nineteenth session would be held in The Hague from 14 to 16 December 2020 and that the resumed nineteenth session would tentatively be held at United Nations Headquarters, New York, from 17 to 23 December 2020. The status of the documentation reflected herein is current as at 2 December 2020.

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. At the 9th meeting of the eighteenth session, on 6 December 2019, the Assembly decided to hold its nineteenth session in New York from 7 to 17 December 2020. On 1 and 23 October 2020, the Bureau took decisions to hold the nineteenth session in The Hague from 14 to 16 December 2020, and to tentatively hold the resumed nineteenth session in New York from 17 to 23 December 2020.

2. Silent prayer or meditation

Pursuant to rule 43 of the Rules of Procedure of the Assembly of States Parties, 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 nineteenth session was issued on 9 January 2020. 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/19/1)

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

In accordance with article 112, paragraphs 3 (a) and (b), of the Rome Statute, the Assembly shall have a Bureau consisting of a President, two Vice-Presidents and 18 members elected by the Assembly for three-year terms. Furthermore, the Bureau shall have a representative character, taking account, in particular, equitable geographical distribution and the adequate representation of the principal legal systems of the world.

In accordance with rule 29 of the Rules of Procedure of the Assembly of States Parties,¹ “[s]hould the regular session of the Assembly marking the end of the Bureau’s term of office be held later in the calendar year than the previous regular session, the Bureau shall continue to serve until the conclusion of that session. Unless the Assembly decides otherwise, the Assembly shall elect a new composition of the Bureau at the regular session marking the end of the term of office of the Bureau. The Bureau so elected shall assume its functions only at the conclusion of the session at which it is elected and shall hold office until the end of its term. The Bureau shall assist the Assembly in the discharge of its responsibilities.”

At its nineteenth session, the Assembly will elect the President for the twentieth to twenty-second sessions.

5. Election of two Vice-Presidents and eighteen members of the Bureau for the twentieth to twenty-second sessions

Pursuant to rule 29 of the Rules of Procedure, as amended by resolutions ICC-ASP/3/Res.2 and ICC-ASP/12/Res.8, at the 5th meeting of its third session, the Assembly agreed on the following composition of the Bureau:

- (a) Group of African States: 5 seats;
- (b) Group of Asia-Pacific States: 3 seats.

¹ As amended by resolution ICC-ASP/12/Res.8, annex III.

- (c) Group of Eastern European States: 4 seats;
- (d) Group of Latin American and Caribbean States: 4 seats; and
- (e) Group of Western European and other States: 5 seats;

At its nineteenth session, the Assembly, pursuant to rule 29 of its Rules of Procedure, will elect the Bureau for the twentieth to twenty-second sessions of the Assembly. It will also elect two Vice-Presidents from among the Bureau members for the same term.

6. 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 Parties² 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.³

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 rights⁴ 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.⁵

At its eighteenth session, the Assembly decided that the Bureau, through the President of the Assembly, the Coordinator of the Working Group and the facilitator on arrears, “should continue to monitor the status of payments received throughout the financial year of the Court and consider additional measures to promote payments by all States Parties, as appropriate, continue to engage in dialogue with States Parties that have outstanding contributions or are in arrears, and via the annual facilitation on the topic of arrears, report thereon to the Assembly at its nineteenth session”.⁶

Documentation

Report of the Bureau on the arrears of States Parties (ICC-ASP/19/27)

7. Credentials of representatives of States at the nineteenth 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.

² ICC-ASP/4/14.

³ *Official Records ... Fourth session ... 2005* (ICC-ASP/4/32), part III, ICC-ASP/4/Res.4, paras. 40, 43 and 44.

⁴ *Official Records...Fifth session... 2006* (ICC-ASP/5/32), part III, ICC-ASP/5/Res.3, annex III.

⁵ *Ibid.*, para. 42.

⁶ *Official Records...Eighteenth session... 2019* (ICC-ASP/19/20), vol. I, part III, ICC-ASP/18/Res.6, annex I, para. 16(b).

(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.

8. 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.

9. General debate

Each State Party, Observer State, Invited State and a limited number of representatives of civil society shall be invited to participate in the general debate. Ministers, Vice-Ministers and State Secretaries may either deliver a five minute statement from their respective seat in the conference room or have their pre-recorded video played during the plenary meeting during this agenda item. Other statements may be submitted via a pre-recorded video or a written statement, which will be posted on the Assembly webpage.

No documentation

10. 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 Judicial Remuneration Panel (ICC-ASP/19/18)

Report of the Bureau on the Study Group on Governance (ICC-ASP/19/21)

Report of the Bureau on complementarity (ICC-ASP/19/22)

Report of the Bureau on non-cooperation (ICC-ASP/19/23)

Report of the Bureau on the Review of the work and the Operational Mandate of the Independent Oversight Mechanism (ICC-ASP/19/24)

Report of the Court on cooperation (ICC-ASP/19/25)

Annual report of the Head of the Independent Oversight Mechanism (ICC-ASP/19/26)

Report of the Working Group on Amendments (ICC-ASP/19/28)

Report of the Bureau on equitable geographical representation and gender balance in the recruitment of staff of the International Criminal Court (ICC-ASP/19/29)

Report of the Bureau on the Plan of action of the Assembly of States Parties for achieving universality and full implementation of the Rome Statute of the International Criminal Court (ICC-ASP/19/30)

Report of the Bureau on the Budget sub-topics of Budget Management Oversight and Premises (ICC-ASP/19/31)

Report on the Constitution and Activities of the International Criminal Court Bar Association ("ICCBA") (ICC-ASP/19/32)

Report of the Bureau on cooperation (ICC-ASP/19/33)

11. 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 eighteenth session of the Assembly.

Documentation

Report on the activities of the International Criminal Court (ICC-ASP/19/9)

12. Report of the Board of Directors of the Trust Fund for Victims

By its resolution ICC-ASP/1/Res.6,⁷ 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 projects and the activities of the Board of Directors of the Trust Fund for Victims for the period 1 July 2019 to 30 June 2020 (ICC-ASP/19/14)

13. Review of the International Criminal Court and the Rome Statute system

Further to the decision of the Assembly at the eighteenth session to commission an Independent Expert Review of the International Criminal Court and the Rome Statute system and to appoint a Group of Independent Experts for this purpose (ICC-ASP/18/Res.7), the Assembly will consider the report and recommendations of the Group of Independent Experts and take decisions on their implementation.

Documentation

Independent Expert Review of the International Criminal Court and the Rome Statute System - Final Report, 30 September 2020 (ICC-ASP/19/16)

14. Election of the Prosecutor

In accordance with paragraph 28 of resolution ICC-ASP/1/Res.2, as amended by resolution ICC-ASP/3/Res.6, the procedures for the nomination of candidates for judges shall apply *mutatis mutandis* to the nomination of the Prosecutor. In addition, in accordance with paragraph 29 of resolution ICC-ASP/1/Res.2, as amended by resolution ICC-ASP/3/Res.6, nominations for the post of the Prosecutor should preferably be made with the support of multiple States Parties. In accordance with paragraph 33 of resolution ICC-ASP/1/Res.2, as amended by resolution ICC-ASP/3/Res.6, every effort shall be made to elect the Prosecutor by consensus.

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

On 3 April 2019, the Bureau adopted the Terms of Reference for the Election of the Prosecutor,⁸ which provided that the procedures for the nomination and election of the Prosecutor would be supplemented by the work of a Committee on the Election of the Prosecutor, assisted by a panel of experts. The Committee submitted its report⁹ on 30 June 2020. On 13 November 2020 the Bureau adopted the “Election of the Prosecutor: Way forward”, which supplemented the process set out in the Terms of Reference. On 25 November 2020, pursuant to the “Way forward”, the Committee on the Election of the Prosecutor submitted an addendum to its report.¹⁰

On 30 June 2020, the Bureau decided to open the nomination period for the election of the Prosecutor in accordance with resolution ICC-ASP/1/Res.2 as amended by resolution ICC-ASP/3/Res.6. The nomination period was open between 1 July and 22 September 2020, and was extended until 22 October, 22 November and 13 December, respectively.

Documentation

Report of the Committee on the Election of the Prosecutor (ICC-ASP/19/INF.2, Add.1, Add.2, Add.3 and Add.4)

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

15. Election of six judges

On 18 December 2019, the Bureau decided to open the nomination period for the election of six judges in accordance with paragraph 3 of resolution ICC-ASP/3/Res.6, as amended by resolutions ICC-ASP/5/Res.5, ICC-ASP/12/Res.8, annex I, and ICC-ASP/14/Res.4, annex II.

Under the terms of article 36 of the Rome Statute, six judges will be elected to serve for a term of nine years. According to paragraphs 3 and 5, the judges are to be nominated from among persons of high moral character, impartiality and integrity who possess the qualifications required in their respective State for appointment to the highest judicial offices. Every candidate for election to the Court should also have an excellent knowledge of and be fluent in at least one of the working languages of the Court. In addition, two lists of candidates have been established:

(a) *List A:* Candidates having established competence in criminal law and procedure, and the necessary relevant experience, whether as judge, prosecutor, advocate or in other similar capacity, in criminal proceedings;

(b) *List B:* Candidates having established competence in relevant areas of international law such as international humanitarian law and the law of human rights, and extensive experience in a professional legal capacity which is of relevance to the judicial work of the Court.

For purposes of this election to the Court, States Parties will vote for at least one candidate from List A and at least one candidate from List B. In addition, States Parties will vote for at least one candidate from the Eastern European group and at least two candidates from the Group of Latin American and Caribbean States. Furthermore, they shall vote for at least one female candidate.

In accordance with the decision of the Bureau at its 18 December 2019 meeting, the nomination period ran from 6 January to 30 March 2020 (Central European Time), and was extended by the Bureau under an emergency extension until 30 April 2020. Thereafter, the nomination period was extended once, by the decision of the President of the Assembly pursuant to ICC-ASP/3/Res.6, until 14 May 2020.

⁸ ICC-ASP/18/INF.2.

⁹ ICC-ASP/19/INF.2, Add.1 and Add.2.

¹⁰ ICC-ASP/19/INF.2/Add.3 and Add.4.

Documentation

Seventh election of judges of the International Criminal Court (ICC-ASP/19/2/Rev.1)

Seventh election of judges of the International Criminal Court (ICC-ASP/19/2/Rev.2 (English only))

Seventh election of judges of the International Criminal Court (ICC-ASP/19/2/Add.1 (Arabic and Spanish))

Seventh election of judges of the International Criminal Court (ICC-ASP/19/2/Add.1/Rev.1 (English and French))

Seventh election of judges of the International Criminal Court (ICC-ASP/19/2/Add.2)

Election of the judges of the International Criminal Court: guide for the seventh election (ICC-ASP/19/3)

Report of the Advisory Committee on Nominations of Judges on the work of its seventh session (ICC-ASP/19/11)

Informal guide and commentary to the procedure for the nomination and election of judges of the International Criminal Court (ICC-ASP/16/INF.2)

16. Election of six members of the Committee on Budget and Finance

By resolution ICC-ASP/1/Res.4, the Assembly established a Committee on Budget and Finance. The Committee is composed of 12 members of different nationalities who shall be experts of recognized standing and experience in financial matters at the international level from States Parties. They shall be elected by the Assembly for a term of office of three years on the basis of equitable geographical distribution.

On 25 February 2020, the Bureau of the Assembly of States Parties decided that the election of six members of the Committee on Budget and Finance would take place at the nineteenth session of the Assembly. Pursuant to the decision of the Bureau, the nomination period for the candidates for six seats on the Committee on Budget and Finance ran from 8 June to 30 August 2020 (Central European Time).

The distribution of seats among the regional groups for the purpose of the first election was established in paragraph 8 of resolution ICC-ASP/1/Res.5 as follows:

- (a) Two seats for the Group of African States;
- (b) Two seats for the Group of Asian States;
- (c) Two seats for the Group of Eastern European States;
- (d) Two seats for the Group of Latin American and Caribbean States; and
- (e) Four seats for the Group of Western European and Other States.

The six members whose terms of office will end on 20 April 2021 belong to the following regional groups:

- (a) African States- one seat;
- (b) Asia-Pacific States- two seats;
- (c) Eastern European States- one seat;
- (d) Latin American and Caribbean States- one seat; and
- (e) Western European and Other States- one seat.

At the close of the nomination period on 30 August 2020, six nominations had been received. Of the six nominations, one was submitted by the Group of African States; two by the Group of Asia-Pacific States; one by the Group of Eastern European States; one by the Group of Latin American and Caribbean States; and one by the Group of Western European and other States.

The members will be elected for three-year terms commencing on 21 April 2021 and ending on 31 December 2023, in accordance with the 12 November 2019 recommendation of the Bureau (https://asp.icc-cpi.int/iccdocs/asp_docs/ASP18/ICC-ASP-18-Bureau-10.pdf)

Documentation

Election of members of the Committee on Budget and Finance (ICC-ASP/19/6)

17. Consideration and adoption of the budget for the nineteenth 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.¹¹

Documentation

Report on activities and programme performance of the International Criminal Court for the year 2019 (ICC-ASP/19/7)

Report of the Court on Human Resources Management (ICC-ASP/19/4)

Report of the Committee on Budget and Finance on the work of its thirty-fourth session (ICC-ASP/19/5)¹²

Proposed Programme Budget for 2020 of the International Criminal Court (ICC-ASP/19/10, and Corr.1)¹³

Report of the Committee on Budget and Finance on the work of its thirty-fifth session (ICC-ASP/19/15)¹⁴

Report of the Registry on the approximate costs allocated so far within the Court in relation to referrals by the Security Council (ICC-ASP/19/17)

Report of the Bureau on the Budget sub-topics of Budget Management Oversight and Premises (ICC-ASP/19/31)

Proposed Programme Budget for 2020 of the International Criminal Court – Executive Summary (ICC-ASP/19/INF.3)

18. 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 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 2012.¹⁵ At its fourteenth session, the Assembly agreed to extend the term of the External

¹¹ *Official Records ... Third session ... 2004* (ICC-ASP/3/25), part II.A.8 (b), para. 50, and part II.A.1, para. 4.

¹² *Official Records ... Nineteenth session ... 2020* (ICC-ASP/19/20), vol. II, part B.1.

¹³ *Ibid.*, part A.

¹⁴ *Ibid.*, part B.2.

¹⁵ *Official Records ... Tenth session ... 2011* (ICC-ASP/10/20), vol. I, part II, para. 10.

Auditor by two years so as to include the financial statements of the Court and the Trust Fund for Victims for 2016 and 2017, and decided to expand the scope of that mandate by including performance audits.¹⁶ At its fifteenth session, the Assembly agreed to extend the term of the External Auditor by a further two years so as to include the financial statements of the Court and the Trust Fund for Victims for 2018 and 2019.¹⁷ At its eighteenth session, the Assembly agreed to extend the term of the External Auditor for a further year, so as to include the financial statements of the Court and the Trust Fund for Victims for 2020.¹⁸

In accordance with regulation 12.7, the External 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.

The Assembly will also consider the reports of the Audit Committee on the work of its eleventh and twelfth sessions.¹⁹

Documentation

Financial statements of the International Criminal Court for the year ended 31 December 2019 (ICC-ASP/19/12)²⁰

Financial statements of the Trust Fund for Victims for the year ended 31 December 2019 (ICC-ASP/19/13)²¹

19. Appointment of the External Auditor

The Assembly will take a decision on the appointment of the External Auditor, in light of the recommendations of the Audit Committee and the Committee on Budget and Finance.

At its eleventh session, the Audit Committee recommended that the Assembly appoint the Board of Audit and Inspection of the Republic of Korea as the External Auditor for the financial years 2021-2024. In addition, the Audit Committee recommended that the Committee on Budget and Finance authorize the Registrar to cooperate with the Government of the Republic of Korea in respect of the procurement. At its thirty-fourth session, the Committee on Budget and Finance endorsed the recommendations of the Audit Committee and authorized the Registrar to cooperate with the Board of Audit and Inspection of the Republic of Korea in order to make the necessary arrangements for the procurement of external auditing services, subject to the approval of the Assembly.

Documentation

Report of the Committee on Budget and Finance on the work of its thirty-fourth session (ICC-ASP/19/5)²²

Report of the Bureau on the Budget sub-topics of Budget Management Oversight and Premises (ICC-ASP/19/31)

20. Review of the work and operational mandate of the Independent Oversight mechanism

At its twelfth session, the Assembly of States Parties adopted the operational mandate of the Independent Oversight Mechanism (IOM)²³ and decided that the work and the operational mandate of the IOM would be fully reviewed at its fifteenth session. In light of the lengthy recruitment process for the Head of the IOM, following which the first Head

¹⁶ *Official Records ... Fourteenth session ...* 2015 (ICC-ASP/14/20), vol. I, part III, ICC-ASP/14/Res.1, para K.2.

¹⁷ *Official Records ... Fifteenth session ...* 2016 (ICC-ASP/15/20), vol. I, part III, ICC-ASP/15/Res.1, para K.2.

¹⁸ *Official Records ... Eighteenth session ...* 2019 (ICC-ASP/18/20), vol. I, part III, ICC-ASP/18/Res.1, para I.2.

¹⁹ Available on the website of the Assembly at http://asp.icc-cpi.int/en_menus/asp/AuditCommittee.

²⁰ *Official Records ... Nineteenth session ...* 2020 (ICC-ASP/19/20), vol. II, part C.1.

²¹ *Ibid.*, part C.2.

²² *Official Records ... Nineteenth session ...* 2020 (ICC-ASP/19/20), vol. II, part B.1.

²³ ICC-ASP/12/Res.6, annex.

assumed duty in October 2015,²⁴ the Assembly recognized that the review would not be possible at the fifteenth session. In order to give the new Head²⁵ sufficient time to acquire the necessary experience to properly inform the Assembly's review of its work and operational mandate, the Bureau decided, at its 13 July 2016 meeting, that the review would take place at the seventeenth session of the Assembly, once a reasonable period had transpired with the IOM being properly staffed.²⁶

At its sixteenth session, the Assembly recalled the above-mentioned recommendation of the Bureau²⁷ and decided to fully review the work and the operational mandate of the Independent Oversight Mechanism at its seventeenth session.²⁸ At its seventeenth session, the Assembly stressed the importance of completing that review and reporting to the Assembly at its eighteenth session.²⁹ At its eighteenth session, the Assembly requested the Bureau to complete the review of the work and the operational mandate of the Independent Oversight Mechanism, including the consideration of amendments to the mandate to cover investigations of allegations against former officials, and to report thereon to the Assembly at its nineteenth session.³⁰

Documentation

Report of the Bureau on the Review of the work and the Operational Mandate of the Independent Oversight Mechanism (ICC-ASP/19/24)

Annual report of the Head of the Independent Oversight Mechanism (ICC-ASP/19/26)

21. 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,³¹ 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.

The Assembly will consider the report of the Working Group.

Documentation

Report of the Working Group on Amendments (ICC-ASP/19/28)

22. Cooperation

By resolutions ICC-ASP/15/Res.3³² and ICC-ASP/15/Res.5,³³ the Assembly requested the Bureau to maintain a facilitation of the Assembly of States Parties for cooperation to consult with States Parties, the Court, other interested States, relevant organizations and non-governmental organizations in order to further strengthen cooperation with the Court.

Documentation

Report of the Bureau on cooperation (ICC-ASP/19/33)

Report of the Court on cooperation (ICC-ASP/19/25)

²⁴ Resigned effective 10 December 2017.

²⁵ Assumed duty on 1 November 2018.

²⁶ https://asp.icc-cpi.int/iccdocs/asp_docs/Bureau/ICC-ASP-2016-Bureau-05-13Jul2016.pdf.

²⁷ ICC-ASP/16/Res.6, para. 120.

²⁸ Ibid, annex I, para. 15.

²⁹ ICC-ASP/17/Res.5, para 134.

³⁰ ICC-ASP/18/Res.6, annex I, para. 15.

³¹ *Official Records ... Eighth session ...* 2009 (ICC-ASP/8/20), vol. I, annex II.

³² Para. 31.

³³ Annex I, para. 3 (h).

23. Decision concerning the date of the next session of the Assembly of States Parties

In accordance with rule 5 of the Rules of Procedure of the Assembly of States Parties, the date of commencement and the duration of each session of the Assembly shall be decided by the Assembly at its previous session. The Assembly will take a decision on the dates and venue of its twentieth session and the venue of its twenty-first session.

24. 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 thirty-fifth session, the Committee decided tentatively to hold its thirty-sixth session from 17 to 21 May 2021 and its thirty-seventh session from 6 to 17 September 2021.³⁴ The Assembly will take a decision on the dates and venue of the thirty-sixth and thirty-seventh sessions of the Committee.

25. Other matters

³⁴ ICC-ASP/19/15, para. 240.