



Reference: ICC-ASP/19/SP/45

The Secretariat of the Assembly of States Parties presents its compliments to the States Parties to the Rome Statute of the International Criminal Court and, on behalf of the President of the Assembly, has the honour to refer to its note verbale ICC-ASP/19/SP/38, dated 1 July 2020, and resolution ICC-ASP/1/Res.2, as amended by resolution ICC-ASP/3/Res.6, entitled “Procedure for the nomination and election of judges, the Prosecutor and the Deputy Prosecutors of the International Criminal Court”, as well as the Terms of Reference for the Election of the Prosecutor adopted by the Bureau on 3 April 2019 (ICC-ASP/18/INF.2).

The Secretariat wishes to recall that to facilitate the nomination and election of the next Prosecutor, and taking into account paragraph 33 of the resolution which states that “every effort shall be made to elect the Prosecutor by consensus”, the Bureau established a Committee on the Election of the Prosecutor (hereinafter “CEP”) and a Panel of Experts. It is understood that this process is complementary to the relevant provisions of the Rome Statute and does not limit or restrict the rights of State Parties. In accordance with the Terms of Reference for the Election of the Prosecutor, the CEP established by consensus an unranked shortlist of four of the most highly qualified candidates and submitted its final report to States Parties, via the Bureau, on 30 June 2020 (ICC-ASP/19/INF.2). Given that the CEP was established with a view to facilitating the implementation of paragraph 33 of the resolution, States Parties are encouraged to support its mandate and that of the President in his efforts to identify, through open and transparent consultations, a consensus candidate.

In the meantime, in line with the formal requirements of resolution ICC-ASP/1/Res.2, as amended, the Bureau of the Assembly decided on 30 June 2020 to open a nomination period for 12 weeks, until 22 September 2020 (Central European Time). Under the terms of the resolution, the Secretariat wishes to inform States Parties that the nomination period has been extended for a period of one month, until 22 October 2020, in order to allow additional time for the consultation process to reach a conclusion.

Nevertheless, States Parties are strongly encouraged to refrain from making nominations until the process set out in the Terms of Reference for the Election of the Prosecutor, with a view to identifying a consensus candidate, has been completed.

Governments are invited to contact the President of the Assembly, H.E. O-Gon Kwon, prior to submitting any formal nomination. The President may be contacted directly at O-Gon.Kwon@icc-cpi.int, or via the Secretariat at asp@icc-cpi.int.

Further information is available on the website of the [Assembly of States Parties](https://www.assemblyofstatesparties.org/).

The Hague, 19 September 2020