

Switzerland – 21 May 2021

Dear Ambassadors,

Many thanks for the organization of the meeting of 5 May 2021 and for the consultation on the Action plan.

I hereby briefly share my views as the facilitator of the omnibus resolution. As you know, this overarching resolution incorporates the outcomes of other facilitations and mainly takes stock of the activities of the Court and the Bureau. This facilitation is conducted in the fall, based on the inputs received by the other facilitations and the Court. Therefore, the omnibus facilitation doesn't appear in the front line for the implementation of the IER recommendation and I assume that it will mainly take note of the progress made in this regard.

That being said, regarding your question related to the allocation, I can imagine that all the recommendations will not necessarily fit in the thematic facilitations mentioned in the resolution ICC-ASP/19/Res.7 para. 2 (complementarity, cooperation, SGG, GRGB, etc.). If there is a need to allocate the remaining recommendations to a facilitation, I would recommend to refrain to simply defer it to the omnibus resolution. As discussed with Michael, this facilitation is indeed already a challenge in itself due to the considerable length of the resolution and its extremely broad scope. Moreover, the States Parties have requested to streamline this resolution and it won't help to add an extra burden. In a nutshell, it doesn't appear realistic to have substantive discussions on the IER recommendations in the omnibus facilitation. If need be, a separate facilitation specifically dedicated to the Review would certainly be a better option to deal with these remaining recommendations.

I hope that this feedback is already useful and I remain of course at your disposal should you want to discuss it further. Thanks again for your efforts!