



Seventeenth ICC-ASP Bureau Meeting

10 November 2010

Agenda and Decisions

The President of the Assembly, H.E. Mr. Christian Wenaweser (Liechtenstein), chaired the meeting.

1. Reports of the Working Groups of the Bureau

The Hague Working Group

a) Report on cooperation

The Bureau adopted the report of The Hague Working Group on cooperation, dated 5 November 2010, and agreed to transmit it to the Assembly for consideration at its ninth session.

b) Report on the impact of the Rome Statute system on victims and affected communities

The Bureau adopted the report of The Hague Working Group on the impact of the Rome Statute system on victims and affected communities, dated 5 November 2010, and agreed to transmit it to the Assembly for consideration at its ninth session.

c) Report on the Independent Oversight Mechanism, and the corresponding draft resolution

The Bureau adopted the report of The Hague Working Group on the Independent Oversight Mechanism, dated 5 November 2010, and agreed to transmit it to the Assembly for consideration at its ninth session.

The Bureau took note of the letter of the Prosecutor, dated 5 November 2010, concerning the Independent Oversight Mechanism.

The President recalled the written objection of a delegation to the decision of the Bureau at its sixteenth meeting to commission a mapping study of the oversight mechanisms of the Court. He informed the Bureau that he had consulted with that delegation on the matter, and that its objection stood. However, the delegation had clarified that the objection was of a procedural nature, and that there was no substantive objection to the mapping study.

d) Report on complementarity

The Bureau adopted the report of The Hague Working Group on complementarity, dated 5 November 2010, and agreed to transmit it to the Assembly for consideration at its ninth session.

e) Report on the strategic planning process

The Bureau adopted the report of The Hague Working Group on the strategic planning process of the International Criminal Court, dated 5 November 2010, and agreed to transmit it to the Assembly for consideration at its ninth session.

New York Working Group

a) Report on arrears

The Bureau adopted the report of the New York Working Group on arrears, dated 5 November 2010, and agreed to transmit it to the Assembly for consideration at its ninth session.

b) Report on geographical representation and gender balance

The facilitator for geographical representation and gender balance, Mr. Eden Charles (Trinidad and Tobago), informed the Bureau that in light of poorly attended informal consultations on this matter, the draft report had not yet been finalized. He had conducted consultations with States and would continue to do so. He invited States to submit their views on the subject to him by Friday, 12 November.

The Bureau decided that it would consider the draft report at its next meeting, on 23 November.

2. Preparations for the ninth session of the Assembly of States Parties

a) Working Group on Amendments

Ambassador Paul Seger (Switzerland) indicated that the Working Group would first consider the amendments that had been formally submitted in advance of the Review Conference, but which had not been transmitted by the Assembly to the Conference. His preliminary discussions had shown that while some delegations wished to proceed with the amendments which they had tabled, others did not. Consequently, he proposed to use the time allocated at the Assembly for an exchange of views on the proposals which their proponents wished to pursue. He would hold informal consultations on this issue on 29 November.

b) Provisional programme of work for the ninth session of the Assembly of States Parties

The President indicated a modification to the provisional programme of work for the ninth session, dated 27 October 2010, i.e. that the meeting scheduled for 11:45 a.m. on 8 December 2010 would address the issue of the Independent Oversight Mechanism.

The President informed the Bureau that the Prosecutor would brief the Security Council at 3:00 p.m. on 9 December. Consequently, the informal consultations on the premises of the Court would be re-scheduled for 3:30 p.m. so as to allow delegates to attend the briefing.

The Bureau requested the Secretariat to disseminate a draft journal for the ninth session, which would include a list of side-events that had so far been communicated to the Secretariat. The President reminded States to communicate any additional side-events to the Secretariat as soon as possible.

c) Omnibus resolution

The President underscored the need for consultations on the omnibus resolution to commence as early as possible.

d) Request for inclusion of an additional agenda item on the issue of pensions for judges

The Bureau decided to allocate a maximum of 45 minutes to the issue of pensions for judges in the framework of the budget discussions at the Assembly, without the inclusion of an additional agenda item. The President of the Court, or a designated representative, would be invited to make a concise presentation which would supplement the detailed letter sent to the President of the Assembly, to which States would then have an opportunity to respond. Delegations were encouraged to be well-prepared for the said consultations and to express their views in a concise manner.

e) Report of the Bureau

The President informed the Bureau that he would shortly disseminate the draft oral report of the Bureau that he would present at the opening plenary meeting of the Assembly. It would be of a largely technical nature and would be approved by means of a silence procedure.

3. Composition of the current Bureau

The delegation of South Africa informed the Bureau that its consultations to identify a successor to serve for the remainder of the term of former Vice-President Ambassador Muburi-Muita (Kenya) were still on-going, and would hopefully be concluded before the next meeting of the Bureau.

The President underscored the need identify a candidate for election to this position in advance of the forthcoming session of the Assembly.

4. Election of the President of the Assembly for the tenth to twelfth sessions

The President had consulted widely, especially in the Eastern European and African groups, with a view to identifying a candidate for election as the next President of the Assembly. He encouraged Bureau members to continue their own consultations in this regard and recalled that this decision should be taken at the forthcoming session of the Assembly, if possible.

5. Election of the Prosecutor for the period starting 2012

The Bureau considered the revised draft terms of reference for the OTP Search Committee entitled “Bureau of the Assembly of States Parties - Search Committee for the position of the ICC Prosecutor”, dated 25 October 2010, prepared by the President and disseminated to the Bureau on the same date. Bureau members generally expressed their support, while it was also understood that further reflection was needed before a formal agreement on the terms of reference was reached. The President requested Bureau members to communicate to him any concerns or proposals for modification of the paper. The Bureau agreed to further consider the terms of reference at its next meeting, with a view to their adoption.

6. Other matters

a) *Documentation*

The Bureau decided to continue pursuing a paper-light approach to documentation for the forthcoming session of the Assembly. In that regard, one printed set of pre-session documentation would be made available to each delegation, on the understanding that additional printed copies may be provided if the respective delegation submitted a request in writing to the Secretariat by 22 November.

The President informed the Bureau that in-session documentation would be available for all delegations and that the material could also be downloaded from the Court's website.

b) *Pledges*

The co-facilitator for pledges (Netherlands) informed the Bureau that delegations that had made pledges at the Review Conference would have an opportunity to inform other States of the status of the implementation of those pledges at the ninth session of the Assembly.

c) *United Nations General Assembly resolution on the Report of the International Criminal Court*

The facilitator for the annual General Assembly resolution on the Report of the International Criminal Court (Netherlands) informed the Bureau that negotiations were underway, with a view to achieving consensus on the draft resolution, which was expected to be considered by the General Assembly on 23 November.

d) *Forthcoming Bureau meeting*

The next meeting of the Bureau would be held on 23 November.
