



BUREAU OF THE ASSEMBLY OF STATES PARTIES

Fifth meeting

30 June 2014

The meeting was chaired by the Vice-President of the Assembly, H.E. Mr. Ken Kanda (Ghana).

1. Thirteenth session of the Assembly of States Parties

a) Letter from Senator Miriam Defensor Santiago (Philippines)

Concerning the judicial vacancy resulting from the 3 June 2014 decision of Senator Miriam Defensor Santiago to step down as judge-elect to the International Criminal Court, the Bureau continued its consideration of the possible options for filling the judicial vacancy, bearing in mind the applicable provisions of the Rome Statute and the resolution on the nomination and election of judges, as well as possible implications for the election of six judges scheduled to be held during the thirteenth session of the Assembly. In this connection, the Bureau considered that additional time was necessary to fully analyse the way forward.

The Bureau decided to appoint Mr. João Madureira (Portugal) to conduct consultations among Bureau members on behalf of the Vice-President of the Assembly, Ambassador Ken Kanda (Ghana), concerning the decision to be taken on the modalities of the election for this judicial position; the Secretariat of the Assembly was requested to provide assistance with the consultations. It was agreed that the consultations should also encompass ensuring that the Advisory Committee on Nominations has the opportunity to evaluate all the candidates nominated to fill the judicial vacancy, as the dates of the Advisory Committee on Nominations meeting being held from 8 to 12 September 2014 would, in principle, not allow it to consider nominations for the judicial vacancy which may only be submitted after that date. It was decided that the facilitation of Mr. Madureira will last until the 18 July meeting of the Bureau.

b) Resignation of Judge Han -Peter Kaul (Germany)

The Bureau was informed via the Presidency of the Court of the resignation of Judge Hans Peter Kaul (Germany), effective 1 July 2014, due to health reasons. The Bureau expressed its warmest appreciation for the service of Judge Kaul to the cause of the International Criminal Court.

The Bureau decided not to fill the judicial vacancy arising from the resignation of Judge Kaul as it was informed that the Court was not seeking to fill the judicial vacancy left by Judge Kaul, given that his term of office would have concluded on 10 March 2015, and that an election to fill the judicial vacancy would only allow the judge so elected to serve in office for just over two months.

c) *Selection of the Bureau for the thirteenth to sixteenth sessions of the Assembly*

Based on the information submitted by the regional focal points, the Bureau decided to recommend to the Assembly the election at the thirteenth session of the following States Parties as members of the Bureau:

Asia-Pacific Group: Japan, Republic of Korea, and Samoa

Eastern European Group: Czech Republic, Hungary, Romania and Slovenia

The Bureau would consider at its next meeting recommendations concerning the other regional groups, once the respective consultations had concluded.

Concerning the consultations for the identification of the next President of the Assembly, the Vice-President informed the Bureau that after the consultations held in New York, African States Parties had decided to refer the consultations to the Ministerial level and to conduct consultations among States Parties in the margins of the African Union Summit held in Malabo, on 25 June 2014. The Vice-President would inform of the progress of these consultations at the next Bureau meeting.

d) *APIC pledging ceremony*

The Bureau decided to revert at its next meeting to the appointment of regional representatives from the African, Asia-Pacific and GRULAC to engage States to participate in the APIC pledging ceremony.

2. Advisory Committee on Nominations of judges

The Bureau took note of the letter, dated 18 June 2014, from Professor Leonardo Brant (Brazil) addressed to the President of the Assembly informing of his resignation as member of the Advisory Committee of Nominations in light of the decision by the Government of Brazil to nominate him as candidate for judge of the International Criminal Court.

The Bureau would consider at a future meeting a recommendation to the Assembly for the amendment of the terms of reference of the Advisory Committee to include provisions to fill the vacancies in the Committee.

3. Letter on the Staff Pension Committee of the International Criminal Court

As regards the letter dated 30 June 2014 from Vice-President Ambassador Markus Böhlin (Switzerland) proposing candidates for Bureau appointment to the Staff Pension Committee of the International Criminal Court, pursuant to resolution ICC-ASP/3/Res.3, the Bureau decided to consider such appointments via a silence procedure.

4. Other matters

a) *Activities for the commemoration of 17 July*

The Bureau took note of the message dated 26 June 2014 on behalf of Ambassador Vesela Mr en Kora (Croatia), facilitator of the Strategic Planning process, inviting States Parties to participate in the commemorations of the Day of International Criminal Justice.

The Bureau decided to encourage States Parties, international organizations and civil society to participate in the 17 July commemorations.¹

b) Judicial developments

The Bureau took note of briefing by the Head of the New York Liaison Office, Ms Karen Mosoti, on the most relevant judicial developments since the last meeting of the Bureau on 4 June, which are reflected in the publication entitled “ICC weekly update”.²

c) Developments at the United Nations

The Bureau was informed on the progress of the consultations and negotiations among members on the United Nations General Assembly resolution on the International Criminal Court, facilitated by the Netherlands.

The Bureau decided to engage at its next meeting on the best way to institutionalize the flow of information to the Bureau on developments at the United Nations Security Council.

d) President’s visits

The Bureau took note of the participation of the President of the Assembly at the London Summit to End Sexual Violence in Conflict held in June.

The Bureau also took note of the organization by Estonia and the Office of the President with Botswana and Sweden, *ad country* focal points on complementarity, of the side-event to the 26th session of the Human Rights Council “National Accountability for Atrocity Crimes: a Human Rights Priority” which benefited from the participation of the United Nations High Commissioner for Human Rights, Mrs Navi Pillay, and the former Attorney-General of Guatemala, Ms Claudia Paz y Paz.

The Bureau was informed of the letter sent by the President of the Assembly to the Commission of Inquiry on the Central African Republic concerning their preliminary report pursuant to resolution 2127 (2013).

e) Next meeting

The Bureau decided to hold its next meeting around 18 July.

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¹ Web-page of 17 July commemorations http://icc-cpi.int/en_menus/asp/asp%20events/ICJD/Pages/default.aspx

² http://www.icc-cpi.int/en_menus/icc/press%20and%20media/icc%20weekly%20update/Pages/index.aspx.