



BUREAU OF THE ASSEMBLY OF STATES PARTIES

Sixth meeting

18 July 2014

Agenda and Decisions

The meeting was chaired by the President of the Assembly, H.E. Ms. Tiina Intelmann (Estonia).

1. Thirteenth session of the Assembly of States Parties

a) Selection of the President and Bureau for the thirteenth to sixteenth sessions of the Assembly

(i) Bureau members

The Bureau recalled that at its fifth meeting it had recommended to the Assembly the following States Parties for election as Bureau members:

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

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

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

African Group: Ghana, Nigeria, South Africa and Uganda. One seat would be reserved for the country of the next President of the Assembly.

Western European and other States group (WEOG): Germany, Italy, the Netherlands, Sweden and the United Kingdom of Great Britain and Northern Ireland

All endorsed incoming Bureau members were invited by the Bureau to participate as observers at the sixth meeting.

The focal point from the Group of Latin American and Caribbean group (GRULAC) informed the Bureau that the group intended to have two States share the three-year mandate on the Bureau. The formal proposal to the Bureau would be made once GRULAC had clarified if the procedures allowed for the implementation of this decision.

The President requested States which it had recommended for election to the Bureau to convey their contact information to the Secretariat.

(ii) President

On behalf of the Vice-President, Ambassador Kanda (Ghana), the President informed the Bureau that discussions in the margins of the African Union Summit in Malabo and

subsequent consultations had not yet resulted in the designation by African States Parties of a joint candidate for the next President of the Assembly.

The Bureau was informed that the African Union Ministerial Committee on African candidatures had requested Botswana, Senegal and Sierra Leone to continue their consultations in order to identify one candidate from Africa for the position of Assembly President.

The President informed the Bureau of a 17 July 2014 meeting which Vice-President Kanda held with the Permanent Representatives of the three candidate countries, at which she had been present. A proposal made at the meeting to conduct a vote among African States Parties in New York at the end of July was under consideration. The Bureau took note that the candidates had expressly requested that Ambassador Kanda continue to lead the process.

b) Judicial vacancy

The Bureau took note of the oral report of the Bureau facilitator, Mr. Joao Madureira (Portugal), of the three informal consultations held among Bureau members in July to explore the options concerning the implications of the 3 June 2014 letter from Senator Miriam Santiago Defensor (The Philippines). The options included: i) holding an election to fill the judicial vacancy at the thirteenth session of the Assembly, prior to the election of six judges already scheduled for the same session; ii) holding a joint election to fill seven seats or iii) deferring the election to fill the judicial vacancy to early 2015, so that the results of the election of six judges in December 2014 could be taken into account in the calculation of the requisite minimum voting requirements.

The facilitator expressed his appreciation to the Secretariat for its availability to offer technical information for the consultations. The Bureau took note of the recommendation of the facilitator to ensure that the eventual decision of the Bureau was conveyed to and supported by the broader membership of the Assembly.

To facilitate a decision, the Bureau requested the Secretariat to provide further information on the programme budget implications of a possible resumed session to conduct an election to fill the vacancy, which could be held in the first trimester of 2015. The Secretariat was also requested to provide alternatives to resolve some of the issues arising from the proposal to hold an election to fill the judicial vacancy at the thirteenth session of the Assembly before the election of six judges, in particular the clarification on the procedure for nominations to both elections by the same State Party or of two nationals of the same State Party, and a mechanism which would enable the Advisory Committee on Nominations of Judges to review all candidatures submitted for election by the Assembly.

The Bureau decided to remain seized on this matter with a view to taking a decision as soon as possible.

c) Agreement on the Privileges and Immunities of the International Criminal Court: Pledging ceremony

As suggested by Belgium, the Bureau decided to postpone the pledging ceremony.

d) Status of nominations- judicial elections and elections to the Committee on Budget and Finance

(i) Election of judges

The Bureau took note of the status of nominations as at 18 July 2014 and also of the

possible need to extend the nomination period pursuant to paragraph 11 of resolution ICC-ASP/3/Res.6. The Secretariat would convey a note verbale to all States Parties should that need arise.

(ii) Election of six members of the Committee on Budget and Finance

The Bureau took note that, as at 16 July 2014, the Secretariat had received no nominations for the election of six members of the Committee. The nomination period had opened on 9 June 2014 and would end on 31 August 2014 (Central European time).

Considering the important functions of the Committee, a subsidiary body of the Assembly, the Bureau encouraged States Parties to consider nominating candidates to the Committee to fill the vacancies that would arise when the terms of six members expire on 20 April 2015.

2. Independent Oversight Mechanism (IOM)

a) Second quarterly report

The Bureau took note of the report of the Independent Oversight Mechanism covering the second quarter of 2014.

b) Appointment of the new Chair and the members of the recruitment panel for the Head of the IOM

The Bureau recalled that on 8 July 2014, it had appointed Ambassador Jorge Lemcke (Guatemala) as the Chair of the recruitment panel for the Head of the Independent Oversight Mechanism, via a silence procedure, to replace Ambassador Jorge Urbina Ortega (Costa Rica), whose posting in The Hague had ended.

The Bureau also recalled that it had appointed the following members of the panel on 15 July 2014 via a silence procedure:

- Ambassador James Lambert (Canada)
- Ambassador Nikola Ivanov Kolev (Bulgaria)
- Ambassador Jaime Victor B. Ledda (Philippines)
- Ambassador Rose Makena Muchiri (Kenya)

The Bureau was informed that the first organizational meeting of the recruitment panel had taken place on 18 July in The Hague and that in terms of its planning, the panel would strive to submit recommendations to the Bureau by the first week of September.

Regarding the proposal by a Bureau member, the Bureau did not reach consensus on the modalities and timeline of possible extension of the loan of the Temporary Head of the IOM from the United Nations.

3. Contingency Fund

The Bureau took note of the following notifications to access the Contingency Fund, submitted by the Registrar pursuant to regulation 6.7 of the Financial Regulations and Rules:

- a) Notification, dated 9 June 2014, relating to the need to re-open the field office in Bangui;
- b) Notification, dated 27 June 2014, relating to the case of *The Prosecutor v. Ruto and Sang*.

The total amount of Contingency Fund notifications for 2014 amounted to €2,161,500.

4. Other matters

a) Judicial developments

The Bureau took note of the judicial developments contained in the weekly updates from the Court that are available on the website.¹

b) Staff Pension Committee

The Bureau recalled that on 7 July 2014, the Bureau had appointed, via a silence procedure, the following State Party representatives as members and alternate members of the Staff Pension Committee of the International Criminal Court for a two-year term, pursuant to resolution ICC-ASP/3/Res.3, upon the recommendation of The Hague Working Group:

Members:

Mr. Philippe Brandt (Switzerland)
Mr. Zlatko Dimitroff (Bulgaria)

Alternate members:

Ms. Andrea Jiménez Herrera (Colombia)
Ms. Thanisa Naidu (South Africa)

c) Working Group on Amendments

The Bureau took note of the oral report of the Chair of the Working Group on Amendments, Ambassador Paul Seger (Switzerland) on the work it had undertaken.

The Bureau was informed that the Working Group had met twice, that it had decided to continue the two-track approach which gives priority to discussions on amendments of an institutional nature submitted by the Study Group on Governance, and to consider any other proposals as secondary items.

The Bureau was also informed that at its latest meeting, the proponents of the different amendments to the Rome Statute (Belgium, Kenya, Mexico, South Africa and Trinidad and Tobago) had received questions from delegations on their respective proposals. Some proponents had indicated their intention to revert with answers at the next meeting of the Working Group, which would take place in October.

d) Proposed programme budget for 2015: Executive summary

The Bureau was informed that the Secretariat had conveyed the Executive Summary of the proposed programme budget for 2015 of the International Criminal Court to all States Parties. It has been presented to The Hague Working Group on 17 July 2014.

e) Activities for the commemoration of 17 July

The Bureau expressed its appreciation to the delegations of States which had organized commemoration events for the Day of International Criminal Justice.

¹ http://icc-cpi.int/en_menus/icc/press%20and%20media/icc%20weekly%20update/Pages/index.aspx

The Bureau also expressed its recognition to the Court and to the Office of the President of the Assembly for the organization of the social media campaign for the Day of International Criminal Justice.²

Next meeting

The next meeting will be convened in the near future to address all outstanding issues.

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² A selection of tweets in this regard can be found on Storify: [sfy.co/sbRX](https://www.storify.com/sfy.co/sbRX)