



BUREAU OF THE ASSEMBLY OF STATES PARTIES

Fifth meeting

23 June 2015

Agenda and Decisions

The meeting was held in The Hague and was chaired by Amb. Alvaro Moerzinger, Vice-President of the Assembly

1. Resumed thirteenth session of the Assembly

The Secretariat informed the Bureau that in the context of the arrangements put in place for the holding of the resumed thirteenth session in The Hague, an agreement had been signed between the International Criminal Court and the Netherlands on 12 June 2015.

The Bureau would recommend to the Assembly the appointment of national tellers from the following States: Burundi, Czech Republic, Dominican Republic, Republic of Korea and the Netherlands.

The Bureau decided to recommend to the Assembly that the composition of the Credentials Committee, adopted at the thirteenth session continue, to the extent possible, for the resumed session: Bosnia and Herzegovina, Chile, Cote d'Ivoire, Denmark, Estonia, Liechtenstein, Mali, Paraguay and Timor-Leste.

2. Working methods of the Assembly and its subsidiary bodies

The Bureau continued its discussion on the working methods of the Assembly and its subsidiary bodies. In this connection, the Bureau requested the Vice-President in The Hague to convene a meeting of States Parties on this topic before the summer break.

3. Independent Oversight Mechanism

The Bureau recalled that at its fourth meeting on 12 May 2015, the Vice-President, Amb. Alvaro Moerzinger, had been entrusted to hold informal consultations with a view of submitting a proposal to the Bureau on 23 June on the way forward.

The Bureau recalled that the Assembly, through resolution ICC-ASP/12/Res.6, had decided that the Head of the Independent Oversight Mechanism (IOM) shall be selected by the Bureau and that the Bureau had been invited "to commence the recruitment of the Independent Oversight Mechanism at the earliest possible date".

The Bureau took note of the oral report of the Vice-President on the consultations he held up to 22 June 2015.

The Bureau reiterated its deep appreciation and full acknowledgement to the work conducted by the 2014 Recruitment Panel and on the basis of the report of the Panel dated 7 October 2014, the Bureau decided, by consensus, to follow the recommendation contained therein and thus to select the candidate ranked in first place as Head of the IOM.

The Bureau also noted that during his consultations, the Vice-President had gathered the views of some members concerning the duration of the term of the contract of the Head of the IOM. The Bureau thus requested the Vice-President to seek the advice of the Court, as soon as possible, on the appropriate framework for the Bureau to decide on the modalities and conditions of appointment of the Head of the IOM, including its duration and conditions for renewal, if any. The Bureau decided to remain seized of this matter and to meet before the beginning of the summer break in order to ensure the speedy operationalization of the IOM.

4. Oversight Committee on permanent premises

The Bureau held an extended discussion on this issue. The Bureau was briefed by the Chair of the Oversight Committee on permanent premises, Mr. Roberto Bellelli, and by the Project Director, Mr. Neil Bradley, on the status of the permanent premises project, both as regards its construction and the transition to the new premises. The Registrar of the Court, Mr. Herman von Hebel, was also present and took part in the discussion.

Bureau members inquired about key reasons for a cost overrun of €8,787,249, which was only reported to the Oversight Committee via the Project Director on 17 June 2015. Furthermore, the Bureau was informed that the Project Director had resigned with effect as of 3 July 2015, as he would take up a similar position with the United Nations in Geneva. It was also reported that any delay in transition of the Court to the permanent premises would pose significant disruptions to Court's core activities and its ability to carry out three simultaneous trials. Furthermore States Parties would incur extra costs in 2016 if the Court had to remain in the interim premises. Queries were also raised by Bureau members about the reliability of the updated overrun figures, about the explanations for the sudden announcement of the cost overrun and the responsibility thereon, as well as about the precise timeline for the Assembly to make a decision on the request for an increase in the budgetary ceiling of the project.

In light of the presentations made and after a thorough consideration of the urgency to consider the proposal for an increase in the budgetary ceiling of the project, the Bureau decided, pursuant to rule 13 of the Rules of Procedure of the Assembly, to recommend to the Assembly the inclusion of an additional agenda item entitled "Permanent premises of the International Criminal Court" on the agenda of the resumed thirteenth session.

In terms of way forward, the Bureau considered that the Assembly would be requested to consider two essential elements: a) to authorize an increase of the permanent premises budget by a maximum of €8,808,725, thus bringing the budgetary ceiling for the project to €208,808,725; b) to consider the means to finance the increase and when such a financing decision could take place, with options including absorption within the Court's budget and resorting to some of the Court's funds and cash reserves.

In order to allow the Bureau to take an informed decision before the opening of the resumed session, the Bureau requested that consultations be held by interested stakeholders with a view to submitting a joint draft text of the resolution for consideration by the Bureau at its 24 June meeting.
