



BUREAU OF THE ASSEMBLY OF STATES PARTIES

First meeting

The Hague

16 February 2017

Agenda and decisions

The meeting was chaired by the President of the Assembly, H.E. Sidiki Kaba (Senegal).

1. Appointment of facilitators and focal points¹ (The Hague Working Group)

The Bureau made the following appointments:

Budget

Facilitator - Ambassador Per Holmström (Sweden)

Focal points:

Budget management oversight: Ambassador Eduardo Rodríguez (Bolivia)

Premises: Ambassador Willys Delvalle (Panama)

Cooperation

Co-facilitators: Ambassador Philippe André Lalliot (France) and Ambassador Momar Diop (Senegal)

Complementarity

Ad country focal points – Australia and Romania

Plan of action for achieving universality and full implementation of the Rome Statute

Ad country focal point - Denmark

Study Group on Governance

Co-Chairpersons: Ambassador María Teresa Infante Caffi (Chile) and Ambassador Hiroshi Inomata (Japan)

Focal points

Cluster I (Increasing the efficiency of the criminal process): Ms. Erica Lucero (Argentina) and Mr. Philip Dixon (United Kingdom)

Cluster II (Governance): Mr. Reinhard Hassenpflug (Germany) and Ms. Lourdes Suinaga (Mexico)

¹ The 20 December 2016 Bureau decision on the allocation of mandates between the New York Working Group and The Hague Working Group is reflected in the annex.

As regards the budget facilitation, the facilitator indicated that the request by the Assembly to the Bureau² to consider a revision of the judges' remuneration and to report to the Assembly at its sixteenth session would be examined under the budget facilitation.

2. Sixteenth session of the Assembly

a) Provisional agenda

The Bureau approved the provisional agenda for the sixteenth session of the Assembly, which would be issued as document ICC-ASP/16/1.

b) Recommendation concerning the election of the Registrar

In accordance with previous practice, the Bureau agreed to entrust the preparation of a draft recommendation of the election of the Registrar to The Hague Working Group, and requested it to report regularly thereon.

With regard to the timeline for the publication of the vacancy announcement, the Chef de Cabinet of the President of the Court informed the Bureau that the Presidency intended to publish the vacancy announcement for the position of Registrar in March 2017.

3. Working methods

a) Participation of Observer States in the deliberations of the Assembly of States Parties

As regards the participation of Observer States, on which the Bureau had held a discussion at its 23 November 2016 meeting, the Bureau considered the proposal by Colombia, dated 15 February 2017. Colombia explained that the proposal, which had been prepared on the basis of discussions with Bureau members in The Hague, was not an amendment to the Rules of Procedure of the Assembly; it would take the form of a Bureau decision and contain an understanding based on the Rome Statute and prior Assembly decisions on the subject matter. In this connection, it was noted that a decision on the participation of Observer States had already been made by the Assembly of States Parties in 2002.³ Further, it was emphasized that the proposal had been submitted to begin the discussion on the topic, with the intention to have other States Parties consider the proposal so as to ascertain the views of the broader membership. In addition to some linguistic modifications, the point was made that a decision on the matter should be taken prior to the sixteenth session of the Assembly of States Parties, so as to avoid any possible complications at the session, and to convey a clear political message supporting universality of the Statute. The Bureau agreed that the matter should be discussed with other States Parties after the Bureau meeting scheduled for 20 February in New York.

b) Proposals by The Hague Working Group

The Bureau considered the paper, "Reform of the working methods of the Assembly of States Parties: Proposals for the Bureau of the Assembly of States Parties", dated 14 February

² Resolution ICC-ASP/15/Res.1, section O.

³ *Official Records of the Assembly of States Parties*, First session, para. 12. http://legal.un.org/icc/asp/1stsession/report/english/part_i_e.pdf. See also Rules of Procedure of the Assembly of States Parties, adopted at the first session of the Assembly (2002), part XX: "Participation of observers and other participants". <http://legal.un.org/icc/asp/aspfra.htm>

2017. The Bureau recalled that it had approved two proposals on 22 November 2016, relating to, address of the Assembly by a renowned personality, and side events, respectively.

The President noted that the three proposals remained to be addressed, that some additional consultations might still be required thereon and in this connection he proposed to discuss the way forward with the two Vice-Presidents of the Assembly.

4. Independent Oversight Mechanism

The Bureau took note of the Quarterly Activity Report to the Bureau: October to December 2016, dated 19 January 2017, submitted by the Head of the Independent Oversight Mechanism, pursuant to resolution ICC-ASP/12/Res.2.

5. Staff Pension Committee

The Bureau appointed Mr. Agustín Vásquez Gómez (El Salvador) as member of the Staff Pension Committee of the International Criminal Court.

6. Other matters

Activities of the President

The President welcomed the decision by the newly elected Government of Gambia not to withdraw from the Rome Statute and underlined the importance of all States Parties remaining united to fight against impunity for mass crimes.⁴

The President informed the Bureau that he would meet the new Secretary General of the United Nations, H.E. Mr. Antonio Guterres. A meeting with the group of francophone Ambassadors accredited to New York was also envisaged, under the auspices of the *Organisation internationale de la francophonie*. These meetings were aimed at promoting the values of the Rome Statute, the continuous call for support and cooperation with the International Criminal Court.

The President informed the Bureau that he planned to organize a summit in Dakar on strengthening African judicial systems through complementarity and effective and dynamic cooperation with the International Criminal Court.

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⁴ <https://www.icc-cpi.int/Pages/item.aspx?name=PR1274>



BUREAU OF THE ASSEMBLY

**Appointments and allocation of mandates as a follow-up to the fifteenth session
of the Assembly of States Parties**

These decisions were adopted via silence procedure, which ended on 20 December 2016.

1. Appointments

- Working Group of the Bureau on the implementation of article 97 of the Rome Statute¹: Ambassador María Teresa de Jesús Infante Caffi (Chile)
- Working Group on Amendments²: Ambassador May-Elin Stener (Norway)

2. Allocation of mandates

a) Ad country mandates

- Complementarity
- Plan of action for achieving universality and full implementation of the Rome Statute
- Non-cooperation³

b) New York Working Group

- Arrears
- Geographical representation and gender balance in the recruitment of staff of the Court
- Omnibus resolution
- Activation of the Court's jurisdiction over the crime of aggression⁴

¹ Based in The Hague.

² Based in New York.

³ Based in New York.

⁴ ICC-ASP/15/Res.5, annex I, para. 18(b): The Assembly of States Parties *decides* to establish a facilitation, based in New York, open only to States Parties, to discuss activation of the Court's jurisdiction over the crime of aggression, in accordance with the resolution RC/RES.6, which will make every effort to reach consensus and will submit a written report directly to the Assembly ahead of its sixteenth session.

c) *The Hague Working Group*

- Budget (including the Strategic planning process of the International Criminal Court, as well as the Permanent premises governance structure and total cost of ownership)
- Cooperation
- Study Group on Governance
