



BUREAU OF THE ASSEMBLY OF STATES PARTIES

Third meeting

The Hague

1 June 2017

Agenda and decisions

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

1. Participation of Observer States in the deliberations of the Assembly of States Parties: update

The President referred to the 20 December 2016 decision of the Bureau by which it had approved the process for consideration of this question. He noted that the question had been extensively discussed in the New York Working Group, under its Coordinator, Ambassador Sebastiano Cardi (Italy), and had been led by Colombia.

Colombia briefed the Bureau on the consultations that were held in New York. As the New York Working Group has completed its consideration of the question, it is envisaged that The Hague Working Group shall consider the findings at its next meetings and thereafter submit its conclusions to the Bureau for a final decision. All New York-based delegations have had the opportunity to submit comments and the proposed text reflected a fragile consensus on an important issue for the Assembly.

Bureau members expressed appreciation for the work carried out by the New York Working Group and thanked Colombia for its initiative. They supported the way forward which Colombia had outlined, which would allow The Hague-based delegations to make an input before the question ultimately came before the Bureau for decision. Bureau members also cautioned against re-opening the debate on the contents of the text which was agreed upon by consensus, following intensive and difficult negotiations in New York, carried out in a clear and transparent way.

It was noted that the discussions in New York were aimed at promoting the principle of universality. It was thus necessary to engage in consultations with Observer States to explain the rationale behind the text.

The Vice-President of the Assembly, Ambassador Sergio Ugalde (Costa Rica), in his capacity as Coordinator of The Hague Working Group, noted that it was essential to reach a consensus among all States Parties, and although that task had proved more difficult than envisaged, a compromise outcome had been achieved in New York. The text would be discussed within the framework of The Hague Working Group, probably in the second half of

the month of June. Once the Working Group had approved the text, it would be transmitted to the Bureau for a final decision.

The President highlighted the importance of the Bureau taking a final decision on the question sufficiently in advance of the sixteenth session.

2. Independent Oversight Mechanism

The Bureau took note of the “Quarterly Activity Report to the Bureau: January to March 2017”, dated 8 May 2017, submitted by the Head of the Independent Oversight Mechanism in accordance with resolution ICC-ASP/12/Res.6.

3. Activities of the President

The President informed the Bureau of his meeting on 2 March 2017 with the United Nations Secretary-General, Mr. Antonio Guterres, in which he had addressed matters concerning the Court in general and the relationship between Africa and the Court in particular. He had urged the Secretary-General to offer diplomatic and political support to the Court. The President had also invited him to give a keynote address at the opening session of the sixteenth session.

On 24 March 2017, the President had held a bilateral meeting in Paris with the French Foreign Affairs Minister, Mr. Jean-Marc Ayrault, on the subject of promoting cooperation with the Court.

As regards complementarity and strengthening the relationship between Africa and the Court, on 2 May the President had attended regional consultations on the Malabo Protocol, which had been organized jointly with Amnesty International in Dakar.

Further, on 23 May, he had organized in Dakar a high-level meeting on the subject of “Strengthening African national legal systems through complementarity and effective and dynamic cooperation with the International Criminal Court.”¹ The meeting had been attended by high-level government officials of African States Parties and other high-level participants from the region, as well as a Vice-President of the Court and a representative from the Office of the Prosecutor. This meeting had provided an opportunity to recall both the key role played by national judicial systems under the Rome Statute and the important role of the Court in the fight against impunity.

Furthermore, the President would attend the 33rd session of the ACP-EU Joint Parliamentary Assembly on 20 June in Malta, and would speak on the topic of impunity for crimes against humanity.

On 17 July, the Day of International Criminal Justice would be celebrated in Dakar on the theme of “Challenges and Opportunities for the ICC on the eve of the 20th anniversary of the Rome Statute”.

¹ Press release, 24 May 2017 (ICC-ASP-20170524-PR1308).

4. Other matters

a) Interpretation for meetings of The Hague Working Group and its facilitations

The Vice-President of the Assembly, Ambassador Sergio Ugalde, briefed the Bureau on developments regarding the request made to the Court for interpretation services English into French and French into English pursuant to the request by francophone facilitators in The Hague Working Group regarding meetings which they would be conducting. In reply, the Registry indicated that it had provided interpretation services on an exceptional basis, for example for meetings of the Bureau, but that it was not possible for the Court to allocate the resources reserved for the main business of the Court to the informal consultations of the Working Group. The question was put as to whether a better level of coordination might facilitate the availability of resources, but the Court stated that this was not a viable option.

Any interpretation not linked to requests in exceptional cases, i.e. for the Bureau, would need to be funded by States Parties or else the Assembly might wish to allocate additional budgetary resources for this purpose, with the mandate to the Registry to provide interpretation to both working groups of the Bureau.

Regarding costs, a formal Assembly decision regarding interpretation services would be required for interpretation into the four languages of the Assembly. The estimated cost of interpretation from English into French and French into English for one meeting in The Hague would be €1,200; with the addition of Arabic and Spanish, this amount would reach €12,000, with costs rising to between €100,000 and €1 million if interpretation into the four languages was provided for an entire year of meetings.

Ambassador Ugalde indicated that the Bureau might need to decide at a future meeting whether or not this issue should be considered by the Assembly.

The Bureau took note of the information presented by the Vice-President.

b) Geographical representation and gender balance in the recruitment of the staff of the Court: response by the Registry

The Bureau took note of a paper titled “ICC Staff by Nationality - Status as at 1 January 2017”, dated 17 March 2017, which had been submitted by the Registrar pursuant to the request of the African Group at the fifteenth session of the Assembly.² The paper had been disseminated to States Parties on 22 March 2017.

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² *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifteenth session, The Hague, 16 – 24 November 2016 (ICC-ASP/15/20), vol. I, annex VIII.*