



BUREAU OF THE ASSEMBLY OF STATES PARTIES

Tenth meeting

New York

13 December 2017

8:45-9:30

Agenda and decisions

The meeting was chaired by Vice-President of the Assembly, Ambassador Sergio Ugalde (Costa Rica)

1. Sixteenth session of the Assembly

Work programme

The Bureau approved the revised programme of work for the sixteenth session, dated 12 December 2017, and requested the Secretariat to disseminate it to the Assembly.

2. Update by the Chair of the Working Group on the Programme Budget

The Chair of the Working Group on the Programme Budget, Ambassador Per Holmström (Sweden), informed the Bureau that a delegation had requested that the Bureau recommend that the President circulate to the Assembly a letter signed by two judges of the Court.

The Bureau took note that article 112, paragraph 5, of the Rome Statute concerned the participation of the President of the Court, the Prosecutor and the Registrar in meetings of the Assembly. Further, rules 34 and 47 of the Rules of Procedure of the Assembly regulated the participation and making of oral or written statements to the Assembly by the President of the Court, the Prosecutor and the Registrar. In light of these provisions, it was not within the mandate of the Bureau to request the President of the Assembly to disseminate the letter on behalf of the judges.

3. Other matters

Appointment of the Head of the Independent Oversight Mechanism

The Bureau continued its consideration of the appointment of the Head of the Independent Oversight Mechanism (IOM).

Uganda indicated that the legal opinion which the Bureau had requested¹ was not necessary since the need to fill the post of Head of the IOM outweighed the need to interpret procedural rules on recruitment. Further, the roster might not be relevant, since the Court's Human Resources Section had deviated from the roster in the past. Uganda reiterated that the report of the recruitment panel had created two tiers of candidates and had placed candidates other than the two highest ranked candidates in the second tier on a roster; thus the roster for the second-ranked candidate was irrelevant. The Bureau should proceed without delay to appoint a Head of the IOM on a temporary basis, since the second-ranked candidate was available; this candidate should complete the remainder of the term of the former IOM Head. Some support was expressed for this position.

On the other hand, some Bureau members reiterated the need for the Bureau to ensure the integrity of the recruitment process, and stressed that it should be flawless. Since this was the standard expected of the Prosecutor and Registrar, it ought to likewise apply to the Bureau's recruitment processes. It was also recalled that the Head of the IOM was a particularly important post and concern was expressed that any flaw in the recruitment process could negatively impact on the tenure of the incumbent.

The Bureau decided to await the paper requested of the Secretariat on the powers and functions of the Bureau regarding the recruitment of the Head of the IOM before proceeding further on this issue.

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¹ See Agenda and decisions of the 11 December 2017 meeting of the Bureau.