

Resolution ICC-ASP/4/Res.2

Adopted at the 4th plenary meeting on 3 December 2005, by consensus

ICC-ASP/4/Res.2

Permanent Premises

The Assembly of States Parties,

Taking note of the reports prepared by the International Criminal Court (the “Court”) at the request of the Assembly of States Parties (the “Assembly”) and the Committee on Budget and Finance (the “Committee”)¹, and also noting that the Court is not seeking definitive recommendations or decisions on the issue of permanent premises at the fourth session of the Assembly,

Recognizing the need for further clarification on the issues of consolidation of estimated staffing levels as part of a strategic plan, as well as on the financing modalities for permanent premises,

1. *Emphasizes* that the Court is a permanent judicial institution and as such requires functional permanent premises to enable the Court to discharge its duties effectively and to reflect the significance of the Court for the fight against impunity,
2. *Recognizes* further that, according to the information so far available, a purpose-built building on the premises of the Alexanderkazerne would probably offer the most flexible solution in matching the requirements of a permanent Court, in terms of size, functionality and security,
3. *Recognizes* the significant financial implications for States Parties of a decision on permanent premises, and, in this regard, welcomes the additional financial bid made by the representative of the host State² as an important contribution to the further consideration of financing modalities, on the basis of the findings of the report prepared by the Court on “Financing methods used for the premises of other international organizations” (ICC-ASP/4/25),

¹ Report on the future permanent premises of the International Criminal Court: Project Presentation (ICC-ASP/4/22); Report to the Assembly of States Parties on the Future Permanent Premises of the International Criminal Court: Housing Options (ICC-ASP/4/1); Report on the Future Permanent Premises of the International Criminal Court: Financial Comparison of Housing Options (ICC-ASP/4/23); Report on the Future Permanent Premises of the International Criminal Court: Interim Report on the Composition of Estimated Staffing Levels (ICC-ASP/4/24); Report on the Future Permanent Premises of the International Criminal Court: Financing Methods Used for the Premises of Other International Organizations (ICC-ASP/4/25); Report of the Committee on Budget and Finance on the work of its fourth session (ICC-ASP/4/2); Report of the Committee on Budget and Finance on the work of its fifth session (ICC-ASP/4/27 and Corr. 1 (English only), Corr.2 and Add.1); Report of the Bureau on the permanent premises of the Court (ICC-ASP/4/28).

² Statement by the representative of the host State, 2 December 2005.

4. *Invites* the Court to complete its staffing estimation and strategy planning well before the next session of the Assembly and to continue further preparatory and planning work on the detailed requirements of the permanent premises,

5. *Recommends*, bearing in mind the recommendation of the Committee contained in paragraph 86 of its report on the work of its fifth session (ICC-ASP/4/27), that the Bureau of the Assembly and the Committee remain seized of the matter and report to the fifth session of the Assembly of States Parties on the issue of permanent premises of the Court.
