



BUREAU OF THE ASSEMBLY OF STATES PARTIES

Seventh meeting

3 July 2024

(via remote link)

Agenda and decisions

The meeting was chaired by the President, Ambassador Päivi Kaukoranta (Finland). Vice-Presidents Ambassador Michael Imran Kanu (Sierra Leone) and Ambassador Margareta Kassangana (Poland) also participated.

1. Briefing by the Registrar on the security of the Court, its officials and personnel

The Registrar briefed the Bureau on recent developments concerning the security of the Court, its officials and personnel, building on briefings he had provided to the Hague and New York Working Groups on 12 and 18 June 2024, respectively. The Registrar expressed gratitude for the support which the Court had received, highlighting in particular the important statement in support of the Court issued by over 93 States Parties on 14 June 2024. He emphasized that the political, material and financial support provided by States Parties was essential for the Court to carry out its work, in full realization of the mandate entrusted to it by the Rome Statute and the international community.

The Registrar noted that the security posture of the Court had clearly suffered a transformative shift as a result of its work across different situations. New threats and actions, aiming to impose coercive measures against the Court, would have broad and serious consequences. The Court leadership, in close cooperation with States Parties and the host State, was undertaking all necessary efforts to protect the Court, its officials, staff and personnel. The Registrar outlined some of the preventative and mitigating measures being taken, and the kinds of support which would be necessary from States Parties. In this regard the Registrar also referred to a concept note, developed by the Court in response to a mandate from the Assembly at its twenty-second session,¹ which had been circulated for consideration in the cooperation facilitation.

Bureau members expressed their appreciation to the Registrar for his informative briefing, and reiterated their strong support for the Court. The Bureau would continue to monitor developments closely.

2. Review Mechanism: update

A State Party representative on the Review Mechanism, Ambassador Michael Imran Kanu (Sierra Leone), briefed the Bureau on the work of the Review Mechanism. Since the last briefing on 5 June 2024, the Review Mechanism had held one meeting, on 13 June 2024, on the topic of “Tenure”. At the request of a State Party, the meeting was open only to States Parties, the Court focal points and Registry Legal Office representatives. States Parties had discussed amendments to the joint proposal regarding downward mobility and the non-inclusion of parental leave within the tenure period. There appeared to be agreement on the substance of the amendments and the Registry had been requested to draft corresponding amendments to the Staff Rules, which would be circulated shortly. Additionally,

¹ Resolution ICC-ASP/22/Res.3, para. 22, and annex I, para. 3(k).

the proposal for a moratorium on the recruitment of staff from non-States Parties had been discussed. Further consultations on that topic would continue in order to achieve consensus.

3. Recruitment of the Head of the Independent Oversight Mechanism

The President recalled that the Bureau had decided, on 1 July 2024, to adopt the recommendations contained in the confidential report of the recruitment panel for the Head of the Independent Oversight Mechanism (IOM) which had been submitted to the Bureau pursuant to the terms of reference.² The Registrar had been informed so that the necessary administrative arrangements could be made. The Bureau would receive an update on the recruitment process at its next meeting.

4. IOM evaluation report on the Secretariat of the Assembly of States Parties

The Bureau had before it the report of the IOM on the evaluation of the Secretariat of the Assembly of States Parties, dated 26 June 2024. The Bureau had requested the IOM to evaluate the work of the Secretariat, focusing on issues of governance, resources, effectiveness, streamlining of functions and geographical representation, and to identify areas, if any, in which the efficiency and effectiveness could be enhanced.³

The Head of the IOM briefed the Bureau on the main findings of the evaluation and its four recommendations. Bureau members expressed their appreciation to the IOM and had an initial exchange of views on the report and the recommendations. The Bureau decided to refer the consideration of recommendation 3, which recommended redesigning the organizational structure of the Secretariat alongside a functional team formation, for consideration within the Budget Management Oversight topic in the Hague Working Group, given the overlap in substance with a recommendation from the former External Auditor which was already under consideration in that context. The Bureau also decided to invite comments on the report from the Chairs of the subsidiary bodies,⁴ and to return to the topic at a future meeting. The Bureau would discuss draft resolution language on the report for the twenty-third session of the Assembly.

The Bureau also decided that the report should be shared, as background documentation, with the recruitment panel for the Director of the Secretariat of the Assembly.

5. Appointment of Assembly mandate-holders

The President recalled that the Bureau had appointed Ambassador Juan José Quintana (Colombia) as Chair of the Working Group on Amendments on 27 June 2024 (see annex).

Pursuant to a nomination from the Hague Working Group, the Bureau decided to appoint Ambassador Ana Cristina Rodríguez Pineda (Guatemala) as facilitator for the budget.

The President noted that consultations were ongoing to identify a facilitator for arrears and recalled that Vice-President Kanu would act as facilitator until an appointment could be made.

Consultations were also ongoing to identify a focal point within the New York Working Group on the preparations for the review of the amendments on the crime of aggression. The point was made that it was important to appoint a focal point as soon as possible, in light of the need to consider the budgetary implications of the review in the 2025 proposed programme budget.

6. Status of contributions

² See agenda and decisions of the tenth meeting of the Bureau, held on 1 November 2023, annex, available at: https://asp.icc-cpi.int/sites/default/files/asp_docs/2023-Bureau10-Agenda-Decisions.pdf.

³ See agenda and decisions of the sixth meeting of the Bureau, held on 14 June 2023, available at: https://asp.icc-cpi.int/sites/default/files/asp_docs/2023-Bureau6-Agenda-Decisions.pdf.

⁴ The Advisory Committee on Nominations of Judges, Audit Committee and Committee on Budget and Finance.

The Bureau took note that, as at 30 June 2024, the Court had received 86 per cent of the assessed contributions to the approved budget for 2024. The total amount of outstanding contributions was €46.4 million, of which €26.2 million related to the 2024 budget, and €20.3 million to prior years. A total of 30 States Parties had outstanding contributions of more than one year, and 14 of those were ineligible to vote under article 112, paragraph 8, of the Rome Statute. The President encouraged all States Parties to make their contributions to the budget of the Court as soon as possible.

7. Recent decisions in the *Al-Hassan* case

Further to the queries raised at the third meeting of the Bureau, on 6 March 2024, a representative of the Presidency of the Court informed the Bureau about recent decisions in the *Al-Hassan* case.

8. Other matters

a) Recruitment of the Director of the Secretariat of the Assembly: update

As regards the recruitment of the Director of the Secretariat of the Assembly, pursuant to the terms of reference adopted by the Bureau,⁵ the President had been informed that the recruitment panel planned to meet on 20 August 2024 in order to finalize and agree on the shortlist, as well as the assessment methods and content. The President recalled that the panel aimed to finalize its report in October 2024.

Bearing in mind the need for as much continuity as possible in the servicing of the Assembly and its subsidiary bodies in the preparations for its twenty-third session, the Bureau concurred with the proposal by the Presidency of the Assembly that it be entrusted with the extension of the term of the current Director of the Assembly.

The Presidency of the Assembly would explore how best to address the gap which may still nonetheless arise after the end of the term of the current Director and the date when the new Director may assume functions.

b) Confidential letter

The President briefed the Bureau on a confidential letter, dated 2 July 2024, addressed to the President of the Assembly.

c) Next meeting

The President indicated that preparations were underway for a dedicated Bureau meeting on the topic of the composition of the Bureau. The meeting was tentatively scheduled to take place in-person at United Nations Headquarters in New York on 18 July 2024. Further details would be provided as soon as they were available.

d) Day of International Criminal Justice

The President noted that an event was being organized to commemorate the Day of International Criminal Justice at United Nations Headquarters on 17 July 2024. A “save the date” had been circulated, and further details would be provided in the coming days.

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⁵ See agenda and decisions of the thirteenth meeting of the Bureau, held on 13 December 2023, annex, available at: https://asp.icc-cpi.int/sites/default/files/asp_docs/2023-Bureau13-Agenda-Decisions.pdf.

Annex

BUREAU OF THE ASSEMBLY OF STATES PARTIES

Assembly mandate-holder appointed by the Bureau on 27 June 2024

New York Working Group

- **Working Group on Amendments**
Chair: H.E. Mr. Juan José Quintana (Colombia)

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