



Assembly of States Parties

Distr.: General
9 July 2026

Original: English

Special session on disciplinary proceedings involving an elected official

New York, 24 July 2026

Annotated list of items included in the provisional agenda

Note by the Secretariat

The following annotated list of the items contained in the provisional agenda for the special session of the Assembly of States Parties to the Rome Statute of the International Criminal Court on disciplinary proceedings involving an elected official (ICC-ASP/S-2/1) has been prepared to assist the Assembly in its consideration of issues before it at the special session, which will be convened at United Nations Headquarters, New York, on Friday, 24 July 2026, at 10 a.m. The status of the documentation reflected herein is current as at 9 July 2026.

1. Opening of the session by the President

At its fifteenth meeting on 8 June 2026, the Bureau of the Assembly of States Parties decided, pursuant to rule 8 of the Rules of Procedure of the Assembly of States Parties, to convene a special session of the Assembly in order for the Assembly to consider disciplinary proceedings involving an elected official. At its sixteenth meeting on 17 June 2026, the Bureau decided that the special session would be convened on 24 July 2026 at United Nations Headquarters in New York.

2. Silent prayer or meditation

Pursuant to rule 43 of the Rules of Procedure of the Assembly of States Parties, immediately after the opening of the first plenary meeting and immediately preceding the closing of the final plenary meeting, the President shall invite the representatives to observe one minute of silence dedicated to prayer or meditation.

3. Adoption of the agenda

Rules 14 to 22 of the Rules of Procedure concerning the agenda are applicable to special sessions. The provisional agenda for the special session was issued on 30 June 2026. As required by rule 15 of the Rules of Procedure, the only substantive item on the provisional agenda for the session is the disciplinary proceedings involving an elected official. In accordance with rule 19 of the Rules of Procedure, the agenda shall be submitted to the Assembly for approval as soon as possible after the opening of the session.

Documentation

Provisional agenda (ICC-ASP/S-2/1)

4. States in arrears

According to article 112, paragraph 8, of the Rome Statute, “A State Party which is in arrears in the payment of its financial contributions towards the costs of the Court shall have no vote in the Assembly and in the Bureau if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The Assembly may, nevertheless, permit such a State Party to vote in the Assembly and in the Bureau if it is satisfied that the failure to pay is due to conditions beyond the control of the State Party.”

At its twenty-fourth session, the Assembly adopted resolution ICC-ASP/24/Res.3 on the procedure and criteria for the waiver of the loss of voting rights, including (in its annex) an illustrative timeline for consideration of waiver requests for regular Assembly sessions.

The Assembly will consider any requests for waiver submitted by States Parties subject to the provisions of article 112, paragraph 8, of the Rome Statute, taking into account any recommendations made by the Bureau.

5. Credentials of representatives of States at the special session*a) Appointment of the Credentials Committee*

Rule 25 of the Rules of Procedure of the Assembly of States Parties provides that a Credentials Committee shall be appointed at the beginning of each session. It shall consist of representatives of nine States Parties, which shall be appointed by the Assembly on the proposal of the President.

b) Report of the Credentials Committee

Representation and credentials are regulated by rules 23 to 28 of the Rules of Procedure. In accordance with rule 24, the credentials of representatives of States Parties and the names of alternates and advisers shall be issued by the Head of State or Government or by the Minister for Foreign Affairs or by a person authorized by either of them. Under rule 25, the Credentials Committee shall examine the credentials of representatives of States Parties and report to the Assembly without delay. Rule 26 provides that, pending a decision of the Assembly upon their credentials, representatives of States Parties shall be entitled to participate provisionally in the Assembly.

6. Organization of work

The Assembly will consider and adopt a programme of work at the beginning of the session on the basis of a proposal by the Bureau.

7. Disciplinary proceedings involving an elected official

The Assembly will consider disciplinary proceedings involving an elected official pursuant to the legal framework contained in article 46 of the Rome Statute, rules 23 to 32 of the Rules of Procedure and Evidence of the Court, and rules 81 and 82 of the Rules of Procedure of the Assembly of States Parties.

The Assembly will take a decision under article 46 of the Rome Statute, by secret ballot, by an absolute majority of the States Parties. An “absolute majority of the States Parties” is a majority of all States Parties, whether or not they vote or are allowed to vote. There are 125 States Parties to the Rome Statute; an absolute majority is 63. This threshold, explicitly provided in article 46 of the Rome Statute for decisions in disciplinary proceedings, ensures that a majority of the entire membership approves any such decision.

Documentation

Draft decision of the Assembly of States Parties on disciplinary proceedings involving an elected official of the International Criminal Court (ICC-ASP/S-2/SC/L.3) – ***Strictly confidential: States Parties only***

Disciplinary proceedings involving an elected official: guide to the secret ballot (ICC-ASP/S-2/SC/2) – ***Strictly confidential: States Parties only***