

New York Working Group of the Bureau of the Assembly of States Parties

Modalities for 2023 Public Roundtables for Judicial Candidates¹

Timing

The roundtables will be convened on 6 and 7 November 2023².

Location

The roundtables will be held in-person at the UN Headquarters in New York (*room to be announced as soon as possible*), and will be publicly web-streamed, recorded and uploaded to the ASP website. The candidates who will not be able to participate in-person should inform the Secretariat as soon as possible in order to facilitate their participation by videoconference.

Moderation

Each session of the roundtables will be moderated by two moderators, one from the States Parties and one from the civil society, each moderating their respective segments of questions. The segment with individualized questions will be co-moderated. The moderators will be announced as soon as possible by the New York Working Group. Moderator on behalf of States Parties will be identified from the States Parties represented in the Bureau, which did not nominate a candidate for this year's election; moderator on behalf of civil society might differ from session to session.

Format

The roundtables will be held in 3 sessions³, each for maximum duration of 3 hours. Candidates will be divided up into sessions randomly, without differentiation between List A and List B candidates, with discretion to make any necessary accommodations for time zone differences, in the case of the participation of a candidate via videoconference. Candidates will be given opportunity to make opening and concluding remarks. During the segments, candidates will be provided with an equal amount of time to respond to questions, and with an exception for the segment on individualized questions, all candidates will be given the opportunity to respond to all questions posed.

Tentative programme of a session:

- Opening remarks by moderators
- Presentation of each candidate
- Segment for individualized questions supplementing the ACN report on the assessment of candidates
- Segment for questions submitted by States Parties

¹Based on the paragraph 12ter of the resolution ICC-ASP/3/Res.6 regarding the Procedure for the nomination and election of judges, the Prosecutor and Deputy Prosecutors of the International Criminal Court, as amended by resolutions ICC-ASP/18/Res.4 and ICC-ASP/21/Res.2

²Dates aim: to allow sufficient time for consideration of the report of the Advisory Committee on Nominations and the submission of questions; to follow after the deadline (31 October 2023) for the IOM to submit a report to the Presidency of the Assembly regarding any concerns it may have identified with respect to the high moral character of any of the nominated candidates; and to avoid overlaps with the Sixth Committee session to the extent possible.

³ 2 sessions (morning and afternoon) on Monday 6 November 2023 and 1 session (morning) on Tuesday 7 November 2023 – pending the final confirmation of respective arrangements with the UNGA 6th Committee.

- Segment for questions submitted by civil society
- Concluding remarks by each candidate
- Concluding remarks by moderators

Questions

- States Parties and civil society will be invited to submit questions for the individualized segment and their respective segments in advance, and if time permits, also during the sessions.
- Questions submitted in advance will be anonymized and moderators will have discretion to streamline them, to de-prioritize any questions which have already been asked by the ACN and for which candidates' responses are on record, as well as to pose follow-up questions and request clarifications during the sessions.
- Questions will not be shared with candidates ahead of the roundtables.
- No questions involving matters pending before the Court will be permitted.
- Together with the invitation to submit questions, the same number of topics for individualized questions for each candidate will be indicated in order to supplement the ACN assessments. If possible, the moderators will choose questions equally from those submitted by the States Parties and those submitted by the civil society. Should there be no questions submitted for any of the indicated topics for any of the candidates, the moderators shall have discretion to formulate questions to supplement the ACN report themselves.

Language

Simultaneous interpretation in English and French will be provided. The web-stream and recordings will be available in the floor language, English and French.