

Resolution ICC-ASP/11/Res.4

Adopted at the 8th plenary meeting, on 21 November 2012, by consensus

ICC-ASP/11/Res.4 Independent Oversight Mechanism

The Assembly of States Parties,

Recalling the Rome Statute of the International Criminal Court and, in particular article 112, paragraphs 2(b) and 4, of the Rome Statute,

Recalling its resolutions ICC-ASP/8/Res.1, ICC-ASP/9/Res.5, and ICC-ASP/10/Res.5 on the Independent Oversight Mechanism,

Welcoming the report of the Bureau on the Independent Oversight Mechanism,

1. *Recognizes* the importance of a fully operational Independent Oversight Mechanism in accordance with resolutions ICC-ASP/8/Res.1, ICC-ASP/9/Res.5 and ICC-ASP/10/Res.5 to the efficient and effective operation of the Court;
2. *Takes note of* the report of the Bureau on the Independent Oversight Mechanism and the programme of work for the Independent Oversight Mechanism for 2013 attached to that report;
3. *Decides* to continue discussions on the Independent Oversight Mechanism, fully respecting the provisions in the Rome Statute regarding judicial and prosecutorial independence and the management oversight of the Assembly of States Parties, including articles 40, 42 and 112, with a view to the Bureau submitting to the twelfth session of the Assembly a comprehensive proposal that would make possible the full operationalization of the Independent Oversight Mechanism;
4. *Acknowledges with satisfaction* information concerning the anti-retaliation/whistleblower draft policy developed by the Court in close consultation with the Independent Oversight Mechanism and the Staff Union Council, and *invites* the Court to adopt it at the earliest time possible;
5. *Decides further* to delegate to the Bureau the following decisions, after taking into consideration possible budgetary implications and operational requirements and, if necessary, consulting the Committee on Budget and Finance:
 - (a) The extension of the mandate of the Temporary Head of the Independent Oversight Mechanism and, when appropriate, the hiring of the Head of the Independent Oversight Mechanism; and
 - (b) The timing of the commencement of the recruitment of the P-2 staff member for the Independent Oversight Mechanism.