

Reference: ASP/2020/31

7 August 2020

Dear States Parties,

### Consultations on a consensus candidate for Prosecutor

I have the honour to refer to the process for the election of the Prosecutor of the International Criminal Court.

Pursuant to the Terms of Reference for the Election of the Prosecutor,<sup>1</sup> on 30 June 2020 the Committee on the Election of the Prosecutor submitted a report<sup>2</sup> containing a shortlist of four candidates for the position of Prosecutor. Subsequently, as mandated by the Terms of Reference, hearings were held on 29 and 30 July 2020 for the shortlisted candidates with States Parties and civil society. Recordings of the hearings have been made available on the Assembly website,<sup>3</sup> and a transcript is under preparation.

The Terms of Reference provide that a consultation process will be undertaken, led by the President in consultation with the Bureau, to identify a consensus candidate.<sup>4</sup> Having had an opportunity to discuss the way forward with the Bureau at its meeting on 4 August 2020, I would like to share the following modalities.

As a general rule, the consultation process will be structured, efficient, inclusive and transparent. While the point of entry for the consultations will be New York, where all States Parties are represented, it will be for each State Party to determine its participation.

I consider it important that all States Parties are given a voice as we go forward. Therefore, the first round of consultations to ascertain the prospects for consensus will commence in due course. In order to ensure that all States Parties can be actively and transparently consulted within a short timeframe, the first round of consultations will take place with regional groups. The meetings will be conducted by Vice-President Michal Mlynár, in close coordination with me and Vice-President Jens-Otto Horslund. We aim to conclude the first round of consultations by early September and to update Bureau members and States Parties in the second week of September, prior to further bilateral consultations.

States Parties are invited to share their views at any time bilaterally with Vice-President Mlynár. States Parties may also share their views with me or Vice-President Horslund. States Parties are also welcome to engage bilaterally with the shortlisted candidates. Their contact details will be distributed by the Secretariat.

Yours sincerely,



O-Gon Kwon  
President  
Assembly of States Parties

<sup>1</sup> ICC-ASP/18/INF.2.

<sup>2</sup> ICC-ASP/19/INF.2, Add.1 and Add.2.

<sup>3</sup> [https://asp.icc-cpi.int/en\\_menus/asp/elections/prosecutor/Pages/Prosecutor2020.aspx](https://asp.icc-cpi.int/en_menus/asp/elections/prosecutor/Pages/Prosecutor2020.aspx).

<sup>4</sup> ICC-ASP/18/INF.2, para. 28.