



**Nineteenth ICC-ASP Bureau Meeting**

**2 December 2010**

**Agenda and Decisions**

*The President of the Assembly, H.E. Mr. Christian Wenaweser (Liechtenstein), chaired the meeting.*

**1. Preparations for the ninth session of the Assembly of States Parties**

*a) Omnibus resolution*

*i) Briefing by the Coordinator of the omnibus resolution*

The Coordinator of the omnibus resolution, Mr. Zénon Mukongo Ngay (Democratic Republic of the Congo), informed the Bureau that a second reading of the resolution had nearly been completed. He expressed the hope that, after the consultations later in the day, there would be a consolidated text on which to base discussions during the Assembly.

*ii) Approval of draft paragraphs*

The Bureau decided to transmit to the Assembly for its deliberations on the omnibus resolution the draft paragraphs on the Secretariat of the Trust Fund for Victims and on cooperation, dated 22 and 25 November 2010, respectively, which were approved by The Hague Working Group at its eleventh meeting, on 26 November 2010.

*b) Draft resolution on governance*

The Bureau decided to transmit for the consideration of the Assembly a draft resolution on governance, dated 29 November 2010, which was approved by The Hague Working Group at its eleventh meeting, on 26 November 2010. The draft resolution will be considered under agenda item 17, "Review Conference follow-up".

*c) Interim premises of the Court*

The Bureau considered a letter from the Registrar, dated 25 October 2010, addressed to the President of the Assembly, concerning the extension of the rent-free period for the Court's interim premises. A delegation expressed concern at the current situation, stated that States Parties should become more involved in the negotiations and that the matter should be addressed in the omnibus resolution to be adopted by the Assembly at its next session. The President reaffirmed his desire to help find the best possible solution for the Court and States Parties and informed the Bureau of the discussions he had held on this issue during his last visit to The Hague, both with the principals of the organs and representatives of the host State. He also stated his view that the negotiations should, at the current stage, be led by the Court, with States Parties lending political support. He intended to hold consultations on this matter on the margins of the forthcoming session of the Assembly, and would inform the Bureau on the outcome thereof. Another delegation supported this approach and pointed out that

discussions on such matters are usually carried out between the host State and representatives of the international organization concerned.

The Bureau decided to approve the draft response from the President, dated 1 December 2010, and to remain seized of this issue.

*d) Provisional programme of work*

The Bureau decided to allocate 60 additional minutes for informal consultations on cooperation on Wednesday, 8 December, from 12:00 to 13:00 and to make the corresponding modification to the time allocated to the Working Group on Amendments, from 11:30 to 12:00.

**2. Composition of the current Bureau**

The President noted that there was still no agreement within the African Group on which State would relinquish its seat on the Bureau in order to permit the election of the candidate identified to fill the position of Vice-President of the Assembly, left vacant by the departure of Ambassador Muburi-Muita (Kenya). He underscored the need for flexibility as well as the urgency of the matter and noted that, failing a solution to the problem by Friday, 3 December, he would undertake consultations among members of the Bureau from different regional groups. The President declared his intention to conduct the election for a Vice-President of the Assembly at the first plenary meeting of the ninth session on Monday, 6 December.

**3. Election of the President of the Assembly for the tenth to twelfth sessions**

In light of the fact that it had not been possible to reach a decision on a candidate for election as the President of the Assembly for the tenth to twelfth sessions, the Bureau decided to recommend that the Assembly, by oral decision during the opening meeting of the ninth session, defer the election of the President to the beginning of the tenth session, in accordance with rule 29 of its Rules of Procedure.

**4. Election of the Prosecutor for the period starting 2012**

The Bureau amended paragraphs 3 and 5 of the draft terms of reference for the OTP Search Committee entitled "Bureau of the Assembly of States Parties - Search Committee for the position of the ICC Prosecutor", and adopted the version reflected in document ICC-ASP/9/INF.2.

The Bureau decided that the composition of the Search Committee should be finalized before the end of the year in order to enable the Committee to commence its work at the earliest opportunity.

**5. Report of the Oversight Committee**

The Bureau took note of the report on the activities of the Oversight Committee, dated 30 November 2010, submitted by the Chair of the Committee, Mr. Martin Strub (Switzerland). The Chair will brief the Bureau at its next session, on 9 December.

**6. Other Matters**

- a) *Decisions of Pre-Trial Chamber I, dated 27 August 2010, informing the United Nations Security Council and the Assembly of the States Parties to the Rome Statute about Omar Al-Bashir's recent visit to Chad and Kenya*

The delegation of Kenya informed the Bureau that it had, that morning, transmitted the official reply from the Government of Kenya to the letter of the President of the Assembly to the then Foreign Minister of Kenya, dated 28 August, concerning the visit of President Bashir of Sudan to Kenya.

- b) *Letter from the President of the Court to the President of the Assembly concerning the budget for hearings, dated 28 November.*

The Bureau acknowledged receipt of the letter, dated 28 November 2010, from the President of the Court to the President of the Assembly concerning the budget for hearings.

- c) *Next Bureau meeting*

The next meeting of the Bureau will be held on 9 December.

In addition to the briefing by the Chair of the Oversight Committee, the Bureau would also hear a briefing from the Prosecutor, who will brief the Security Council in the afternoon of the same day.

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