



BUREAU OF THE ASSEMBLY OF STATES PARTIES

First meeting

24 January 2014

Agenda and decisions

The President of the Assembly of States Parties, Ambassador Tiina Intelmann, chaired the meeting.

1. Nomination period for the election of judges

Given that in principle the election for six judges will be scheduled for the first day of the thirteenth session of the Assembly, on 8 December 2014, the Bureau decided to fix the 12-week nomination period to run from 28 April to 20 July 2014 (Central European Time), in accordance with the provisions of paragraph 3 of resolution ICC-ASP/3/Res.6, as amended by resolution ICC-ASP/12/Res.8. The Bureau requested the Secretariat to inform all States of the opening of the nomination period. The nomination period will enable the Advisory Committee on nominations of judges to conduct its work and report to the Assembly well in advance of the session enabling States Parties to benefit from the report.

Given the importance of nominating and electing the most highly qualified judges in accordance with article 36 of the Rome Statute, and for this purpose the need to encourage States Parties to conduct thorough and transparent processes to identify the best candidates (as reflected in operative paragraph 27 of omnibus resolution ICC-ASP/12/Res.8.), the Bureau decided that the President send a letter emphasizing the role of the Advisory Committee on nominations.

The President recalled that the Bureau would be informed about any development concerning any judicial vacancy which might arise.

2. Update on the appointments for the working groups

The President recalled that the division of mandates between the New York and The Hague working groups had been decided by the Bureau via silence procedure and that at the beginning of each year, all focal points, facilitators and chairs needed to be appointed by the Bureau. She informed the Bureau of her preliminary consultations on this subject, including that The Hague Working Group would recommend the names of some facilitators and focal points at its 31 January meeting.

The Bureau agreed that the nominations proposed to the Bureau could be decided through silence procedure.

In addition to the mandates already agreed to by the Bureau on 16 December 2013, it decided:

Intermediaries

a) To assign the topic of “intermediaries”, as provided in paragraph 13 (2) of annex I of resolution ICC-ASP/12/Res.8, to The Hague Working Group.

Cooperation

b) To appoint the Rapporteur in charge of “the development of arrest strategies [...] who will further advance the following process to deliver concrete results in the period 2013-2014,” when information on that nomination is received from The Hague Working Group. The basis for this appointment is contained in resolution ICC-ASP/12/Res.3 and the roadmap on “Arrest strategies: roadmap and concept paper”, contained in annex IV to the report of the Bureau on cooperation (ICC-ASP/12/36).

Recruitment of the head of the Independent Oversight Mechanism

c) To allocate to The Hague Working Group the mandate regarding the recruitment of the Head of the Independent Oversight Mechanism at the earliest possible date, with the understanding that the working group would propose to the Bureau the name of the Chair of the recruitment panel. The Chair would be entrusted to prepare proposals on the composition of the recruitment panel, taking into account equitable geographical representation, as well as the terms of reference for the work of the panel, to be approved by the Bureau. The Bureau may at any time request an interim report of the work of the panel.

Non-cooperation

As regards the focal points for non-cooperation, the President recalled that, by resolution ICC-ASP/11/Res.8, annex I, the Assembly had amended its procedures on non-cooperation to include the following text:

“(a) Regional focal points for cooperation

16. In order to assist the President in his or her good offices, the Bureau would appoint four, or, if so requested by the President of the Assembly, five focal points from among States Parties, on the basis of the principle of equitable geographical representation.”

The President recalled that the Bureau had previously appointed Belgium, Japan and Uruguay to this function, and appealed and encouraged representatives of the remaining regional groups to consider taking up this responsibility on behalf of the Assembly.

Complementarity

The President informed that Botswana and Sweden have expressed their preliminary interest to be appointed *ad country* focal points.

3. Selection of the President and Bureau for the thirteenth to fifteenth sessions

The President informed that consultations to identify the future President of the Assembly were being conducted by the Vice-President of the Assembly Ambassador Ken Kanda (Ghana). The President recalled the expression of interest by a State that has nevertheless not submitted the formal candidature of an individual, as well as informal expressions of interest by other States.

As regards the identification of the future Bureau members, the President recalled the appointment of Gabon (African Group) and Japan (Asia-Pacific Group) as regional focal points to conduct consultations within their respective groups in order to identify the members of the future Bureau.

The Bureau decided to appoint the Czech Republic (Eastern European Group) and Finland (Western European and Other States Group) as focal points for their respective groups.

The President recalled the decisions of the Bureau in document ICC-ASP/12/59 of 20 November 2013 on the evaluation and rationalization of the working methods of the subsidiary bodies of the Bureau, whereby it encourages focal points to inform individuals who wish to become members of the next Bureau, in particular as potential Vice-Presidents, about the tasks and responsibilities involved. The Bureau had also decided that interested States should also be informed that the majority of the meetings of the Working Groups take place in The Hague and if not represented in The Hague, the respective State could consider sending a representative from Brussels to participate in important meetings, such as key meetings of The Hague Working Group.

The Bureau decided to set itself 30 June 2014 as the deadline for the endorsement of candidates to be elected at the opening of the thirteenth session, on 8 December 2014.

4. Agreement on the Privileges and Immunities of the Court: pledging ceremony

The Bureau considered the note, dated 21 January 2014, submitted by Belgium on the organization of a pledging ceremony on the Agreement on the Privileges and Immunities of the International Criminal Court for the thirteenth session of the Assembly. The Bureau requested Belgium to submit a revised version of the note within three weeks bearing in mind the comments made by Bureau members.

5. Other matters

a) President's travel

The President informed the Bureau of her travel to Côte d'Ivoire and Brussels at the end of January and early February.

b) Judicial developments at the Court

For information purposes, the President brought to the attention of the Bureau the 15 January 2014 oral ruling made by Trial Chamber V (a) excusing Mr. William Ruto from continuous presence at trial, with certain conditions.¹

The President also highlighted that on 23 January 2014, on the basis of the application by the Prosecutor of 12 December 2013 Trial Chamber V (b) vacated the trial commencement date of 5 February 2014 in the case of *The Prosecutor v. Uhuru Muigai Kenyatta*. The Trial Chamber announced that it will hold a status conference on 5 February 2014.

¹ http://www.icc-cpi.int/en_menus/icc/situations%20and%20cases/situations/situation%20icc%200109/related%20cases/icc01090111/Pages/ruto-sang.aspx