

Part III
Resolutions adopted by the Assembly of States Parties

Resolution ICC-ASP/7/Res.1

Adopted at the 7th plenary meeting, on 21 November 2008, by consensus

ICC-ASP/7/Res.1 Permanent premises

The Assembly of States Parties,

Recalling resolution ICC-ASP/6/Res.1, adopted at the 7th plenary meeting of the sixth session of the Assembly, on 14 December 2007,

Further recalling that in resolution ICC-ASP/6/Res.1 the overall construction costs, which include a contingency reserve, fees for the consultants and contractors, pre-tender and post-tender inflation, any fees for permits and dues and a fund for integrated, specialized representational features were estimated to be no more than €190 million at the 2014 price level,

Noting that this estimate may need to be adjusted over the course of the project to accurately reflect market developments and price increases in construction materials,

Further noting that such estimate is exclusive of the costs that are related to the project but not related directly to the construction, such as the costs of relocating the Court from the temporary premises to the permanent premises, movable items such as furniture and ICT hardware, potted greenery and decorations, costs relating to communications and public relations for the project and costs relating to the interim premises, and *stressing* the need to address those issues within the Assembly and, where relevant, the Oversight Committee on permanent premises, so as to ensure comprehensive and transparent financial planning,

Noting the results of the architectural design competition and *recognizing* that the project will enter into the design phase,

Mindful of the reports of the Committee on Budget and Finance on the work of its tenth and eleventh sessions,

Reiterating the important role of the Court throughout the process,

Noting the report of the Oversight Committee on the permanent premises,

Welcoming the appointment of the Project Director and *recalling* his leading role in the overall management of the project and his responsibility for meeting the project's goals, timelines and costs, and quality requirements, as provided in resolution ICC-ASP/6/Res.1,

Recalling the relevant provisions of the Rome Statute and *noting* that the Financial Regulations and Rules and internal and external audit arrangements of the Court are applicable to the project,

1. *Requests* the Project Board, in its negotiations with the prize-winners of the architectural design competition, to observe the procedure for awarding a contract contained in annex I to this resolution, and to submit its recommendations to the Oversight Committee for its consideration and agreement, prior to the signature of the contract by the Registrar;
2. *Accepts* those elements of the offer of the host State contained in the letter dated 25 January 2006 from the Minister of Foreign Affairs of the host State to the President of the Assembly of

States Parties relating to the provision of a loan of up to a maximum of €200 million, to be repaid over a period of 30 years at an interest rate of 2.5 per cent, on the basis of annex II to this resolution;

3. *Welcomes* the offer of the host State, in the event of the €200 million not being fully utilized at the end of the project, to reduce the amount of the loan to be repaid with an amount that corresponds to 17.5 per cent of the non-utilized part, as a subsidy in accordance with annex II;
4. *Requests* that the Oversight Committee continue to consider alternative sources of financing;
5. *Requests* the Court, to negotiate with the host State the relevant agreements for the implementation of the loan referred to in paragraph 2, in accordance with the criteria referred to in annex II to this resolution, and to submit them to the Oversight Committee for approval;
6. *Invites* States Parties to consider making a one-time payment equal to their share in the value of the total estimated overall construction costs, subject to an adjustment once the final cost of the project is determined, and *agrees* that these States will not be assessed for the accrued interest and the repayment of the host State loan to the extent that they have contributed to the project through one-time payments;
7. *Requests* States Parties to inform the Registrar, in accordance with annex III, of their possible intention to select the option of a one-time payment of their assessed share by 30 June 2009 and to inform the Registrar of their final decision to select the option of a one-time payment of their assessed share by 15 October 2009;
8. *Decides* that States Parties not opting for a one-time payment shall be assessed annually for the payment of interest and for the repayment of the host State loan, according to the scale of assessments to the Court's regular budget applicable at the time of the assessment;
9. *Requests* the Oversight Committee to continue exercising its functions in accordance with resolution ICC-ASP/6/Res.1 and, specifically, to:
 - (a) Prepare, in consultation with the Project Board, a detailed financing mechanism that combines the use of the loan referred to in paragraph 2 of this resolution, the possibility for States Parties to make one-time payments, and other possible sources of financing;
 - (b) Prepare a mechanism for States Parties to make one-time payments, taking into account the principles contained in annex III; and
 - (c) Submit proposals for scheduling one-time payments, so as to start receiving such payments as of 2010 but not later than 2012;
10. *Requests* the Registrar, in this connection, to establish, in accordance with the Financial Regulations and Rules, a special account for the sole purpose of holding one-time payments by States Parties for the permanent premises project;
11. *Decides* to establish, within the ambit of the annual proposed programme budget, a permanent premises budget for the purpose of:
 - (a) Payment, as of the first utilization of the host State loan, of the accrued interest, which will be determined annually and will be included in the proposed programme budget of the following year; and
 - (b) Repayment of the host State loan through regular annual instalments, which shall commence after expiration of the leases of the interim premises¹;

¹ At the moment repayment starts, the host State will make a provisional calculation of the subsidy.

12. *Decides* that all costs relating to the staffing and operation of the Project Director's Office shall be included in the proposed programme budget of the Court, under major programme VII;
13. *Takes note* of the cash-flow scheme contained in annex IV and *requests* the Project Director, in consultation with the Oversight Committee in accordance with resolution ICC-ASP/6/Res.1, to submit annually, for the consideration of the Assembly at its regular session, more detailed estimates of the final cost envelope for the project on the basis of the most recent information, including costs that are related to the project but not directly related to the construction;
14. *Authorizes* the Court, in consultation with the Project Board, to draw on the host State loan to cover costs in relation to the construction of the permanent premises, in accordance with:
 - (a) The cash flow scheme included in annex IV, subject to any modifications of the cost estimates that may result in light of paragraph 13 above;
 - (b) The guidelines for contracts and expenditures, as reflected in annex V; and
 - (c) Any further guidance from the Oversight Committee;
15. *Requests* the Project Director to report annually to the Assembly of States Parties, through the Oversight Committee, on the realization of the previous years' estimates and the level of expenditure, and on the costs that are related to the project but not related directly to the construction;
16. *Requests* the Court and the host State to prepare the relevant legal and/or contractual agreements between the Court and the host State on the separation of the ownership of the land and of the building, the land lease and the mortgage, and to submit them to the Oversight Committee for approval;
17. *Notes* the progress made by the Court in the development of a project manual which takes into account the provisions of resolution ICC-ASP/6/Res.1, annexes II, III and IV, and *requests* the Project Board to continue to develop the manual and to submit it to the Oversight Committee for approval;
18. *Invites* the Registrar to make operational the trust fund referred to in annex VI of resolution ICC-ASP/6/Res.1 so as to start receiving voluntary contributions and, in that connection, *invites* members of civil society with a proven track record of commitment to the mandate of the Court to consider raising funds for the permanent premises project;
19. *Requests* the Bureau to remain seized of this issue and report back to the Assembly at its next session.

Annex I

Procedure for awarding a contract to the design team

1. The three prize-winners will be ranked in first, second and third order and will be provided with the recommendations of the Jury and/or additional requirements set by the Court.
2. The three prize-winners will also receive, sufficiently in advance, a concept contract and a questionnaire which will be prepared by the Project Board. The latter will serve to assess, among others, the following:
 - (a) Result of the modifications required by the Jury or the Court;
 - (b) Strategy for realizing the project in the Netherlands (including the quality of the design team, planning and implementation);
 - (c) Costs;
 - (d) Fees; and
 - (e) Contractual aspects.
3. The three prize-winners will respond to the questionnaire in writing, drawing or sketching and will be invited to participate in an interview that will be conducted by the Project Board and will include a representative of the Court's Procurement Section.
4. The Project Board will evaluate the responses from the three prize-winners, taking into account the result of the architectural design competition and in light of a set of minimum requirements, which will include, but not be limited to, the following:
 - (a) *Costs*: Whether the proposed design fits into the estimated budget as referred to in resolution ICC-ASP/6/Res.1. The cost estimation must be transparent, reliable, comprehensive and verifiable.
 - (b) *Compliance with the functional brief*: Whether the design complies with the requirements in terms of functionality, zoning plans, sustainability, etc.
 - (c) *Recommendations of the Jury or client*: Whether the recommendations issued by the Jury and/or additional requirements set by the Court are accepted and confirmed to be capable of being implemented within the budget limit.
 - (d) *Planning*: Whether finalization of the executive design fits into the planning of the project in terms of timelines and delivery.
 - (e) *Fee offer*: Whether the fees are proportionate to the project, reasonable, clear and stated in a manner which provides cost certainty.
 - (f) *Draft contract*: Whether the architect accepts the draft contract and the conditions therein to a reasonable extent as a basis for the negotiation.
5. Once the evaluation is completed, the Project Board will refer its findings and recommendations to the Oversight Committee for a final decision.
6. Once the decision for awarding the contract is taken, the Project Board will negotiate the terms and conditions of the contract with the selected design team. The agreement of the Oversight Committee shall be necessary prior to the signing of the contract between the Court and the design team.

Annex II

Criteria applicable to the agreement on the loan

The agreement with the host State regarding its offer to provide a loan for the permanent premises project will stipulate that:

- (a) A loan of up to a maximum of €200 million will be provided to the Court by the host State, to be repaid over a period of 30 years at an interest rate of 2.5 per cent.
- (b) The agreement does not create for the Court any legal obligation to borrow the full amount (i.e. €200 million) from the host State or in any way restrict the Court's discretion in deciding on the amount that is to be borrowed.
- (c) The agreement does not in any way restrict the authority and discretion of the Court to seek funds for the same purposes from any other source if the Court chooses to do so.
- (d) In the event of the €200 million not being fully utilized at the end of the project, the host State will reduce the amount of the loan to be repaid by an amount that corresponds to 17.5 per cent of the non-utilized part of the loan.
- (e) Interest is to be paid annually, as of the first utilization of the host State loan.
- (f) Repayment of the loan, through regular annual instalments, will commence after expiration of the existing or future leases of the interim premises.

Annex III

Principles for one-time payments of the assessed share

1. States Parties will inform the Registrar of their possible intention to select the option of a one-time payment of their assessed share by 30 June 2009 and will inform the Registrar of their final decision to select the option of a one-time payment of their assessed share by 15 October 2009, including whether they would prefer paying in one, two or three instalments.
2. States that deposit their instrument of ratification or accession to the Rome Statute before 15 October 2009 will be entitled to opt for the one-time payment, as long as they inform the Registrar of their decision to do so by that date, as provided for in paragraph 7 of this resolution and this annex, notwithstanding the date upon which the Statute enters into force for that State.
3. States Parties not opting for a one-time payment shall be assessed annually for the payment of interest and for the repayment of the host State loan, according to the scale of assessments to the Court's regular budget applicable at the time of the assessment.
4. The Registrar will inform States Parties wishing to make a one-time payment, as soon as possible, of their assessed share, based on the most recent estimates of the final cost envelope referred to in paragraph 13 of the resolution.
5. One-time payments shall be subject to an adjustment once the final cost of the project and the amount of the host State subsidy are known.
6. One-time payments shall be held in a special account and utilized to fulfil payment obligations relating to the construction of the permanent premises.
7. The adjustment referred to in paragraph 6 of this resolution and in this annex will be the difference, in favour or against, between the one-time payment made by each State Party during the project and the definitive one-time payment calculated at the end of the project. For such purposes, definitive one-time payments will:
 - (a) Take into account the scale of assessments to the Court's regular budget applicable at the time the final cost envelope of the project is determined;
 - (b) Apply the reduction on the amount of the loan provided by the host State, as described in paragraph 3 and annex II of this resolution; and
 - (c) Apply any voluntary contribution received, as foreseen in paragraph 18 of this resolution.

Annex IV

Cash-flow scheme

		Totals (M€)	2008		2009		2010		2011		2012		2013		2014		2015	
			Competition		Design & tendering				Execution				Maintenance					
			year		year		year		year		year		year		year		year	
		100%	0%		0%		0%		20%		25%		35%		15%		5%	
	BOX 1; Construction costs	€114.9		0.0		0.0		0.0		23.0		28.7		40.2		17.2		5.7
	BOX 3; Other construction costs	€75.1		0.0		6.3		16.1		12.4		13.8		16.6		7.9		1.9
	Divided in:			0%		10%		15%		20%		25%		25%		5%		0%
15%	Contingency reserve	€ 17.2		0.0		1.7		2.6		3.4		4.3		4.3		0.9		0.0
				0%		0%		0%		0%		10%		20%		70%		0%
1%	Integrated, specialized representational features	€ 1.1		0.0		0.0		0.0		0.0		0.1		0.2		0.8		0.0
				0%		10%		25%		17%		15%		15%		15%		3%
4%	Fees Projectmanagement	€ 5.3		0.0		0.5		1.3		0.9		0.8		0.8		0.8		0.2
				0%		20%		50%		15%		10%		5%		0%		0%
14%	Fees designers, engineers, consultants etc	€ 18.5		0.0		3.7		9.3		2.8		1.9		0.9		0.0		0.0
				0%		0%		43%		29%		11%		9%		9%		0%
4%	Permit and dues	€ 3.5		0.0		0.0		1.5		1.0		0.4		0.3		0.3		0.0
				0%		0%		0%		0%		0%		0%		100%		0%
sum	Consultancy user permits	€ 0.1		0.0		0.0		0.0		0.0		0.0		0.0		0.1		0.0
	Total	€ 45.7		0.0		6.0		14.7		8.1		7.5		6.5		2.8		0.2
				3.3%		6.7%		10.2%		13.8%		17.6%		21.4%		25.4%		29.5%
1.03	Escalation estimated 3%	€ 29		0.0		0.4		1.5		4.3		6.4		10.0		5.1		1.7
Total		190		0		6		16		35		43		57		25		8
				0		6		22		58		100		157		182		190

Annex V

Guidelines on contracts and expenditures

Contracts (purchase orders)

1. The Project Director shall lead procurement (tendering) processes for the project and for preparation and negotiation of contracts for the project. The Project Board shall recommend signature of contracts to the Registrar.
2. Contracts or a series of contracts with an aggregate value above €500,000 or accessing the 15 per cent contingency reserve referred to in annex IV, require the agreement of the Oversight Committee, upon recommendation of the Project Board, prior to final approval by the Registrar.
3. Contracts that go beyond the allocated portion and may lead to the estimated total project budget being exceeded require the approval of the Assembly of States Parties.

Expenditures

4. All expenditures of the project shall be verified by the Project Board. The Project Board shall recommend the approval and payment of expenditures to the Registrar.

Review

5. With the purpose of avoiding undue delays in the execution of the project, the operation of the present guidelines on contracts and expenditures shall be reviewed after one year.

Resolution ICC-ASP/7/Res.2

Adopted at the 7th plenary meeting, on 21 November 2008, by consensus

ICC-ASP/7/Res.2

Venue of the Review Conference

The Assembly of States Parties,

Recalling previous resolutions and reports on the Review Conference, and in particular, resolution ICC-ASP/6/Res.8 of 6 June 2008, the report of the Working Group on the Review Conference of the resumed sixth session¹ and the report on the site-visit to Uganda,²

Taking note of the Interim report of the focal point on the review of the Rome Statute,³

Recalling the statement of 5 June 2008 by H.E. Dr. Khiddu Makubuya, Attorney General and Minister of Justice and Constitutional Affairs of Uganda, and the statement of 20 November 2008 by H.E. Mr. Fredrick Ruhindi, Deputy Attorney General and Minister of State for Justice and Constitutional Affairs of Uganda, the latter of which contains the confirmation that Uganda is fully committed to its international obligations as a State Party to the Rome Statute, ratification of the Agreement on the Privileges and Immunities of the International Criminal Court and expeditious adoption of implementing legislation for the Rome Statute,

Recalling further the provisions about participation in the Review Conference already set out in the Rome Statute and the draft Rules of Procedure for the Review Conference⁴,

Recalling further that the Review Conference shall be open to participation by civil society, including non-governmental organizations and representatives of victims organizations, and that their participation is key to successful outreach for the Court and the Review Conference, thus underlining the need for close cooperation with civil society in the preparations,

1. *Decides* that the Review Conference shall be held in Kampala, Uganda, during the first semester of 2010, for a period of five to ten working days, at dates to be established by the Bureau of the Assembly in close consultation with the Government of Uganda;

2. *Decides* that, in the event that unforeseen developments should arise, which would constitute an unanticipated risk for the achievement of successful outreach or the essential interests of the Court, its operations or the success of the Review Conference, the President of the Assembly will consult with the Government of Uganda, the Court and members of the Bureau of the Assembly and on this basis advise the Bureau accordingly; the Bureau will then, taking first into consideration the already proposed alternative venues, be mandated to take action on the timing, venue and other modalities for the Review Conference on behalf of the Assembly, should the need arise;

3. *Requests* the Government of Uganda to conclude a Memorandum of Understanding with the Secretariat of the Assembly, through the Court, which ensures that the provisions of the Agreement on the Privileges and Immunities of the International Criminal Court are applicable, *mutatis mutandis*, to the Review Conference and which should also contain a time plan for preparatory steps;

¹ ICC-ASP/6/WGRC/1.

² ICC-ASP/6/WGRC/INF.1.

³ ICC-ASP/7/WGRC/INF.1 and Add.1.

⁴ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixth session, 30 November - 14 December 2007* (International Criminal Court publication, ICC-ASP/6/20), vol. I, part III, resolution ICC-ASP/6/Res.2, annex IV.

4. *Requests* the Government of Uganda to consult with the Coalition for the International Criminal Court on the provisions regarding visa arrangements and other preconditions for full access of and participation by representatives of civil society, non-governmental organizations, including victims organizations, in the Conference and other events to be held in Uganda, and the planning of side-events in conjunction with the Review Conference, with a view to their inclusion in the Memorandum of Understanding referred to above.

Resolution ICC-ASP/7/Res.3

Adopted at the 7th plenary meeting, on 21 November 2008, by consensus

ICC-ASP/7/Res.3

Strengthening the International Criminal Court and the Assembly of States Parties

The Assembly of States Parties,

Mindful that each individual State has the responsibility to protect its population from genocide, war crimes, and crimes against humanity, that the conscience of humanity continues to be deeply shocked by unimaginable atrocities in various parts of the world, and that the need to prevent the most serious crimes of concern to the international community, and to put an end to the impunity of the perpetrators of such crimes, is now widely acknowledged,

Convinced that the International Criminal Court (“the Court”) is an essential means of promoting respect for international humanitarian law and human rights, thus contributing to freedom, security, justice and the rule of law as well as to the prevention of armed conflicts, the preservation of peace and the strengthening of international security and the advancement of post-conflict peacebuilding and reconciliation with a view to achieving sustainable peace, in accordance with the purposes and principles of the Charter of the United Nations,

Convinced also that there can be no lasting peace without justice and that peace and justice are thus complementary requirements,

Convinced further that justice and the fight against impunity are, and must remain, indivisible and that in this regard universal adherence to the Rome Statute of the International Criminal Court is essential,

Welcoming the Court's central role as the only permanent international criminal court within an evolving system of international criminal justice,

Taking note with appreciation of United Nations General Assembly resolution 63/21 of 11 November 2008, concerning the International Criminal Court, and previous relevant United Nations General Assembly resolutions,

Stressing the importance of effective and comprehensive cooperation and assistance by States, international and regional organizations, so that the Court can properly fulfil its mandate,

Appreciating the invaluable assistance that has been provided by civil society to the Court,

Welcoming the events held at United Nations Headquarters and in The Hague to celebrate the tenth anniversary of the adoption of the Rome Statute,

Conscious of the importance of equitable geographical representation and gender balance in the organs of the Court,

Mindful of the need to encourage the full participation of States Parties, Observers and States not having observer status in the sessions of the Assembly of States Parties and to ensure the broadest visibility of the Court and the Assembly,

Conscious of the risks faced by personnel of the Court in the field,

Desirous of assisting the Court and its organs, notably through management oversight and other appropriate action, in performing the duties assigned to them,

A. Rome Statute of the International Criminal Court and other agreements

1. *Welcomes* the States that have become a Party to the Rome Statute of the International Criminal Court since the sixth regular session of the Assembly and *invites* States that are not yet parties to the Rome Statute to become so as soon as possible;
2. *Decides* to keep the status of ratifications under review, and to monitor developments in the field of implementing legislation, inter alia, with a view to facilitating the provision of technical assistance that States Parties to the Rome Statute, or States wishing to become parties thereto, may wish to request from other States Parties or institutions in relevant areas;
3. *Welcomes* the report of the Bureau regarding the implementation of the Plan of action for achieving universality and full implementation of the Rome Statute,¹ *endorses* the recommendations of the report, and *requests* the Bureau to continue to monitor its implementation and to report thereon to the Assembly during its eighth session;
4. *Stresses* that the integrity of the Rome Statute must be preserved and that treaty obligations emanating therefrom must be fully adhered to, *encourages* States Parties to the Rome Statute to exchange information and to support and assist each other to that end, particularly in situations where its integrity is being challenged, *reminds* States of the importance of upholding the spirit of the Statute, and *also urges* the States under an obligation to do so to cooperate with the Court in the fulfilment of its mandate;
5. *Welcomes* the States Parties that have become a Party to the Agreement on the Privileges and Immunities of the International Criminal Court, and *calls upon* States Parties as well as non-States Parties that have not yet done so to become parties to this Agreement as a matter of priority and to incorporate it in their national legislation as appropriate;
6. *Recalls* that the Agreement on the Privileges and Immunities of the International Criminal Court and international practice exempt salaries, emoluments and allowances paid by the Court to its officials and staff from national taxation and *calls upon* States that have not yet become parties to this Agreement to take the necessary legislative or other action, pending their ratification or accession, to exempt their nationals employed by the Court from national income taxation with respect to salaries, emoluments and allowances paid to them by the Court, or to grant relief in any other manner from income taxation in respect of such payments to their nationals;
7. *Reiterates* the obligations of States Parties to respect on their territories such privileges and immunities of the Court as are necessary for the fulfilment of its purposes, and *appeals* to all States which are not party to the Agreement on the Privileges and Immunities of the International Criminal Court in which the Court's property and assets are located or through which such property and assets are transported, to protect the property and assets of the Court from search, seizure, requisition and any other form of interference;
8. *Welcomes* the entry into force of the Headquarters Agreement between the International Criminal Court and the host State² on 1 March 2008;

¹ ICC-ASP/7/19.

² *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifth session, The Hague, 23 November-1 December 2006* (International Criminal Court publication, ICC-ASP/5/32), part III, resolution ICC-ASP/5/Res.3, annex II.

B. Institution-building

9. *Takes note* of the statements presented to the Assembly of States Parties by the senior representatives of the Court, including the President, the Prosecutor and the Registrar, as well as by the Chair of the Board of Directors of the Trust Fund for Victims, the Chair of the Committee on Budget and Finance, and the Chair of the Oversight Committee on permanent premises;

10. *Notes* with satisfaction the fact that owing, not least, to the dedication of its staff, considerable progress continues to be made in the Court's analyses, investigations and judicial proceedings in various situations which were referred to the Court by States Parties and the United Nations Security Council;³

11. *Takes note* of the experience already gained by other relevant international organizations in solving operational challenges similar to those encountered by the Court and, while reiterating its respect for the independence of the Court, *invites* the Court to take note of best practices of other relevant international organizations and tribunals;

12. *Emphasizes* the importance of electing the most highly qualified judges in accordance with article 36 of the Rome Statute;

13. *Takes note* also of the continued operation and further enhancement of its field presence, and *encourages* the Court to continue to optimize its field presence and contacts with affected communities in order to strengthen its effectiveness and ensure the Court's continued relevance and impact in countries in which it carries out its investigations;

14. *Continues to encourage* applications to the list of counsel established as required under rule 21(2) of the Rules of Procedure and Evidence with a particular view to ensuring equitable geographical representation and gender balance, as well as legal expertise on specific issues such as violence against women or children, as appropriate;

15. *Welcomes* the detailed report submitted by the Court to the Assembly of States Parties on the different legal aid mechanisms before the international criminal jurisdictions⁴ and *recommends* that the Court should continue to identify any efficiencies that can be achieved in its legal aid scheme, including by ensuring that the provision of legal aid is commensurate with the level of activity at each stage of proceedings, and by regularly evaluating the respective roles of the Office of Public Counsel for the Defence (OPCD) and defence teams;

16. *Invites* the Court, taking into account the comments of the Committee on Budget and Finance,⁵ to present to the Assembly at its eighth session an updated report on the legal and financial aspects for funding victims' legal representation before the Court, together with a further report considering alternatives to the formula currently used by the Court for calculating indigence, to include, inter alia, the consideration of the desirability of establishing absolute thresholds of asset holdings above which legal aid would not be provided, and *invites* the Court to engage in constructive dialogue with States Parties on this issue in a timely manner, allowing for a proper review by the Committee on Budget and Finance at its twelfth and thirteenth sessions;

³ United Nations Security Council resolution 1593 (2005).

⁴ ICC-ASP/7/23.

⁵ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Seventh session, The Hague, 14-22 November 2008* (International Criminal Court publication, ICC-ASP/7/20), vol. II, part B.2., paras. 128-129.

17. *Also welcomes* the report of the Bureau on family visits for detainees,⁶ *recalls* the recommendations of the Committee on Budget and Finance,⁷ *bears in mind* the subsequent submission of the Report of the Court titled “Report of the Court on family visits to indigent detained persons,”⁸ *recognizes* that detained persons are entitled to receive visits and that specific attention should be given to visits by family members, while also *recalling* that, according to existing law and standards,⁹ the right to family visits does not comprise a co-relative legal right to have such visits paid for by the detaining authority;

18. *Notes* that further discussions are necessary in order to facilitate a policy decision on the issue of financial assistance for family visits to persons detained on remand by the Court, as well as, in case of the adoption of such a policy, the specific conditions for its implementation, *invites* the Court to engage in a constructive dialogue with States Parties on this issue in a timely manner, allowing for a proper review by the Committee on Budget and Finance at its twelfth and thirteenth sessions and for a decision to be taken at the eighth session of the Assembly, and *requests* the Bureau to remain seized of the matter;

19. *Notes* the important work of independent representative bodies of counsel or legal associations, including any international legal association relevant to rule 20, sub-rule 3, of the Rules of Procedure and Evidence;

20. *Commends* the important work of the New York Liaison Office of the Court, which enables regular and efficient cooperation and exchange of information between the Court and the United Nations and the effective conduct of the Bureau as well as the New York Working Group, and *expresses* its full support for the work of the Office, and *recommends* that the Court provide a comprehensive and detailed information at the eighth session of the Assembly of States Parties on the functioning of the New York Liaison Office as a part of the report on the activities of the Court;

21. *Recommends* that the Court consider the desirability and feasibility of establishing, at African Union Headquarters in Addis Ababa, Ethiopia, a small representation common to all parts of the Court, and *requests* the Registrar to report to the Assembly of States Parties on this question, including its budgetary implications, drawing upon experiences and lessons learned from existing offices of the Court in New York and in the field;

22. *Welcomes* the presentation of the fourth report of the Court to the General Assembly of the United Nations;¹⁰

23. *Recognizes* the important work done by the Secretariat of the Assembly of States Parties, *reiterates* that the relations between the Secretariat and the different organs of the Court shall be governed by principles of cooperation and of sharing and pooling of resources and services, as set out in the annex to resolution ICC-ASP/2/Res.3, and *welcomes* the fact that the Director of the Secretariat of the Assembly of States Parties participates in the meetings of the Coordination Council when matters of mutual concern are considered;

⁶ ICC-ASP/7/30.

⁷ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Seventh session, The Hague, 14-22 November 2008* (International Criminal Court publication, ICC-ASP/7/20), vol. II, part B.2., paras. 66-69.

⁸ ICC-ASP/7/24.

⁹ Such as the United Nations Standard Minimum Rules for the Treatment of Prisoners (approved by Economic and Social Council by its resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977); the United Nations Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, adopted by General Assembly resolution 43/173 of 9 December 1988; and, at regional level, Recommendation Rec(2006)2 of the Committee of Ministers on the European Prison Rules adopted by the Committee of Ministers of the Council of Europe on 11 January 2006; Committee for the Prevention of Torture Imprisonment Standards (CPT/Inf/E(2002)1-Rev.2006).

¹⁰ United Nations document A/63/323.

24. *Welcomes* the efforts undertaken by the Court to implement the One Court principle, including by coordinating the activities of the Court among its organs at all levels, while respecting their necessary independence under the Statute, and *encourages* the Court to undertake all necessary efforts to fully implement the One Court principle, inter alia, with a view to ensure full transparency, good governance, and sound management;

25. *Welcomes* the Bureau's report on the Strategic Plan,¹¹ *endorses* the recommendations contained therein, *welcomes* the efforts of the Court to further develop the Strategic Plan on the basis of the document entitled "Revised strategic goals and objectives of the International Criminal Court for 2009 – 2018,"¹² *welcomes also* the substantial progress made by the Court in the implementation of the Strategic goals and objectives, *welcomes further* the progress made in developing a strategy for victims, *notes* that significant work remains to be done in developing the different areas of the Plan, in particular with regard to the strategy for victims, *reiterates* the need to continue to improve and adapt outreach activities and *encourages* the Court to further develop and implement the Strategic Plan for Outreach¹³ in affected communities, *reiterates further* the importance of the relationship and coherence between the strategic planning process and the budgetary process,¹⁴ *recommends* that the Court continue the constructive dialogue with the Bureau on the strategic planning process, in particular, the development and finalization of the strategy for victims and other priority issues identified in resolution ICC-ASP/5/Res.2, and *requests* the Court to submit to the next session of the Assembly an update on all activities related to the strategic planning process and its components;

26. *Reminds* the Court of its obligation under the Statute, in the recruitment of staff, to seek equitable geographical representation and gender balance and the highest standards of efficiency, competency and integrity, as well as to seek expertise on specific issues, including, but not limited to, trauma and violence against women or children;

27. *Stresses* the importance of the dialogue between the Court and the Bureau of the Assembly of States Parties with regard to ensuring equitable geographical representation and gender balance in the recruitment of staff members, *welcomes* the report of the Bureau,¹⁵ *endorses* the recommendations of the report, and *recommends* the Bureau to continue to engage with the Court to identify ways to improve equitable geographical representation within the existing model, without prejudice to any future discussions on the suitability, or otherwise, of the current model, as well as to remain seized of the issue of geographical representation and gender balance and to report thereon to the ninth session of the Assembly;

28. *Notes* that the Court has invited the United Nations General Assembly to consider amending the Pension Scheme Regulations for judges of the International Court of Justice, the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda in order to ensure that no former judge of any of these courts receives a pension while also serving as a judge of the International Criminal Court;

C. Cooperation and implementation

29. *Welcomes* the efforts undertaken by the Court to foster cooperation with States, international and regional organizations and civil society and *stresses* that effective cooperation remains essential for the Court to carry out its activities;

30. *Calls upon* the Court to continue to promote the full implementation of the Relationship Agreement between the International Criminal Court and the United Nations;

¹¹ ICC-ASP/7/29.

¹² ICC-ASP/7/25, annex.

¹³ ICC-ASP/5/12.

¹⁴ ICC-ASP/7/29.

¹⁵ ICC-ASP/7/21.

31. *Expresses its gratitude* for the Secretary-General's efforts to strengthen cooperation between the United Nations and the Court;
32. *Expresses its appreciation* to the Secretary-General and the Secretariat of the United Nations for their support in facilitating the resumed sixth session of the Assembly and the event to mark the tenth anniversary of the adoption of the Rome Statute, both held at United Nations Headquarters, and *looks forward* to continuing such cooperation regarding future sessions and events of the Assembly;
33. *Acknowledges with appreciation* the continued cooperation between the Court and the United Nations system, as evidenced by the hosting of a trial by the Special Court for Sierra Leone, and by several supplementary arrangements established within the framework provided by the Relationship Agreement between the Court and the United Nations;
34. *Welcomes* the implementation of the Cooperation Agreement between the Court and the European Union, as well of the other agreements of the Court and the Office of the Prosecutor, *looks forward* to the early conclusion of a cooperation agreement with the African Union, and *invites* other relevant regional organizations to consider concluding such agreements with the Court;
35. *Appeals* to all States in which personnel of the Court are deployed and to all others on which such personnel may rely to ensure the safety of, and to prevent attacks against, personnel of the Court and to provide cooperation and judicial assistance aimed at facilitating the conduct and fulfilling of their mandate;
36. *Acknowledges* the crucial role played by journalists, media professionals and associated personnel to inform the international community on the Court's activities, and *stresses* the necessity for States and other parties to an armed conflict to protect such persons as civilians, provided that they enjoy such status under International Humanitarian law;
37. *Recalls* that the ratification of the Rome Statute must be matched by national implementation of the obligations emanating therefrom, notably through implementing legislation, in particular in the areas of criminal law, criminal procedural law and judicial cooperation with the Court, and in this regard *urges* States Parties to the Rome Statute that have not yet done so to adopt such implementing legislation as a priority;
38. *Takes note* of the ongoing activities of international organizations and agencies, as well as other organizations, including non-governmental organizations, in the promotion of international criminal justice, and the support provided to the Court;
39. *Notes* the potential contribution that inter-governmental cooperative initiatives can, upon request and when legally feasible, play in the effective enforcement of international criminal justice through, for example, the rapid identification, collection and preservation of the most perishable type of information relating to crimes under international law;
40. *Encourages* States, particularly in view of the fundamental principle of complementarity, to include the crimes set out in articles 6, 7 and 8 of the Rome Statute as punishable offences under their national laws and to ensure effective enforcement of those laws;
41. *Emphasizes* the need for States Parties and those States under an obligation to do so to cooperate with the Court in such areas as preserving and providing evidence, sharing information, securing the arrest and surrender to the Court of persons for whom arrest warrants have been issued and protecting victims and witnesses, and *strongly encourages* States, international and regional organizations as well as civil society to intensify their support to the Court in its efforts to that end, as appropriate;

42. *Encourages* States Parties to continue to express diplomatic and political support for the Court and for cooperation with the Court;

43. *Calls upon* States to enter into arrangements with the Court concerning, inter alia, protective measures for witnesses, including witness relocation, victims, their families, and others who are at risk on account of testimony given by witnesses and sentence enforcement;

44. *Welcomes* the report of the Bureau on Cooperation,¹⁶ *takes note* of the activities of the Bureau's focal point on cooperation in identifying ways for implementing the recommendations of the previous Bureau's report,¹⁷ and *encourages* the Bureau to continue to work on cooperation in close coordination with the Court and report on significant developments to the Assembly of States Parties at its next session;

D. Assembly of States Parties

45. *Takes note* of the latest report on the activities of the Court to the Assembly of States Parties;¹⁸

46. *Calls upon* States, international organizations, individuals, corporations and other entities to contribute timely and voluntarily to the Trust Fund to allow the participation of least developed countries and other developing States in the annual session of the Assembly of States Parties, and *expresses its appreciation* to those that have done so;

47. *Calls upon* States, international organizations, individuals, corporations and other entities to contribute voluntarily to the Trust Fund for Victims, and *expresses its appreciation* to those that have done so;

48. *Welcomes*, in light of resolution ICC-ASP/4/Res.3¹⁹ on the Regulations of the Trust Fund for Victims, the steps taken to implement the Regulations, *notes* that there is currently no need to amend the Regulations, which still remain to be fully implemented, and *decides* to reassess such implementation in due course, for example, after the Court has made its first order of reparations;

49. *Expresses its appreciation* to the Board of Directors of the Trust Fund for Victims and the Secretariat of the Trust Fund for Victims for their continuing commitment towards easing the suffering of victims, and *encourages* the Secretariat to continue to strengthen its ongoing dialogue with the Registry and the international community, including donors as well as civil society, who all contribute to the valuable work of the Trust Fund for Victims, so as to ensure the highest standards of transparency and visibility in respect of the procedures and activities of the Trust Fund;

50. *Emphasizes* the importance of endowing the Court with the necessary financial resources, and *urges* all States Parties to the Rome Statute to transfer their assessed contributions in full and by the deadline for contributions, or, in the event of pre-existing arrears, immediately, in accordance with article 115 of the Statute, rule 105.1 of the Financial Regulations and Rules, and other relevant decisions taken by the Assembly of States Parties;

51. *Calls upon* States, international organizations, individuals, corporations and other entities to contribute voluntarily to the Court, and *expresses its appreciation* to those that have done so;

¹⁶ ICC-ASP/7/18.

¹⁷ ICC-ASP/6/21.

¹⁸ ICC-ASP/7/25.

¹⁹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fourth session, The Hague, 28 November - 3 December 2005* (International Criminal Court publication, ICC-ASP/4/32), part III, resolution ICC-ASP/4/Res.3, paragraph 2.

52. *Takes note* of the report of the Bureau on the arrears of States Parties²⁰ and *decides* that the Bureau should continue to monitor the status of payments received throughout the financial year of the Court, consider additional measures to promote payments by States Parties, as appropriate, and continue to engage in dialogue with States Parties in arrears;
53. *Requests* the Secretariat of the Assembly of States Parties to inform States Parties periodically of States that have recovered their voting rights following payment of their arrears;
54. *Acknowledges with appreciation* that the consolidated digital version of the Financial Regulations and Rules, in all six official languages of the Assembly, has been made available on the website of the Court;
55. *Welcomes* the work by the Bureau and its two informal working groups and *invites* the Bureau to create such mechanisms as it considers appropriate and to report back to the Assembly of States Parties on the result of their work;
56. *Also welcomes* the efforts of the Bureau to ensure communication and cooperation between its subsidiary bodies and *invites* the Bureau to continue such efforts;
57. *Takes note* of the important work done by the Committee on Budget and Finance, and *reaffirms* the independence of the members of the Committee;
58. *Recalls* that, according to its Rules of Procedure,²¹ the Committee on Budget and Finance shall be responsible for the technical examination of any document submitted to the Assembly that contains financial or budgetary implications, *emphasizes* the importance of ensuring that the Committee on Budget and Finance is represented at all stages of the deliberations of the Assembly of States Parties at which such documents are considered, and *requests* the Secretariat, together with the Committee on Budget and Finance, to continue to make the necessary arrangements;
59. *Decides* that the Committee on Budget and Finance shall hold its twelfth session from 20 to 24 April 2009 and its thirteenth session from 14 to 22 September 2009;
60. *Takes note* of the report of the Special Working Group on the Crime of Aggression,²² and *notes* that the Special Working Group will conclude its work during the resumed seventh session of 9 to 13 February 2009 in order to be in a position to submit proposals for a provision on aggression, in accordance with article 5, paragraph 2, of the Statute and with resolution ICC-ASP/1/Res.1, to the Assembly for its consideration at the Review Conference;
61. *Decides* that proposals for amendments to the Rome Statute to be considered at the Review Conference should be discussed at the eighth session of the Assembly of States Parties in 2009, with a view to promoting consensus and a well prepared Review Conference;
62. *Recommends* that, in addition to a focus on amendments that may command very broad, preferably consensual support, the Review Conference should be an occasion for a “stocktaking” of international criminal justice in 2010, *notes* the desirability for the Review Conference to focus on a limited number of key topics, and *notes* in this regard the progress report of the focal point distributed at the sixth session of the Assembly of States Parties;²³

²⁰ ICC-ASP/7/26.

²¹ ICC-ASP/2/10, annex III.

²² ICC-ASP/7/ SWGCA/1*.

²³ ICC-ASP/6/INF.3.

63. *Decides* to make a change to the terms of reference of the trust fund established by paragraph 1 of resolution ICC-ASP/2/Res.6 to allow least developed countries and other developing States to draw on the fund so as to enhance the possibility of such States to participate in the activities of the Review Conference;

64. *Further requests* the Bureau to continue the preparations of the Review Conference including, with regard to scope, financial and legal implications, as well as practical and organizational issues;

65. *Recalls* that, according to article 112, paragraph 6, of the Rome Statute, the Assembly of States Parties shall meet at the seat of the Court or at the Headquarters of the United Nations;

66. *Recalls* that, according to paragraph 63 of resolution ICC-ASP/6/Res.2, the Assembly shall hold its eighth, ninth and tenth sessions in The Hague, New York and The Hague, respectively, and *decides* to continue the consideration of venues of future sessions of the Assembly;

67. *Decides* to hold its eighth session from 18 to 26 November 2009 in The Hague.

Resolution ICC-ASP/7/Res.4

Adopted at the 7th plenary meeting, on 21 November 2008, by consensus

ICC-ASP/7/Res.4

Programme budget for 2009, the Working Capital Fund for 2009, scale of assessments for the apportionment of expenses of the International Criminal Court, financing appropriations for the year 2009 and the Contingency Fund

The Assembly of States Parties,

Having considered the proposed programme budget for 2009 of the International Criminal Court and the related conclusions and recommendations contained in the Report of the Committee on Budget and Finance on the work of its eleventh session,¹

A. Programme budget for 2009

1. *Approves* appropriations totalling €101,229,900 for the following appropriation sections:

<i>Appropriation section</i>	<i>Thousands of euros</i>
Major programme I - Judiciary	10,332.1
Major programme II - Office of the Prosecutor	25,528.9
Major programme III - Registry	60,222.7
Major programme IV - Secretariat of the Assembly of States Parties	3,342.8
Major programme VI - Secretariat of the Trust Fund for Victims	1,301.4
Major programme VII - Project Office Permanent Premises	502.0
Total	101,229.9

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Seventh session, The Hague, 14-22 November 2008* (International Criminal Court publication, ICC-ASP/7/20), vol. II, part B.2.

2. *Further approves* the following staffing tables for each of the above appropriation sections:

	Judiciary	Office of the Prosecutor	Registry	Secretariat Assembly of States Parties	Secretariat Trust Fund for Victims	Project Office Permanent Premises	Total
USG		1					1
ASG		2	1				3
D-2							
D-1		2	4	1	1	1	9
P-5	3	10	15		2		30
P-4	3	29	36	3		1	72
P-3	19	45	67	1	3		135
P-2	2	48	54				104
P-1		17	8				25
<i>Sub-total</i>	<i>27</i>	<i>154</i>	<i>185</i>	<i>5</i>	<i>6</i>	<i>2</i>	<i>379</i>
GS-PL	1	1	16	2			20
GS-OL	15	63	262	2	2	1	345
<i>Sub-total</i>	<i>16</i>	<i>64</i>	<i>278</i>	<i>4</i>	<i>2</i>	<i>1</i>	<i>365</i>
Total	43	218	463	9	8	3	744

B. Working Capital Fund for 2009

The Assembly of States Parties,

Resolves that the Working Capital Fund for 2009 shall be established in the amount of €7,405,983, and *authorizes* the Registrar to make advances from the Fund in accordance with the relevant provisions of the Financial Regulations and Rules of the Court.

C. Scale of assessment for the apportionment of expenses of the International Criminal Court

The Assembly of States Parties,

Decides that, for the year 2009, the International Criminal Court shall adopt the scale of assessments of the United Nations applicable for the year 2009, with adjustments to take into account the difference in membership between the United Nations and the Assembly of States Parties to the Rome Statute, in accordance with the principles upon which the scale of the United Nations is based.

Notes that, in addition, any maximum assessment rate for the largest contributors applicable for the United Nations regular budget will apply to the International Criminal Court's scale of assessments.

D. Financing appropriations for the year 2009

The Assembly of States Parties,

Resolves that, for the year 2009, budget appropriations amounting to €101,229,900 and the amount for the Working Capital Fund of €7,405,983, approved by the Assembly under part A, paragraph 1, and part B, respectively, of the present resolution, be financed in accordance with regulations 5.1, 5.2 and 6.6 of the Financial Regulations and Rules of the Court;

Notes the current exceptional and extraordinary circumstances in 2009;

Further notes that the Court has, since its inception, spent less than the full amount of the annual appropriations;

Decides that, on an exceptional basis for the year 2009, the assessments shall be based on €96,229,900 of the programme budget;

Urges the Court to make every effort to find efficiency savings over the course of 2009, and *requests* the Registrar to make an investigation into the possibilities of such savings, implement the appropriate measures, and report to the eighth session of the Assembly of States Parties;

Invites all organs and major programmes of the Court to work cooperatively with the Registrar in this endeavour;

Decides, on an exceptional and one-time basis, notwithstanding rule 6.2 of the Financial Regulations and Rules, to allow the Court to draw up to €5 million from the Working Capital Fund following notification by the Registrar to the President of the Assembly and the Chair of the Committee on Budget and Finance that the Court will require additional funds up to the full amount of the programme budget as adopted. This notification should include a detailed report describing the efforts made across the Court to find efficiency and other savings;

Decides that this formula does not constitute a precedent for financing the budget of the International Criminal Court or any other international organization;

Requests the Bureau and the Committee on Budget and Finance to remain seized of this matter;

Requests the Court, as recommended by the Committee on Budget and Finance, to make efforts to produce a budget for 2010 which would fund new investments and cost increases entirely from savings to administrative processes, to the extent possible, while taking into account a possibility of any significant increase in judicial or investigative activity.

E. Contingency Fund

The Assembly of States Parties

Recalling its resolution ICC-ASP/3/Res. 4 establishing a Contingency Fund in the amount of €10,000,000 and, in particular, paragraph 6 thereof,²

Taking note of the advice of the Committee on Budget and Finance in the report on the work of its eleventh session,³

Decides to approve the extension of the Contingency Fund indefinitely;

Decides to maintain the Contingency Fund at its current level for 2009;

Requests the Bureau to consider options for replenishing both the Contingency Fund and the Working Capital Fund, including the three options identified by the Committee on Budget and Finance in the report on the work of its eleventh session,⁴ with a view to making recommendations to the Assembly at its eighth session.

² *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Third session, The Hague, 6-10 September 2004* (International Criminal Court publication, ICC-ASP/3/25), Part III, resolution ICC-ASP/3/Res.4. Paragraph 6 provides as follows: “*Decides* that the Fund shall be limited to a period of 4 years and that the Assembly of States Parties shall decide at its session in 2008 on the extension or possible discontinuation of the Fund and on any other question related to the Fund that it deems necessary in the light of experience.”

³ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Seventh session, The Hague, 14-22 November 2008* (International Criminal Court publication, ICC-ASP/7/20), vol. II, part B.2, paragraph 136. Paragraph 136 provides as follows: “Recalling its long standing support for the Contingency Fund, the Committee recommended that the Assembly decide to continue the Fund indefinitely.”

⁴ *Ibid.*, paragraphs 137-141.

Resolution ICC-ASP/7/Res.5

Adopted at the 7th plenary meeting, on 21 November 2008, by consensus

ICC-ASP/7/Res.5 Amendment to the Financial Regulations and Rules

The Assembly of States Parties,

Having reference to the Financial Regulations and Rules¹ adopted at its first session, on 9 September 2002,

Bearing in mind the recommendation of the Committee on Budget and Finance at its eleventh session,²

Decides to amend rule 110.1, subparagraph (b), of the Financial Regulations and Rules to read:

“(b) The Committee on Budget and Finance shall receive the reports annually, and on an ad hoc basis where appropriate, of the Internal Auditor through the Chair of the Audit Committee. The Committee on Budget and Finance shall refer any matters to the Assembly of States Parties which require the attention of the Assembly.”

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, First session, New York, 3-10 September 2002* (United Nations publication, Sales No. E.03.V.2 and corrigendum), part II. D.

² *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Seventh session, The Hague, 14-22 November 2008* (International Criminal Court publication, ICC-ASP/7/20), vol. II, part B.2, paragraphs 30-33.

Resolution ICC-ASP/7/Res. 6

Adopted at the 7th plenary meeting, on 21 November 2008, by consensus

ICC-ASP/7/Res.6

Amendment to the Rules of Procedure of the Assembly of States Parties

The Assembly of States Parties,

Recalling rule 38 of the Rules of Procedure of the Assembly of States Parties¹ relating to the official and working languages of the Assembly,

Bearing in mind the need to ensure the universality of the Rome Statute of the International Criminal Court,

Taking note of the recommendations of the Committee on Budget and Finance,²

Decides to amend rule 40 of the Rules of Procedure of the Assembly of States Parties so that it reads as follows:

“40. All decisions and other official documents of the Assembly shall be published in all languages of the Assembly which are also the official languages of at least one State Party to the Rome Statute, unless otherwise decided by the President of the Assembly.”

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, First session, New York, 3-10 September 2002* (United Nations publication, Sales No. E.03.V.2 and corrigendum), part II. C.

² *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Seventh session, The Hague, 14-22 November 2008* (International Criminal Court publication, ICC-ASP/7/20), vol. II, part B.2, paragraph 96.

Resolution ICC-ASP/7/Res. 7

Adopted at the 7th plenary meeting, on 21 November 2008, by consensus

ICC-ASP/7/Res.7

Amendment to the Rules of Procedure of the Committee on Budget and Finance

The Assembly of States Parties,

Recalling rule 25 of the Rules of Procedure of the Committee on Budget and Finance¹ relating to the languages of the Committee,

Bearing in mind the need to ensure the universality of the Rome Statute of the International Criminal Court,

Taking note of the recommendations of the Committee on Budget and Finance,²

Decides to amend rule 28 of the Rules of Procedure of the Committee on Budget and Finance so that it reads as follows:

“28. All recommendations and other documents of the Committee shall be published in the languages of the Committee which are also the official languages of at least one State Party to the Rome Statute, unless otherwise decided by the Chairperson of the Committee.”

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Second session, New York, 8-12 September 2003* (United Nations publication, Sales No. E.03.V.13), (International Criminal Court publication, ICC-ASP/2/10), annex III.

² *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Seventh session, The Hague, 14-22 November 2008* (International Criminal Court publication, ICC-ASP/7/20), vol. II, part B.2, paragraph 96.