



**Tenth ICC-ASP Bureau Meeting
29 July 2008
Agenda and Decisions**

The President-elect of the Assembly, Ambassador Christian Wenaweser (Liechtenstein), chaired the meeting

1. Reports of the facilitators of the New York Working Group

a) Independent oversight mechanism

The facilitator, Ambassador Andreas Mavroyiannis (Cyprus), informed the Bureau that he had convened two meetings, on 4 June and 22 July, at which States had discussed the facilitator's non-paper, dated 2 June 2008, on the establishment of an independent oversight mechanism for the Court. He had circulated a report dated 24 July 2008 to the Bureau which reflected the outcome of these consultations.

He noted that the report, which was a first step towards the establishment of an independent oversight mechanism, contained recommendations for reflection and guidance to States in their future discussions. He recalled that he would relinquish his post in New York on 29 July and expressed the hope that the Bureau would soon appoint a new facilitator to carry the process forward.

The Chairman thanked the facilitator for his efforts and stated that the Bureau would consider the appointment of a new facilitator before the seventh session of the Assembly.

The Bureau adopted the report of the facilitator on an independent oversight mechanism.

b) Arrears

The facilitator, Ms. Polly Ioannu (Cyprus), informed the Bureau that she had held an informal meeting on 22 July, at which States had expressed views on the subject. The focus of her work would be to explore practical ways of assisting States in arrears, particularly those likely to be affected by the application of article 112, paragraph 8, to meet their financial obligations to the Court. She intended to prepare a non-paper to guide the discussions of States at the next meeting, and to propose some measures to the Assembly.

The Chairman informed the Bureau that the Secretariat had sent notes verbales, dated 16 July 2008, to those States that risked losing the right to vote under article 112, paragraph 8, of the Rome Statute. He encouraged them to submit a request for exemption, together with the requisite supporting documentation, to the Secretariat as soon as possible.

c) Review Conference

The facilitator, Mr. Sabelo Sivuyile Maqungo (South Africa), informed the Bureau that, pursuant to resolution ICC-ASP/6/Res.8, he had requested additional information in respect of Argentina's offer to host the Review Conference. If it were not received before the seventh session of the Assembly, the Assembly would take a decision on the basis of the information available at that time.

d) Plan of Action for achieving universality of the Rome Statute

The Chairman informed the Bureau that the facilitator, Mr. Marcelo Böhlke (Brazil), was in The Hague and would be invited to brief the Bureau at a future meeting. The facilitator would, however, meet with The Hague Working Group on 30 July, to inform delegations on the work conducted thus far by the New York Working Group.

e) Geographical representation and gender balance in the recruitment of staff

The facilitator, Mr. Eden Charles (Trinidad and Tobago), informed the Bureau that he had convened informal consultations on 25 July, at which States had exchanged views on the subject, based on updated staffing statistics submitted by the Court. Many delegations had expressed the view that the existing model on the recruitment of staff seemed to be working well and that the Court had made some progress in implementation since the last session of the Assembly. Since the informal consultations had not been well attended, he would continue to undertake bilateral consultations with delegations. He informed the Bureau that a second and final meeting would be convened when he received additional statistics from the Court.

The Chairman thanked the facilitators for their efforts and reminded them that they should submit their respective reports to the Working Group by the end of September, for consideration and adoption by the Bureau.

2. Composition of the Bureau for the seventh to ninth sessions of the Assembly of States Parties

The focal point for the African Group, Mr. Sabelo Sivuyile Maqungo (South Africa), informed the meeting that consultations were on-going in the African Group and that, so far, two representatives - Kenya and South Africa - had been identified. The group's representatives on the future Bureau would be formally communicated once consultations had been finalized.

The focal point for the Latin American and Caribbean Group, Ms. Janine Coye-Felson (Belize), informed the meeting that the group had identified four members of the future Bureau, and that their names would be formally communicated following their endorsement by the group.

The Chairman informed the Bureau that the focal point for the Western European and Others Group was not present and that consultations were on-going in that regional group.

The Chairman appealed to the focal points for the three regional groups to step up their efforts so that the composition of the future Bureau could be agreed well in advance of the seventh session. The question of future Vice-Presidencies would also have to be considered on the basis of a decision on the composition of the Bureau.

3. Other matters

a) Dates for the eleventh session of the Committee on Budget and Finance

The Bureau took note of the revised dates for the eleventh session of the Committee on Budget and Finance. The session would be held in The Hague from 4 to 12 September 2008, instead of 8 to 16 September, as originally decided by the Committee at its tenth session, in order to facilitate the participation of the Chairperson.

b) Dates for the second resumption of the seventh session

The Bureau took note of the possible overlap of the meetings of the Assembly and the Ad Hoc Committee on Administration of Justice, as well as the International Seabed Authority, should the second resumption of the seventh session be held from 6 to 13 April 2009. The Bureau decided to defer a decision on the dates of the second resumption of the seventh session to its next meeting. The Bureau also considered that, if the April 2009 dates proved unsuitable, the dates of 9 to 13 February 2009 could be considered as the best alternative.

c) Permanent premises of the Court

The Chairman informed the meeting that the Chairperson of the Oversight Committee, Ambassador Jorge Lomonaco (Mexico), has indicated that he would be in New York from 8 to 10 October 2008, and would wish to hold a meeting with States in order to discuss the work of the Oversight Committee on permanent premises.

d) Resignation of Judge Pillay

The Chairman informed the Bureau that, by a letter dated 29 July 2008, the Vice-President of the Court, Judge Akua Kuenyehia, had informed the President of the Assembly, H.E. Mr. Bruno Stagno Ugarte, of the 28 July resignation of Judge Navanethem Pillay (South Africa), effective 31 August 2008. Judge Pillay had resigned in order to take up her appointment as the United Nations High Commissioner for Human Rights.

e) Next meeting

The Bureau decided that its next meeting would be held in September at a date to be decided in due course.

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