

**FIFTH SESSION OF THE ASSEMBLY OF STATES PARTIES OF
THE INTERNATIONAL CRIMINAL COURT**

DAILY REPORT

THURSDAY, 23 NOVEMBER 2006

This will be the first in a series of daily reports of the Assembly of States Parties (ASP) to the Rome Statute of the International Criminal Court, which held its first plenary session in The Hague, The Netherlands today, 23 November 2006. In these reports, the CICC will try to highlight the most important developments from each day of the Assembly and, depending on the court of the day's events, also summarize perspectives from the different CICC Teams (e.g. Victims Team, Legal Representation Team, Budget and Finance Team, etc.) on daily developments at the Assembly.

Opening Plenary Session

Ambassador Bruno Stagno Ugarte from Costa Rica, President of the ASP opened the session. He took note of an additional agenda item for this ASP on the draft Headquarters Agreement between the ICC and the Host State.

The President took note that four states were in arrears (i.e. a State Party that has failed to pay its financial contribution for the last two years). It was later confirmed that three states had lost their voting rights: Guinea, Malawi, and Niger.

The President explained that the ASP would continue to organize itself into three Working Groups, specifically the Special Working Group on the Crime of Aggression (coordinated by Liechtenstein), the Working Group on the Budget (coordinated by Switzerland), and the Working Group on the Permanent Premises (coordinated by Canada). In addition, Mr. Rolf Fife from Norway would continue to act as focal point on the Review Conference and Mr. Jurg Lauber from Switzerland would once again coordinate the drafting of the omnibus resolution.

Reports from the ICC, ASP Bureau, and Board of the Victims Trust Fund

The President of the ICC, Judge Philippe Kirsch, provided a report on the Court's activities since the last ASP, also highlighting the Court's role and impact, the issue of cooperation, the international justice system more broadly, and specific matters before this ASP including the budget and issues related to the Host State.

The Prosecutor of the ICC, Mr. Luis Moreno Ocampo, also presented a report on the activities of the Office of the Prosecutor. He took note of the ongoing Confirmation of Charges hearing in the case of Mr. Thomas Lubanga Dyilo and his ongoing investigation in the Democratic Republic of Congo. With regards to Uganda, the Prosecutor explained that the Court had galvanized peace efforts. Concerning Darfur, the Prosecutor revealed that he had nearly completed an investigation in which, based on careful and thorough evaluation of all the evidence collected, his office was able to identify the gravest incidents and some of those who could be considered to be the most criminally

responsible. Nevertheless, the Prosecutor was now assessing the admissibility of this specific case.

The Director of the Board of Directors for the Trust Fund for Victims (TFV), Madame Simone Veil, presented a report in which she highlighted the recent third meeting of the VTF Board. She pointed to the Board's planned activities in 2007, which would consist of setting guidelines for the Board's work as well as determining funding strategies.

ASP President Stagno Ugarte then presented a report on the work of the ASP Bureau and its Working Groups.

General Debate

President Stagno Ugarte then opened the floor to a General Debate. The following states made interventions: Serbia, Australia (on behalf of Canada, Australia, and New Zealand - CANZ), Finland (on behalf of the European Union), Spain, France, Switzerland, Ireland, Jordan, the Netherlands, Denmark, Germany, Uganda, Ecuador, Argentina, Colombia, Poland, Trinidad and Tobago, Hungary, Benin, Italy, Peru, Sierra Leone, South Korea, Barbados, Belgium, Mexico, Paraguay, Japan, and Guatemala.

In addition, interventions were made by Interpol, the International Humanitarian Fact finding Commission, and the United Nations Office on Drug Prevention.

The General Debate will continue tomorrow and several NGOs will be making statements.

Trust Fund for Victims

Regarding the election of the Board of the Trust Fund for Victims, four regional groups have settled on one nomination for their respective regions, implying that a vote would not be necessary. Albania has withdrawn its nomination. There is no nomination from Asia to replace the Queen Rania of Jordan. The ASP has postponed the consideration of this agenda item to a later time during this session in the hopes of identifying a candidate from Asia. If this agenda item remains undecided at this session, it may be delayed to the ASP's resumed session in January.

Communications and Outreach

Outreach was raised by nearly every government during the General Debate, with generally positive feedback and remarks welcoming the recently developed Strategic Plan on Outreach. There will be an Informal Hearing on outreach on Monday, November 27.

Review Conference

Mr. Rolf Fife from Norway has acted as a focal point on the Review Conference. Mr. Fife has issued a paper on suggestions and options for the Review Conference. There will be a formal meeting on the Review Conference on Saturday morning.

There was support in the General Debate for the Review Conference and Mr. Fife's suggestions.

Strategic Plan

A number of states included the Strategic Plan in their statements and welcomed the efforts by the Court so far. In the General Debate, states indicated that they perceive the Strategic Plan to be one of the priorities at this session of the ASP.

OTP Press Briefing and CICC NGO Press Briefing

The Office of the Prosecutor held a press briefing in the middle of the day, during which ICC Prosecutor Luis Moreno reiterated the remarks he had made during his report to the ASP.

The CICC held a press briefing, moderated by CICC Convenor William Pace, following the OTP's briefing. Presentations were made by Richard Dicker, Director of the International Justice Program at Human rights Watch; Brigid Inder, Executive Director of the Women's Initiative for Gender Justice; and Stephen Lamony, National Coordinator of the Ugandan Coalition for the ICC. An array of Dutch and international media were present at both briefings.