

**The Review Conference Team of the  
Coalition for the International Criminal Court (CICC)**

**Recommendations to the Fifth Session of the Assembly of States Parties  
from 23 to 25 November and 27 November to 1 December 2006**

**[10 November 2006]**

**-DRAFT-**



**PREFACE**

*While the work of the Review Conference Team reflects the positions of those Coalition members most active on particular issues and this paper has been prepared in consultation with other Coalition teams, this paper cannot be construed to represent the views of all organizations/members of the CICC. Since the Rome Diplomatic Conference, Coalition members have organized themselves into teams, one to follow each working group or theme of the intergovernmental process. Coalition teams now follow issues addressed by the Assembly of States Parties or its subsidiary mechanisms and by the International Criminal Court. Teams provide a forum within which interested members discuss issues, follow developments, elaborate relevant research and positions in response to developments, and elaborate and implement advocacy strategies in relation to those positions. All Coalition members are welcome to join any teams and all Coalition members are regularly apprised of the work of the teams.*

- 1) Paragraph 1 of Article 123 of the Rome Statute establishes that “Seven years after the entry into force of this Statute the Secretary-General of the United Nations shall convene a Review Conference to consider any amendments to this Statute.” Considering that the Rome Statute entered into force in 2002, the Review Conference should be convened in 2009 and be held within a reasonable timeframe thereafter.
- 2) The Team has taken note of the appointment of Mr. Rolf Fife (Norway) as the ASP Focal Point on the Review Conference. Further, it notes that the Review Conference is not an item on the agenda for the ASP fifth Session and that the ASP has not yet started to make adequate preparations in view of the organisation of such event.

**The Team recommends that:**

- a) the ASP Starts planning for this Conference at the upcoming fifth Session in order to ensure that procedures, structures and adequate budget are available in time;
- b) the ASP, at its fifth Session, creates a subsidiary body focused on the Review Conference, which would:
  - i) be composed of States Parties;
  - ii) be open to observers and other participants on the basis of Rules 92 and 93 of the Rules of Procedure of the ASP, bearing in mind, in particular, the acknowledged special role that civil society has played and continues to play vis-à-vis the ASP and the International Criminal Court.
  - iii) be mandated to hold inter-sessional meetings to draft the rules of procedure applicable for the conference taking into account the experience of review conferences of other international treaties. These rules shall define, *inter alia*, the deadlines for States Parties to submit proposals for amendments and the role of the ASP Secretariat in relation to the Review Conference; and,
  - iv) be mandated to address the question of the venue, date and budgetary aspects of the conference; and, arrive at a provisional agenda for the conference and identify in this regard, in particular, outstanding tasks under the Statute and the scope of the conference in terms of stocktaking, reporting and strategising.
- 3) In addition, the Team foresees that a successful and well managed Review Conference will need to rely heavily on the ASP Secretariat for substantive and logistic support.

**The Team recommends that:**

- a) the ASP assesses, based on an evaluation provided by the Secretariat, whether the Secretariat has sufficient resources to play this role;
- b) the ASP mandates the Secretariat to compile a report on lessons learned and best practices from other international review conferences to be presented to the above-mentioned subsidiary mechanism.