



REPORT ON THE RESUMED SIXTH SESSION OF THE ASSEMBLY OF STATES PARTIES, NEW YORK, JUNE 2008: UPDATE ON ACTIVITIES OF NON-GOVERNMENTAL ORGANIZATIONS

More than one hundred non-governmental organizations (NGOs), including AMICC, participated in the Resumed Sixth Session of the Assembly of States Parties of the ICC at UN Headquarters in New York. Before the ASP meetings commenced, these organizations met and strategized at the offices of the international NGO Coalition for the ICC (CICC) for an orientation and plenary session. This covered all activities that included NGO participation, as well as a call for NGO leaders to be active and vocal. It was also noted that a number of country delegations had sent new representatives to this ASP, making it more essential for NGOs to reach out to these delegates to build stronger working relationships and to enhance communication. The participants helped to create a vibrant NGO presence throughout the week in daily activities including sponsorship of informational sessions, remarks to the Special Working Group on the Crime of Aggression, a press conference for the international media and active engagement in ASP meetings on behalf of more than 2,500 CICC constituent organizations.

For the NGO community, the first day of the Resumed Sixth Session on June 2 included a lunch meeting between CICC members and the new ICC Registrar, Ms. Silvana Arbia of Italy. Those on the panel addressed budget concerns and the Court's development objectives for the coming year, as well as several issues of great importance to many NGOs, including witness protection and achieving gender equality in the Court's officials and staff. As a panel speaker, CICC Convener Bill Pace noted that between one and two hundred NGOs were being represented at the ASP and spoke of improvements in the consultation process between NGOs and the Court on budgetary issues, resulting in a stronger relationship between CICC and the Registry. Mr. Pace also recommended that the Court clearly and specifically ask for the resources it needs so that supporters are better able to defend that request, leaving fewer instances in which NGOs are asking for something that the Court has not yet requested.

The following day included a session on Universality of Ratification, which was co-sponsored with the Mission of Brazil and attended by a large number of delegations from States Parties. In his remarks, the Brazilian delegate expressed how important CICC is in the promotion of the Court, while other panel members detailed extensive NGO activities in the area of universality. During the Wednesday, June 4 meeting on cooperation, organized by the CICC, the Belgian delegate offered a step-by-step account of how Jean-Pierre Bemba was arrested in a matter of hours after authorities were first notified of his location, demonstrating the rewards of cooperation between the ICC and States Parties. Also on June 4, the CICC held a press conference with a variety of international news outlets regarding the situation in Darfur in anticipation of the Prosecutor's address to the Security Council on Thursday, June 5.

On the last day of meetings for the Special Working Group on the Crime of Aggression, the Chairman of the Working Group invited NGOs to address the delegates, and several organizations took this opportunity. Speakers commended the work of the Special Working Group, offered their perspectives on key issues and stressed the importance of concluding work on defining the crime of aggression and the conditions for the exercise of jurisdiction by the ICC before the Review Conference scheduled to take place in 2010. NGO representatives made a number of specific recommendations, including requests that greater attention be paid to the reaching a legally precise definition of the crime of aggression, that the issue of entry into force be treated





as a secondary procedural matter to come after a firm definition of aggression is established and that in regards to this matter the crime of aggression must address all states because it must protect all states. NGOs also reaffirmed the need to maintain the ICC's independence, and asked that this be taken into consideration when determining the role of the Security Council with respect to the crime of aggression. After these remarks, the Chairman expressed his thanks to the NGO community for the work they're doing on behalf of the Court and recognized that their work is appreciated and invaluable in the life of the Court.

A number of NGO representatives also took part in the working group on the Review Conference which was considering the issue of the venue for the conference. A number of NGOs concerned with the Review Conference sought to gain more insight into the implications of hosting the conference in Uganda, which had been the only country to offer to host the conference to date, and possibly advancing the discussion about other venues. In light of Uganda's status as a situation country where the ICC is investigating, and taking into account further information provided by the Ugandan government at the ASP, the Review Conference committee agreed to give more consideration to other possible venues, including an offer by the Argentine delegation to hold the conference in Buenos Aires.

Throughout the week, AMICC participated in daily NGO strategy sessions to discuss the day's developments and to plan activities and lobbying. In these meetings and others, AMICC contributed on behalf of its members and shared its perspectives in light of its mandate and which are responsive to US critics of the Court. The first strategy session was primarily concerned with the crime of aggression, and it was noted that an option gaining more broad-based support had been widely championed by NGOs at previous meetings of the Special Working Group in Princeton. Wednesday's strategy meeting noted the success of the press briefing on Darfur, but a relative lack of attendance at the cooperation meeting in comparison with last year. NGOs took this as showing the need to lobby more intensely for cooperation. By the end of the week a number of governments had approached the Belgian delegate for more information on the task force structure he had discussed in the CICC meeting. AMICC also participated in CICC team meetings and papers which focused on specific issues under consideration by the ICC.

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