

## Resolution ICC-ASP/9/Res.2

*Adopted at the 5<sup>th</sup> plenary meeting, on 10 December 2010, by consensus*

### ICC-ASP/9/Res.2

#### Establishment of a study group on governance

*The Assembly of States Parties,*

*Reaffirming* the fundamental importance of the judicial independence of the Court to the integrity of the Rome Statute system,

*Recognizing* that the Rome Statute established a groundbreaking regime with a complex institutional structure,

*Acknowledging* the significant progress made by the Court in consolidating its structure under the One-Court principle,

*Acknowledging also* the need to take stock of the institutional framework of the Rome Statute system,

*Recognizing* that enhancing the efficiency and effectiveness of the Court is of a common interest both for the Assembly of States Parties (“the Assembly”) and the Court,

*Emphasizing* that, in accordance with the Rome Statute, the Assembly shall provide management oversight to the Presidency, the Prosecutor and the Registrar regarding the administration of the Court,

*Noting* the report of the Court on measures to increase clarity on the responsibilities of the different organs,<sup>1</sup>

*Noting also* the recommendations of the Committee of Budget and Finance at its fifteenth session on the issue of governance,<sup>2</sup>

*Recalling* operative paragraph 9 of resolution ICC-ASP/8/Res.6<sup>3</sup> and operative paragraph 53 of resolution ICC-ASP/8/Res.3,<sup>4</sup>

1. *Stresses* the need to conduct a structured dialogue between States Parties and the Court with a view to strengthening the institutional framework of the Rome Statute system and enhancing the efficiency and effectiveness of the Court while fully preserving its judicial independence *and invites* the organs of the Court to engage in a such a dialogue with States Parties;
2. *Requests* the Bureau to establish, for a period of one year, a study group within The Hague Working Group to facilitate the dialogue referred to in paragraph 1 with a view to identifying issues where further action is required, in consultation with the Court, and formulating recommendations to the Assembly through the Bureau;
3. *Decides* that the issues to be dealt with by the study group include, but are not limited to, matters pertaining to the strengthening of the institutional framework both within the Court and between the Court and the Assembly, as well as other relevant questions related to the operation of the Court;
4. *Decides* that the study group shall be chaired by a member of The Hague Working Group and shall adopt its own working methods;
5. *Decides also* that the study group shall be open to all States Parties, and shall periodically report the progress of its work to the Bureau through The Hague Working Group, for its consideration;
6. *Invites* the Bureau to report to the Assembly at its tenth regular session on any findings and recommendations.

<sup>1</sup> ICC-ASP/9/34.

<sup>2</sup> *Official Records ... Ninth session...2010* (ICC-ASP/9/20), vol. II, part B.2, paras. 22-33.

<sup>3</sup> *Official Records ... Eighth session ... 2009* (ICC-ASP/8/20), vol. I, part II.

<sup>4</sup> *Ibid.*