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**Preparatory Commission for the International  
Criminal Court**

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**Note**

Attached is the outcome of an inter-sessional meeting held in The Hague from 11 to 15 March 2002, circulated at the request of the Netherlands.

## Provisional internal rules and regulations of the International Criminal Court

### Inter-sessional meeting of experts held at The Hague from 11 to 15 March 2002

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## I. Introduction

1. At the invitation of the Government of the Netherlands, an inter-sessional experts meeting on the provisional internal rules and regulations of the International Criminal Court was held at The Hague from 11 to 15 March 2002. The session was opened by Edmond Wellenstein, Director-General, ICC Task Force, Ministry of Foreign Affairs of the Government of the Netherlands. Silvia Fernandez de Gurmendi of Argentina served as chairperson of the meeting. Participants at the meeting included governmental and non-governmental experts, coordinators and focal points on various issues before the Preparatory Commission for the International Criminal Court, experts from the International Tribunal for the Former Yugoslavia, the International Tribunal for Rwanda and the International Tribunal for the Law of the Sea, and representatives of the Codification Division of the United Nations Office of Legal Affairs (see list of participants in the annex).

2. The purpose of the meeting was to review rules and regulations in use within the United Nations system, especially as they are used in relation to and by the ad hoc Tribunals for the Former Yugoslavia and for Rwanda, which would be relevant for provisional application by the International Criminal Court at the initial stages of its establishment. This is in accordance with the call for the convening of inter-sessional meetings of experts and the need to prepare documents and undertake activities required, inter alia, for the most efficient establishment of the Court, as highlighted in the road map leading to the early establishment of the International Criminal Court (PCNICC/2001/L.2 and Corr.1).

3. The meeting identified four possible stages towards the establishment of a fully fledged International Criminal Court, namely: the period before the entry into force of the Statute; secondly, the period between the entry into force of the Statute and the first meeting of the Assembly of States Parties; thirdly, the period between the first meeting of the Assembly of States Parties and the election of judges and the Prosecutor; and finally, the period immediately subsequent to the election of the judges and the Prosecutor and their assumption of duties at the seat of the Court. The meeting considered that there was a need for a transitional arrangement addressing the Court's situation during these stages.

4. The meeting focused on documents assembled and executive summaries prepared by the focal points appointed at the eighth session of the Preparatory Commission. This material, aiming to comprise the necessary internal rules and regulations, was presented in three clusters: (a) human resources and administration; (b) budgetary and finance; and (c) operational issues.

5. In the executive summaries, the focal points, inter alia, attempted to present in a prioritized manner the essential rules and regulations for use by the International Criminal Court at the initial stages of its establishment. The executive summaries briefly described the functions of the rules and regulations so established and, where appropriate, identified those of their aspects which would require change or adaptation. Accordingly, in reviewing the relevant rules and regulations as well as the executive summaries prepared by the focal points, the meeting sought to:

(a) Establish and prioritize essential rules and regulations necessary at the initial stages of the establishment and operation of the International Criminal Court;

(b) Identify those aspects of the rules and regulations which would require change or adaptation for use by the International Criminal Court, taking into account the Rome Statute, the draft Rules of Procedure and Evidence and other ancillary documents finalized in accordance with resolution F;

(c) Make the appropriate suggestions and annotations concerning the rules and regulations that may be of use to the International Criminal Court and provisionally applied at its initial stages, before permanent rules and regulations are prepared.

6. In that connection, the meeting proceeded in plenary on the basis of presentations by the focal points, comments by the experts and exchanges of views and comments by participants. The plenary discussions were followed by working group sessions for each of the three clusters.

7. Part II of the present report contains the executive summaries and comments made by the experts and participants, reflecting the main issues raised and discussed during the meeting, for onward transmission by the Preparatory Commission and the Assembly of States Parties to the Court for its consideration.

8. The meeting also made comments and suggestions on the draft financial rules prepared by the focal point, with a view to assisting him in revising and finalizing a text for consideration by the Preparatory Commission in accordance with resolution F.

9. The meeting expressed its gratitude to the Government of the Netherlands for organizing and convening the inter-sessional meeting and to the Governments of Canada, Germany and the United Kingdom of Great Britain and Northern Ireland for providing financial contributions towards the organization of the meeting.





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