

SECRETARIAT OF THE ASSEMBLY OF STATES PARTIES

Solemn undertaking of the Registrar

**Statement by H.E. Ambassador Markus Börlin, Vice-President
of the Assembly of States Parties**

18 April 2013

As Vice-President of the Assembly, I am honoured to represent the States Parties to the Statute at this solemn undertaking.

The drafters of the Rome Statute decided to depart from the procedure established for the ad hoc tribunals and opted instead to entrust the judges of the Court with the election of the Registrar.

Cependant, cette décision n'a pas signifié que l'Assemblée renonçait entièrement à ses propres prérogatives, et les Règles de procédure et de preuve exigent donc que la Présidence de la Cour établisse une liste de candidats et la communique à l'Assemblée, avec une demande de recommandations.

In 2012, the Presidency of the Court had an informal consultation process with States Parties at a very early stage, which allowed States to contribute to the content of the vacancy announcement for the post, which was then publicized by the Court, inviting anyone interested in the position to apply. When the shortlist of candidates was subsequently submitted to the Assembly, States Parties proceeded to formulate a recommendation which the Assembly adopted in November 2012 and conveyed to the judges, who were to bear the recommendation in mind.

This was thus an exemplary process of how the different parts of the Rome Statute system can work together to attain a common objective. It will serve as a good example as well for the future cooperation between States Parties and the organs of the Court.

Il y a quelques semaines, les juges de la Cour ont élu M. Herman von Hebel comme Greffier pour le prochain quinquennat. Non seulement M. von Hebel remplit les critères formels définis dans le Statut de Rome pour ce poste, mais il a également une connaissance inestimable des éléments constitutifs du système du Statut de Rome et une grande expérience du travail de Greffier au plan international.

Mr. von Hebel is part of the “Rome generation”, having participated since 1995 as a member of the Dutch delegation to the negotiations which culminated in the adoption of the Statute in 1998. Many delegates still remember his crucial and skillfull role as coordinator of the negotiations on war crimes. The result of that historic endeavour is reflected in article 8 of the Statute, the most extensive of the provisions defining the crimes over which the Court has jurisdiction. He was subsequently also the coordinator of the Elements of Crimes, a key set of norms to the Statute.

Du point de vue de l’expérience sur le terrain, M. von Hebbel a occupé au Tribunal Spécial pour la Sierra Léone et au Tribunal Spécial pour le Liban des postes clefs qui ont approfondi sa connaissance des défis que rencontre le Greffier dans son rôle pluraliste dans la quête de justice pénale internationale. On pense souvent que le Greffier remplit un rôle strictement administratif, mais la complexité des situations rencontrées par les tribunaux pénaux internationaux peuvent exiger que le Greffier aille au-delà de ce qui est considéré comme son mandat traditionnel.

On behalf of the Assembly, I welcome Mr. von Hebel back to his ‘original family’, the ICC stakeholders, and assure him of the full support

of States Parties as he assumes his new duties and endeavours to strengthen the “One-Court” principle as an essential element in consolidating the Court’s key role in the fight against impunity.

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