

speech van E.H. Wellenstein, Directeur-General Task Force ICC

Tijdens de derde bijeenkomst van de Vergadering van Verdragspartijen van het Internationaal Strafhof (6 – 10 september 2004) heeft Directeur-Generaal Task Force ICC van het Ministerie van Buitenlandse Zaken de onderstaande speech over gastlandaangelegenheden gehouden.

Mr. President,

Thank you for giving me, as representative of the Host Nation, the opportunity to inform the Assembly of State Parties about the progress made in the Host State in establishing the ICC.

Last year, on September 8<sup>th</sup>, 2003, when I addressed the ASP, I started my statement by recalling that in July 2002, when the Court started operating, there was neither an agreed budget nor staff to implement policies. Now, two years after the Court's birth, the Court is being seized with two referrals, the Prosecutor is investigating other cases, the Court has a multimillion budget and hired some 300 staff, from all over the world.

The ASP moved its venue from New York (formerly New Amsterdam) to The Hague, and I see many new faces in the room. The ICC old hands gradually fade away, although fortunately quite a few of them now work for the ICC.

Given these developments I would appreciate if you allow me once again to briefly set out all the measures taken by the Host Nation until today in support of setting up the ICC - a new organization that is without precedence- and of making the Court fully operational. First I would like to deal with the interim premises of the Court. Then I would like to touch upon the permanent premises of the Court, and finally I would like to share with you the latest developments in the Headquarters agreement between the ICC and the Host Nation.

On the Interim Premises of the Court

The Host Nation provided the Court with modern interim housing with a potential capacity of some 900 workstations, and redesigned and renovated according to Dutch standards and Court's requirements.

According to the Host Nation Bid, the housing for the Court is provided free of rent until July 1<sup>st</sup>, 2012.

To facilitate the smooth start of the Court the Netherlands also donated 100 workstations, fully equipped, including desktop computers, and ICT network systems for all the offices of the Court.

In close cooperation between Dutch and ICC security experts a sophisticated external and internal security system for the ICC office building has been designed, and installed.

Besides, tailor made security arrangements have been put in place, in order to adequately cope with different situations of insecurity, covering the ICC in general, its premises and individuals, as cases may arise.

Recently, special and detailed arrangements have been made to cope with high profile events in and around the premises of the Court.

Arrangements have been made to provide the ICC security services with shooting range facilities for exercise purposes.

Parking facilities, including arrangements for disabled people, have been made available a few minutes walk away from the ICC headquarters.

A specially designed pre-trial chamber, also to be used as a multifunctional meeting room, has been constructed and handed over to the Court. The construction of a large turnkey courtroom is planned to be handed over in some months from now. This includes provisions for a second large courtroom, to be decided by the ASP as elaborated in the draft budget for 2005. The design for

the large courtroom includes holding cells.

The Host Nation also provides for media facilities: hot desks; a press conference room; a press gallery next to the courtroom; and a satellite van site, opposite the ICC building.

ICC and Host Nation have defined detention requirements for the short, medium and long term. On the basis of these requirements Netherlands prison agencies will construct cells, taking into account ICC specifications and ICC budgetary requirements as laid down in the ICC budget for the first financial period.

On the new building for the ICC

As you may recall, over the past period, right from the start of the ICC in July 2002, members of my team and consultants from the Government Buildings Agency and from the Bureau of the State architect developed a detailed brief for the construction of the permanent premises of the ICC. Obviously, this brief was drafted by us to help the Court, and the States Parties for that matter, jump-start their discussions on this tremendously complicated issue. As from the beginning of this year, the Court is in the process of reviewing the draft brief, in dialogue with experts from my team. This thorough review will allow management of the Court to decide on the basic infrastructure requirements for the Court, and submit it to the Assembly of States Parties for approval. It is my sincere hope, that the Court will be able to complete its review before the end of this year and to submit them to the ASP for approval in 2005. I suggested to the Budget and Finance Committee that, at the request and for the sake of the ASP, the Budget and Finance Committee will consider the draft brief as a matter of priority, and prepare an advise for the ASP meeting in 2005.

Last year, you may recall, I expressed the hope that, with Host Nation's assistance, the competitive bidding procedure for the international architects' competition could take place in 2004. Obviously, in the absence of an approved brief, the competitive bidding procedure has been postponed for the time being. If the ASP were in a position to express itself on the brief next year, which I sincerely hope, and recommend, then the architects competition could take place in 2006. Host Nation will prepare a document with the outlines of a procedure for the architects competition, for approval by the ASP in its meeting of, hopefully also 2005.

As a final note.

The ASP also needs to consider the issue of the financing of the construction of the permanent premises of the Court. Host Nation is willing to prepare, in close cooperation with the ICC, a document with alternative financing options, to be submitted to the chairman of the ASP and for consideration and decision by the ASP in 2005.

On the Headquarters agreement between the ICC and The Netherlands

The negotiations on a draft for a definitive headquarters agreement with the ICC experts and my staff have been very fruitful over the past period: they are in a final stage. At the moment we are working on the last articles of the agreement and we expect to finalize the draft soon. In order to ratify the agreement, the text, as agreed by the Court and my negotiating team, will be presented to the ASP and subsequently to the Netherlands Parliament for approval. It will be in the Courts' interest to have the agreement ratified as soon as possible. The Netherlands Parliament will need approximately one year for its ratification procedure.

If the ASP would wish so, the Host Nation is ready to explore with the ICC ways and means to promote approval by the ASP as soon as possible.

Mr. President,

To Conclude. Last but not least, as I see it, the business – like and fruitful relationship between Host Nation and ICC officials (the President, the Vice Presidents, the Judges, the Prosecutor and the Registrar) go hand in hand with trust and friendship. We are working shoulder to shoulder. What more could one wish in setting up a new institution, and make it work? It is a privilege for the Netherlands to work with you, Chairman, and to be guided by your excellent leadership. For the busy days to come we wish you every success and wisdom.

Thank you.