

**United Nations Diplomatic Conference of Plenipotentiaries
on the Establishment of an International Criminal Court**

Rome, Italy
15 June - 17 July 1998

Table of Contents

Extract from Volume II of the *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court (Summary records of the plenary meetings and of the meetings of the Committee of the Whole)*

United Nations
Diplomatic Conference
of Plenipotentiaries
on the Establishment
of an International Criminal Court

Rome, 15 June – 17 July 1998

Official Records

Volume II

Summary records of the plenary meetings
and of the meetings of the Committee of the Whole



United Nations • New York, 2002

INTRODUCTORY NOTE

The *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court* consists of three volumes.

Volume I contains the Rome Statute of the International Criminal Court, as corrected by procès-verbaux of 10 November 1998, 12 July 1999, 30 November 1999, 8 May 2000, 17 January 2001 and 16 January 2002, as well as the Final Act, with an annex containing the resolutions adopted by the Conference. The Statute entered into force on 1 July 2002. The volume also contains a complete table of contents for volumes I, II and III.

Volume II contains the relevant General Assembly resolutions, the agenda, the Rules of Procedure, the lists of delegations, Officers of the Conference and its Committees and the secretariat of the Conference, as well as the summary records of the plenary meetings of the Conference and of the meetings of the Committee of the Whole.

Volume III contains, in sections A to D, the reports of the Credentials Committee, the Preparatory Committee, the Committee of the Whole and the Drafting Committee.

Volume III also contains, in section E, the documents of the plenary and, in section F, the documents of the Committee of the Whole (proposals, working papers, recommendations, reports and other documents). The documents in section F are arranged in relation to the relevant part of the draft Statute and the draft Final Act and are organized according to the body to which they were submitted and the numerical order of the document symbols. The corrigenda and addenda to the various documents have been incorporated in the respective documents and, where necessary, the footnotes have been renumbered accordingly. The numbers of the articles contained in these documents correspond to those of the draft Statute submitted by the Preparatory Committee and not those of the Rome Statute adopted by the Conference.

Volume III further contains a complete index of the documents relevant to the proceedings of the Conference, a list of documents arranged by article and a list of documents submitted by delegations.

*

* *

The summary records of the plenary meetings of the Conference and of the meetings of the Committee of the Whole contained in volume II were originally circulated in mimeograph form as documents A/CONF.183/SR.1 to 9 and A/CONF.183/C.1/SR.1 to 42, respectively. They include such editorial changes as were considered necessary.

*

* *

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Summary Contents

Volume I

Final documents

- A. Rome Statute of the International Criminal Court
- B. Final Act of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court [with an annex containing the resolutions adopted by the Conference]

Volume II

Summary records of the plenary meetings and of the meetings of the Committee of the Whole

- General Assembly resolutions relative to the Conference
- List of delegations
- Officers of the Conference and its Committees
- Secretariat of the Conference
- Agenda
- Rules of Procedure
- Summary records of the plenary meetings
- Summary records of the meetings of the Committee of the Whole

Volume III

Reports and other documents

Part One. Reports of Committees

- A. Report of the Credentials Committee
- B. Report of the Preparatory Committee on the Establishment of an International Criminal Court
- C. Report of the Committee of the Whole
- D. Report of the Drafting Committee

Part Two. Proposals, reports and other documents

- E. Documents of the plenary
- F. Documents of the Committee of the Whole

- Index to the documents of the Conference
- List of documents arranged by article
- List of documents submitted by delegations

Contents

<i>Page</i>	<i>Page</i>
7th plenary meeting	
<i>Thursday, 18 June 1998, at 10.05 a.m.</i>	
Agenda item 11 (<i>continued</i>)	
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1).....105	
8th plenary meeting	
<i>Thursday, 18 June 1998, at 3.10 p.m.</i>	
Agenda item 11 (<i>continued</i>)	
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1).....114	
Agenda item 8 (<i>continued</i>)	
Appointment of the Credentials Committee.....121	
9th plenary meeting	
<i>Friday, 17 July 1998, at 10.35 p.m.</i>	
Report of the Credentials Committee (A/CONF.183/7 and Corr.1 and 2).....121	
Agenda item 11 (<i>concluded</i>)	
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997.....121	
Report of the Committee of the Whole (A/CONF.183/8 and A/CONF.183/C.1/L.92 and Corr.1).....121	
Agenda item 12	
Adoption of a convention and other instruments deemed appropriate and of the final act of the Conference (A/CONF.183/8).....121	
Agenda item 13	
Signature of the Final Act and of the Convention and other instruments125	
General statements.....125	
Closure of the Conference129	
 Summary records of the meetings of the Committee of the Whole 	
1st meeting	
<i>Tuesday, 16 June 1998, at 10.20 a.m.</i>	
Opening of the meetings of the Committee of the Whole131	
Election of officers.....131	
Organization of work.....131	
Agenda item 11	
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.2 and A/CONF.183/C.1/L.3).....131	
Draft Statute	
Part 1. Establishment of the Court131	
Part 3. General principles of criminal law.....132	
Article 23. Individual criminal responsibility133	
Proposal submitted by France (A/CONF.183/C.1/L.3).....133	
Article 25. Responsibility of [commanders][superiors] for acts of [forces under their command][subordinates]136	
Proposal submitted by the United States of America (A/CONF.183/C.1/L.2)136	
2nd meeting	
<i>Tuesday, 16 June 1998, at 3.20 p.m.</i>	
Establishment of working groups138	
Agenda item 11 (<i>continued</i>)	
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1).....138	
Draft Statute	
Part 3. General principles of criminal law (<i>continued</i>).....138	
Article 26. Age of responsibility138	
Article 27. Statute of limitations.....141	
Article 24. Irrelevance of official position.....143	
Article 29. Mens rea (mental elements)143	
Part 1. Establishment of the Court (<i>continued</i>).....143	
3rd meeting	
<i>Wednesday, 17 June 1998, at 10.25 a.m.</i>	
Agenda item 11 (<i>continued</i>)	
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1).....146	
Draft Statute	
Part 2. Jurisdiction, admissibility and applicable law146	
Article 5. Crimes within the jurisdiction of the Court.....146	

Contents

<i>Page</i>	<i>Page</i>
Crime of genocide.....	147
Crimes against humanity.....	147
4th meeting	
<i>Wednesday, 17 June 1998, at 3.20 p.m.</i>	
Agenda item 11 (<i>continued</i>)	
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1).....	
	154
Draft Statute	
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	154
Article 5. Crimes within the jurisdiction of the Court (<i>continued</i>).....	154
Crimes against humanity (<i>continued</i>).....	154
War crimes.....	157
War crimes: sections A and B.....	158
5th meeting	
<i>Thursday, 18 June 1998, at 10 a.m.</i>	
Agenda item 11 (<i>continued</i>)	
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolution 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.1 and Corr.1 and A/CONF.183/C.1/L.4).....	
	162
Draft Statute	
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	162
Article 5. Crimes within the jurisdiction of the Court (<i>continued</i>).....	162
War crimes: sections A and B (<i>continued</i>).....	162
War crimes: sections C and D.....	168
6th meeting	
<i>Thursday, 18 June 1998, at 3.25 p.m.</i>	
Designation of Coordinators.....	170
Agenda item 11 (<i>continued</i>)	
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.1 and Corr.1 and A/CONF.183/C.1/L.4).....	
	170
Draft Statute	
Part 1. Establishment of the Court (<i>continued</i>).....	170
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	171
Article 5. Crimes within the jurisdiction at the Court (<i>continued</i>).....	171
[Crime of aggression].....	171
[Crimes of terrorism].....	171
[Crimes against United Nations and associated personnel].....	171
[Crimes involving the illicit traffic in narcotic drugs and psychotropic substances].....	171
7th meeting	
<i>Friday, 19 June 1998, at 10.30 a.m.</i>	
Agenda item 11 (<i>continued</i>)	
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.1 and Corr.1 and A/CONF.183/C.1/L.4).....	
	180
Draft Statute	
Part 1. Establishment of the Court (<i>continued</i>).....	180
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	180
Article 5. Crimes within the jurisdiction of the Court (<i>continued</i>).....	180
[Crime of aggression] (<i>continued</i>).....	180
Jurisdiction.....	182
Article 6. [Exercise of jurisdiction] [Preconditions to the exercise of jurisdiction].....	182
[Article 7]. Preconditions to the exercise of jurisdiction.....	182
[Article 8]. Temporal jurisdiction.....	182
[Article 9]. Acceptance of the jurisdiction of the Court.....	182
[Article 10]. [[(Action by) [Role of] the Security Council] [Relationship between the Security Council and the International Criminal Court].....	182
Article 11. Complaint by State.....	182
[Article 12]. Prosecutor.....	182
[Article 13]. Information submitted to the Prosecutor.....	182
Jurisdiction: the role of States.....	183
Article 6. [Exercise of jurisdiction] [Preconditions to the exercise of jurisdiction] (<i>continued</i>).....	183
[Article 7]. Preconditions to the exercise of jurisdiction (<i>continued</i>).....	183

Contents

	<i>Page</i>		<i>Page</i>
[Article 9]. Acceptance of the jurisdiction of the Court (<i>continued</i>).....	183	Article 6. [Exercise of jurisdiction] [Preconditions to the exercise of jurisdiction] (<i>continued</i>)	193
Article 11. Complaint by State (<i>continued</i>)	183	[Article 7]. Preconditions to the exercise of jurisdiction (<i>continued</i>).....	193
8th meeting		[Article 9]. Acceptance of the jurisdiction of the Court (<i>continued</i>).....	193
<i>Friday, 19 June 1998, at 3.20 p.m.</i>		Article 11. Complaint by State (<i>continued</i>)	193
Agenda item 11 (<i>continued</i>)		Jurisdiction: the role of the Prosecutor	199
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.1 and Corr.1, A/CONF.183/C.1/L.4 and A/CONF.183/C.1/WGGP/L.4 and Corr.1).....	186	Article 6. [Exercise of jurisdiction] [Preconditions to the exercise of jurisdiction] (<i>continued</i>)	199
Draft Statute		[Article 12]. Prosecutor (<i>continued</i>)	199
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	186	[Article 13]. Information submitted to the Prosecutor (<i>continued</i>).....	199
Jurisdiction: the role of States (<i>continued</i>).....	186	10th meeting	
Article 6. [Exercise of jurisdiction] [Preconditions to the exercise of jurisdiction] (<i>continued</i>)	186	<i>Monday, 22 June 1998, at 3.15 p.m.</i>	
[Article 7]. Preconditions to the exercise of jurisdiction (<i>continued</i>).....	186	Agenda item 11 (<i>continued</i>)	
[Article 9]. Acceptance of the jurisdiction of the Court (<i>continued</i>).....	186	Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.7).....	203
Article 11. Complaint by State (<i>continued</i>)	186	Draft Statute	
Part 3. General principles of criminal law (<i>continued</i>).....	192	Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	203
Report of the Working Group on General Principles of Criminal Law (A/CONF.183/C.1/WGGP/L.4 and Corr.1)	192	Jurisdiction: the role of the Prosecutor (<i>continued</i>).....	203
9th meeting		Article 6. [Exercise of jurisdiction] [Preconditions to the exercise of jurisdiction] (<i>continued</i>)	203
<i>Monday, 22 June 1998, at 10.10 a.m.</i>		[Article 12]. Prosecutor (<i>continued</i>)	203
Agenda item 11 (<i>continued</i>)		[Article 13]. Information submitted to the Prosecutor (<i>continued</i>).....	203
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/WGGP/L.4 and Corr.1).....	193	Jurisdiction: the role of the Security Council.....	206
Draft Statute		Article 6. [Exercise of jurisdiction] [Preconditions to the exercise of jurisdiction] (<i>continued</i>)	206
Part 3. General principles of criminal law (<i>continued</i>).....	193	[Article 10]. [[Action by] [Role of] the Security Council] [Relationship between the Security Council and the International Criminal Court] (<i>continued</i>)	206
Report of the Working Group on General Principles of Criminal Law (<i>continued</i>) (A/CONF.183/C.1/WGGP/L.4 and Corr.1).....	193	11th meeting	
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	193	<i>Monday, 22 June 1998, at 7.10 p.m.</i>	
Jurisdiction: the role of States (<i>continued</i>).....	193	Agenda item 11 (<i>continued</i>)	
		Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.7).....	211

Contents

	<i>Page</i>		<i>Page</i>
Draft Statute		13th meeting	
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	211	<i>Tuesday, 23 June 1998, at 3.10 p.m.</i>	
Jurisdiction: the role of the Security Council (<i>continued</i>).....	211	Agenda item 11 (<i>continued</i>)	
Article 6. [Exercise of jurisdiction] [Preconditions to the exercise of jurisdiction] (<i>continued</i>)	211	Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court, in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.9).....	223
[Article 10]. [[Action by] [Role of] the Security Council] [Relationship between the Security Council and the International Criminal Court] (<i>continued</i>)	211	Draft Statute	
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	213	Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>)	223
Admissibility	213	Applicable law (<i>continued</i>).....	223
Article 14. Duty of the Court as to jurisdiction.....	213	Article 20. Applicable law (<i>continued</i>)	223
Article 15. Issues of admissibility	213	14th meeting	
[Article 16]. Preliminary rulings regarding admissibility.....	213	<i>Wednesday, 24 June 1998, at 10.10 a.m.</i>	
Article 17. Challenges to the jurisdiction of the Court or the admissibility of a case.....	213	Agenda item 11 (<i>continued</i>)	
Article 18. <i>Ne bis in idem</i>	213	Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.16).....	225
[Article 19].....	213	Draft Statute	
12th meeting		Part 4. Composition and administration of the Court	225
<i>Tuesday, 23 June 1998, at 10.20 a.m.</i>		Article 35. Organs of the Court	226
Agenda item 11 (<i>continued</i>)		Article 36. Judges serving on a full-time basis	226
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court, in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.9 and A/CONF.183/C.1/L.14)	217	Article 37. Qualification and election of judges	226
Draft Statute		Article 40. Chambers.....	226
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	217	15th meeting	
Admissibility (<i>continued</i>).....	217	<i>Wednesday, 24 June 1998, at 3.10 p.m.</i>	
Article 14. Duty of the Court as to jurisdiction (<i>continued</i>).....	217	Agenda item 11 (<i>continued</i>)	
Article 15. Issues of admissibility (<i>continued</i>)	217	Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1).....	233
[Article 16]. Preliminary rulings regarding admissibility (<i>continued</i>)	217	Draft Statute	
Article 17. Challenges to the jurisdiction of the Court or the admissibility of a case (<i>continued</i>).....	217	Part 4. Composition and administration of the Court (<i>continued</i>)	233
Article 18. <i>Ne bis in idem</i> (<i>continued</i>).....	217	Article 35. Organs of the Court (<i>continued</i>)	233
[Article 19] (<i>continued</i>)	217	Article 36. Judges serving on a full-time basis (<i>continued</i>)	233
Applicable law.....	221	Article 37. Qualification and election of judges (<i>continued</i>)	233
Article 20. Applicable law	221	Article 40. Chambers (<i>continued</i>)	233
		Article 38. Judicial vacancies	237
		Article 39. The Presidency	237
		Article 42. Excusing and disqualification of judges	237

Contents

	<i>Page</i>		<i>Page</i>
Article 43. The Office of the Prosecutor	237	Draft Statute	
Article 44. The Registry	237	Part 13. Final clauses	251
Article 45. Staff	237	20th meeting	
Article 47. Removal from office	237	<i>Tuesday, 30 June 1998, at 10.20 a.m.</i>	
Article 49. Privileges and immunities	237	Agenda item 11 (<i>continued</i>)	
Article 52. Rules of Procedure and Evidence	237	Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.14/Rev.1, A/CONF.183/C.1/L.22, A/CONF.183/C.1/L.24 and A/CONF.183/C.1/L.29)	258
Article 53. Regulations of the Court	237	Draft Statute	
16th meeting		Part 13. Final clauses (<i>continued</i>)	258
<i>Thursday, 25 June 1998, at 10.20 a.m.</i>		Preamble	259
Organization of work (<i>continued</i>)	243	Agenda item 12	
17th meeting		Adoption of a convention and other instruments deemed appropriate and of the final act of the Conference (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.16)	260
<i>Thursday, 25 June 1998, at 6 p.m.</i>		21st meeting	
Agenda item 11 (<i>continued</i>)		<i>Tuesday, 30 June 1998, at 3.15 p.m.</i>	
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/WGPM/L.2 and Corr.1 and 2)	243	Agenda item 11 (<i>continued</i>)	
Draft Statute		Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/WGPM/L.2/Add.1 and Corr.1)	262
Part 5. Investigation and prosecution	243	Draft Statute	
Report of the Working Group on Procedural Matters (A/CONF.183/C.1/WGPM/L.2 and Corr.1 and 2)	243	Part 5. Investigation and prosecution (<i>continued</i>)	262
18th meeting		Part 6. The trial	262
<i>Monday, 29 June 1998, at 10.25 a.m.</i>		Report of the Working Group on Procedural Matters (<i>continued</i>) (A/CONF.183/C.1/WGPM/L.2/Add.1 and Corr.1)	262
Agenda item 11 (<i>continued</i>)		22nd meeting	
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.16)	244	<i>Thursday, 2 July 1998, at 3.20 p.m.</i>	
Draft Statute		Agenda item 11 (<i>continued</i>)	
Part 11. Assembly of States Parties	244	Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/WGIC/L.8/Rev.1 and Corr.1 and 2, A/CONF.183/C.1/WGIC/L.10 and Corr.1 and A/CONF.183/C.1/WGIC/L.11 and Corr.1 and 2)	263
Part 12. Financing of the Court	244	Draft Statute	
19th meeting		Part 9. International cooperation and judicial assistance	263
<i>Monday, 29 June 1998, at 3.15 p.m.</i>			
Agenda item 11 (<i>continued</i>)			
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.14/Rev.1 and A/CONF.183/C.1/L.24)	251		

Contents

<i>Page</i>	<i>Page</i>
<p>Report of the Working Group on International Cooperation and Judicial Assistance (A/CONF.183/C.1/WGIC/L.8/Rev.1 and Corr.1 and 2, A/CONF.183/C.1/WGIC/L.10 and Corr.1 and A/CONF.183/C.1/WGIC/L.11 and Corr.1 and 2).....263</p> <p>23rd meeting</p> <p><i>Friday, 3 July 1998, at 3.15 p.m.</i></p> <p>Agenda item 11 (<i>continued</i>) Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/WGGP/L.4/Add.1/Rev.1 and Corr.1).....264</p> <p>Draft Statute</p> <p style="padding-left: 20px;">Part 3. General principles of criminal law (<i>continued</i>).....264</p> <p style="padding-left: 20px;">Report of the Working Group on General Principles of Criminal Law (<i>continued</i>) (A/CONF.183/C.1/WGGP/L.4/Add.1/Rev.1 and Corr.1).....264</p> <p>24th meeting</p> <p><i>Monday, 6 July 1998, at 3.15 p.m.</i></p> <p>Agenda item 11 (<i>continued</i>) Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.45 and Corr.1-3, A/CONF.183/C.1/L.47 and Corr.1, A/CONF.183/C.1/WGGP/L.4/Add.2 and Corr.1, A/CONF.183/C.1/WGP/L.14 and Corr.1 and 2 and A/CONF.183/C.1/WGPM/L.2/Add.2 and Corr.1 and 2).....265</p> <p>Draft Statute</p> <p style="padding-left: 20px;">Part 5. Investigation and prosecution (<i>continued</i>).....265</p> <p style="padding-left: 20px;">Part 6. The trial (<i>continued</i>)265</p> <p style="padding-left: 20px;">Part 8. Appeal and review265</p> <p style="padding-left: 20px;">Report of the Working Group on Procedural Matters (<i>continued</i>) (A/CONF.183/C.1/WGPM/L.2/Add.2 and Corr.1 and 2).....265</p> <p style="padding-left: 20px;">Part 3. General principles of criminal law (<i>continued</i>).....265</p> <p style="padding-left: 20px;">Report of the Working Group on General Principles of Criminal Law (<i>continued</i>) (A/CONF.183/C.1/WGGP/L.4/Add.2 and Corr.1).....265</p> <p style="padding-left: 20px;">Part 4. Composition and administration of the Court (<i>continued</i>).....265</p> <p style="padding-left: 20px;">Recommendations of the Coordinator (A/CONF.183/C.1/L.45 and Corr.1-3).....265</p> <p style="padding-left: 20px;">Part 11. Assembly of States Parties (<i>continued</i>).....266</p> <p style="padding-left: 20px;">Recommendations of the Coordinator (A/CONF.183/C.1/L.47 and Corr.1).....266</p>	<p>Part 7. Penalties267</p> <p>Report of the Working Group on Penalties (A/CONF.183/C.1/WGP/L.14 and Corr.1 and 2).....267</p> <p>25th meeting</p> <p><i>Wednesday, 8 July 1998, at 10.25 a.m.</i></p> <p>Agenda item 11 (<i>continued</i>) Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.53).....267</p> <p>Draft Statute</p> <p style="padding-left: 20px;">Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....267</p> <p style="padding-left: 20px;">Discussion paper prepared by the Bureau (A/CONF.183/C.1/L.53).....267</p> <p style="padding-left: 20px;">Article 5. Crimes within the jurisdiction of the Court (<i>continued</i>).....268</p> <p>Message from the Secretary-General273</p> <p>26th meeting</p> <p><i>Wednesday, 8 July 1998, at 3.15 p.m.</i></p> <p>Agenda item 11 (<i>continued</i>) Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.45/Add.1, A/CONF.183/C.1/L.49/Rev.1, A/CONF.183/C.1/L.53, A/CONF.183/C.1/WGE/L.14, A/CONF.183/C.1/WGP/L.14/Add.1 and Corr.1, A/CONF.183/C.1/WGGP/L.4/Add.3, A/CONF.183/C.1/WGIC/L.11/Add.1 and Corr.1, A/CONF.183/C.1/WGIC/L.15 and Corr.1 and A/CONF.183/C.1/WGPM/L.2/Add.3)274</p> <p>Draft Statute</p> <p style="padding-left: 20px;">Part 9. International cooperation and judicial assistance (<i>continued</i>) (A/CONF.183/C.1/WGIC/L.15 and Corr.1).....274</p> <p style="padding-left: 20px;">Report of the Working Group on International Cooperation and Judicial Assistance (<i>continued</i>) (A/CONF.183/C.1/WGIC/L.11/Add.1 and Corr.1)274</p> <p style="padding-left: 20px;">Part 8. Appeal and review (<i>continued</i>).....274</p> <p style="padding-left: 20px;">Report of the Working Group on Procedural Matters (<i>continued</i>) (A/CONF.183/C.1/WGPM/L.2/Add.3)274</p> <p style="padding-left: 20px;">Part 3. General principles of criminal law (<i>continued</i>).....274</p> <p style="padding-left: 20px;">Report of the Working Group on General Principles of Criminal Law (<i>continued</i>) (A/CONF.183/C.1/WGGP/L.4/Add.3).....274</p>

Contents

	<i>Page</i>		<i>Page</i>
Part 4. Composition and administration of the Court (<i>continued</i>).....	275	28th meeting	
Recommendations of the Coordinator (<i>continued</i>) (A/CONF.183/C.1/L.45/Add.1).....	275	<i>Wednesday, 8 July 1998, at 9 p.m.</i>	
Part 10. Enforcement.....	275	Agenda item 11 (<i>continued</i>)	
Report of the Working Group on Enforcement (A/CONF.183/C.1/WGE/L.14).....	275	Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.53).....	288
Agenda item 12 (<i>continued</i>)		Draft Statute	
Adoption of a convention and other instruments deemed appropriate and of the final act of the Conference (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.49/Rev.1).....	275	Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	288
Recommendations of the Coordinator (A/CONF.183/C.1/L.49/Rev.1).....	275	Discussion paper prepared by the Bureau (<i>continued</i>) (A/CONF.183/C.1/L.53).....	288
Agenda item 11 (<i>continued</i>)		Article 5. Crimes within the jurisdiction of the Court (<i>continued</i>).....	288
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.53).....	276	29th meeting	
Draft Statute		<i>Thursday, 9 July 1998, at 10.15 a.m.</i>	
Part 7. Penalties (<i>continued</i>).....	276	Agenda item 11 (<i>continued</i>)	
Report of the Working Group on Penalties (<i>continued</i>) (A/CONF.183/C.1/WGP/L.14/Add.1 and Corr.1).....	276	Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.53).....	294
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	276	Draft Statute	
Discussion paper prepared by the Bureau (<i>continued</i>) (A/CONF.183/C.1/L.53).....	276	Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	294
Article 5. Crimes within the jurisdiction of the Court (<i>continued</i>).....	276	Discussion paper prepared by the Bureau (<i>continued</i>) (A/CONF.183/C.1/L.53).....	294
27th meeting		Article 6. Exercise of jurisdiction.....	294
<i>Wednesday, 8 July 1998, at 6 p.m.</i>		Article 7. Acceptance of jurisdiction.....	294
Agenda item 11 (<i>continued</i>)		Article 7 bis. Opt-in for treaty crimes and possibly for one or more core crimes.....	294
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.53).....	282	Article 7 ter. Acceptance by non-States Parties.....	294
Draft Statute		Article 8. Temporal jurisdiction and non-retroactivity.....	294
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	282	Article 10. Role of the Security Council.....	295
Discussion paper prepared by the Bureau (<i>continued</i>) (A/CONF.183/C.1/L.53).....	282	Article 11. Referral of a situation by a State.....	295
Article 5. Crimes within the jurisdiction of the Court (<i>continued</i>).....	282	Article 12. Prosecutor.....	295
		Article 15. Issues of admissibility.....	295
		Article 16. Preliminary rulings regarding admissibility.....	295
		Article 18. <i>Ne bis in idem</i>	295

Contents

	<i>Page</i>	<i>Page</i>
30th meeting		
<i>Thursday, 9 July 1998, at 3.10 p.m.</i>		
Agenda item 11 (<i>continued</i>)		
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.7, A/CONF.183/C.1/L.20, A/CONF.183/C.1/L.47/Add.1, A/CONF.183/C.1/L.51, A/CONF.183/C.1/L.53 and A/CONF.183/C.1/WGPM/L.2/Add.4)	305	
Draft Statute		
Part 5. Investigation and prosecution (<i>continued</i>)	305	
Report of the Working Group on Procedural Matters (<i>continued</i>) (A/CONF.183/C.1/WGPM/L.2/Add.4)	305	
Part 11. Assembly of States Parties (<i>continued</i>)	305	
Recommendations of the Coordinator (A/CONF.183/C.1/L.47/Add.1)	305	
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>)	305	
Discussion paper prepared by the Bureau (<i>continued</i>) (A/CONF.183/C.1/L.53)	305	
Article 6. Exercise of jurisdiction (<i>continued</i>)	305	
Article 7. Acceptance of jurisdiction (<i>continued</i>)	305	
Article 7 bis. Opt-in for treaty crimes and possibly for one or more core crimes (<i>continued</i>)	305	
Article 7 ter. Acceptance by non-States Parties (<i>continued</i>)	305	
Article 8. Temporal jurisdiction and non-retroactivity (<i>continued</i>)	305	
Article 10. Role of the Security Council (<i>continued</i>)	305	
Article 11. Referral of a situation by a State (<i>continued</i>)	305	
Article 12. Prosecutor (<i>continued</i>)	305	
Article 15. Issues of admissibility (<i>continued</i>)	305	
Article 16. Preliminary rulings regarding admissibility (<i>continued</i>)	305	
Article 18. <i>Ne bis in idem</i> (<i>continued</i>)	305	
31st meeting		
<i>Thursday, 9 July 1998, at 6 p.m.</i>		
Agenda item 11 (<i>continued</i>)		
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.53)	313	
Draft Statute		
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>)	313	
Discussion paper prepared by the Bureau (<i>concluded</i>) (A/CONF.183/C.1/L.53)	313	
Article 6. Exercise of jurisdiction (<i>continued</i>)	313	
Article 7. Acceptance of jurisdiction (<i>continued</i>)	313	
Article 7 bis. Opt-in for treaty crimes and possibly for one or more core crimes (<i>continued</i>)	313	
Article 7 ter. Acceptance by non-States Parties (<i>continued</i>)	313	
Article 8. Temporal jurisdiction and non-retroactivity (<i>continued</i>)	313	
Article 10. Role of the Security Council (<i>continued</i>)	313	
Article 11. Referral of a situation by a State (<i>continued</i>)	313	
Article 12. Prosecutor (<i>continued</i>)	313	
Article 15. Issues of admissibility (<i>continued</i>)	313	
Article 16. Preliminary rulings regarding admissibility (<i>continued</i>)	313	
Article 18. <i>Ne bis in idem</i> (<i>continued</i>)	313	
32nd meeting		
<i>Friday, 10 July 1998, at 3.15 p.m.</i>		
Agenda item 11 (<i>continued</i>)		
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.45/Add.2 and Corr.1, A/CONF.183/C.1/L.57, A/CONF.183/C.1/WGPM/L.14/Add.2 and A/CONF.183/C.1/WGPM/L.2/Add.5 and Corr.1)	318	
Draft Statute		
Part 5. Investigation and prosecution (<i>continued</i>)	318	
Part 6. The trial (<i>continued</i>)	318	
Report of the Working Group on Procedural Matters (<i>continued</i>) (A/CONF.183/C.1/WGPM/L.2/Add.5 and Corr.1)	318	
Part 4. Composition and administration of the Court (<i>continued</i>)	318	
Recommendations of the Coordinator (<i>continued</i>) (A/CONF.183/C.1/L.45/Add.2 and Corr.1)	318	
Part 7. Penalties (<i>continued</i>)	319	
Report of the Working Group on Penalties (<i>continued</i>) (A/CONF.183/C.1/WGPM/L.14/Add.2)	319	

Contents

	<i>Page</i>		<i>Page</i>
33rd meeting			
<i>Monday, 13 July 1998, at 10.20 a.m.</i>			
Agenda item 11 (<i>continued</i>)			
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.45/Add.3, A/CONF.183/C.1/L.59 and Corr.1, A/CONF.183/C.1/L.61 and Corr.1, A/CONF.183/C.1/WGAL/L.2, A/CONF.183/C.1/WGE/L.14/Add.1 and Corr.1 and A/CONF.183/C.1/WGPM/L.2/Add.6 and Corr.1).....		319	
Draft Statute			
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....		319	
Proposal prepared by the Bureau (A/CONF.183/C.1/L.59 and Corr.1).....		319	
Article 5. Crimes within the jurisdiction of the Court.....		319	
Article 5 bis. Genocide.....		319	
Article 5 ter. Crimes against humanity.....		319	
Article 5 quater. War crimes.....		319	
Article xx. Elements of crimes.....		319	
Article Y.....		319	
Article 6. Exercise of jurisdiction.....		319	
Article 7. Preconditions to the exercise of jurisdiction.....		319	
Article 7 bis. Acceptance of jurisdiction.....		319	
Article 7 ter. Acceptance by non-States Parties.....		319	
Article 8. Temporal jurisdiction and non-retroactivity.....		319	
Article 10. Role of the Security Council.....		319	
Article 11. Referral of a situation by a State.....		319	
Article 12. Prosecutor.....		319	
Article 15. Issues of admissibility.....		319	
Article 16. Preliminary rulings regarding admissibility.....		319	
Article 18. <i>Ne bis in idem</i>		319	
Part 5. Investigation and prosecution (<i>continued</i>).....		323	
Part 6. The trial (<i>continued</i>).....		323	
Part 8. Appeal and review (<i>continued</i>).....		323	
Report of the Working Group on Procedural Matters (<i>continued</i>) (A/CONF.183/C.1/WGPM/L.2/Add.6 and Corr.1).....		323	
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....		323	
Report of the Working Group on Applicable Law (A/CONF.183/C.1/WGAL/L.2).....		323	
			Part 4. Composition and administration of the Court (<i>continued</i>).....
			324
			Recommendations of the Coordinator (<i>concluded</i>) (A/CONF.183/C.1/L.45/Add.3).....
			324
			Part 10. Enforcement (<i>continued</i>).....
			324
			Report of the Working Group on Enforcement (<i>continued</i>) (A/CONF.183/C.1/WGE/L.14/Add.1 and Corr.1).....
			324
			Preamble (<i>continued</i>).....
			324
			Part 13. Final clauses (<i>continued</i>).....
			324
			Recommendations of the Coordinator (A/CONF.183/C.1/L.61 and Corr.1).....
			324
			Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....
			324
			Proposal prepared by the Bureau (<i>continued</i>) (A/CONF.183/C.1/L.59 and Corr.1).....
			324
			34th meeting
			<i>Monday, 13 July 1998, at 3.05 p.m.</i>
			Agenda item 11 (<i>continued</i>)
			Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.59 and Corr.1).....
			327
			Statement on behalf of the Secretary-General of the United Nations.....
			327
			Draft Statute
			Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....
			327
			Proposal prepared by the Bureau (<i>continued</i>) (A/CONF.183/C.1/L.59 and Corr.1).....
			327
			Article 5. Crimes within the jurisdiction of the Court (<i>continued</i>).....
			327
			Article 5 bis. Genocide (<i>continued</i>).....
			327
			Article 5 ter. Crimes against humanity (<i>continued</i>).....
			327
			Article 5 quater. War crimes (<i>continued</i>).....
			327
			Article xx. Elements of crimes (<i>continued</i>).....
			327
			Article Y (<i>continued</i>).....
			327
			Article 6. Exercise of jurisdiction (<i>continued</i>).....
			327
			Article 7. Preconditions to the exercise of jurisdiction (<i>continued</i>).....
			327
			Article 7 bis. Acceptance of jurisdiction (<i>continued</i>).....
			327
			Article 7 ter. Acceptance by non-States Parties (<i>continued</i>).....
			327
			Article 8. Temporal jurisdiction and non-retroactivity (<i>continued</i>).....
			327

Contents

	<i>Page</i>		<i>Page</i>
Article 10. Role of the Security Council (<i>continued</i>)	327	Article 16. Preliminary rulings regarding admissibility (<i>continued</i>)	334
Article 11. Referral of a situation by a State (<i>continued</i>)	327	Article 18. <i>Ne bis in idem</i> (<i>continued</i>)	334
Article 12. Prosecutor (<i>continued</i>)	327		
Article 15. Issues of admissibility (<i>continued</i>)	327	36th meeting	
Article 16. Preliminary rulings regarding admissibility (<i>continued</i>)	327	<i>Monday, 13 July 1998, at 9 p.m.</i>	
Article 18. <i>Ne bis in idem</i> (<i>continued</i>)	327	Agenda item 11 (<i>continued</i>)	
		Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.59 and Corr.1)	343
35th meeting		Draft Statute	
<i>Monday, 13 July 1998, at 6.05 p.m.</i>		Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>)	343
Agenda item 11 (<i>continued</i>)		Proposal prepared by the Bureau (<i>concluded</i>) (A/CONF.183/C.1/L.59 and Corr.1)	343
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.59 and Corr.1)	334	Article 5. Crimes within the jurisdiction of the Court (<i>continued</i>)	343
Draft Statute		Article 5 bis. Genocide (<i>continued</i>)	343
Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>)	334	Article 5 ter. Crimes against humanity (<i>continued</i>)	343
Proposal prepared by the Bureau (<i>continued</i>) (A/CONF.183/C.1/L.59 and Corr.1)	334	Article 5 quater. War crimes (<i>continued</i>)	343
Article 5. Crimes within the jurisdiction of the Court (<i>continued</i>)	334	Article xx. Elements of crimes (<i>continued</i>)	343
Article 5 bis. Genocide (<i>continued</i>)	334	Article Y (<i>continued</i>)	343
Article 5 ter. Crimes against humanity (<i>continued</i>)	334	Article 6. Exercise of jurisdiction (<i>continued</i>)	343
Article 5 quater. War crimes (<i>continued</i>)	334	Article 7. Preconditions to the exercise of jurisdiction (<i>continued</i>)	343
Article xx. Elements of crimes (<i>continued</i>)	334	Article 7 bis. Acceptance of jurisdiction (<i>continued</i>)	343
Article Y (<i>continued</i>)	334	Article 7 ter. Acceptance by non-States Parties (<i>continued</i>)	343
Article 6. Exercise of jurisdiction (<i>continued</i>)	334	Article 8. Temporal jurisdiction and non-retroactivity (<i>continued</i>)	343
Article 7. Preconditions to the exercise of jurisdiction (<i>continued</i>)	334	Article 10. Role of the Security Council (<i>continued</i>)	343
Article 7 bis. Acceptance of jurisdiction (<i>continued</i>)	334	Article 11. Referral of a situation by a State (<i>continued</i>)	343
Article 7 ter. Acceptance by non-States Parties (<i>continued</i>)	334	Article 12. Prosecutor (<i>continued</i>)	343
Article 8. Temporal jurisdiction and non-retroactivity (<i>continued</i>)	334	Article 15. Issues of admissibility (<i>continued</i>)	343
Article 10. Role of the Security Council (<i>continued</i>)	334	Article 16. Preliminary rulings regarding admissibility (<i>continued</i>)	343
Article 11. Referral of a situation by a State (<i>continued</i>)	334	Article 18. <i>Ne bis in idem</i> (<i>continued</i>)	343
Article 12. Prosecutor (<i>continued</i>)	334		
Article 15. Issues of admissibility (<i>continued</i>)	334		

Contents

	<i>Page</i>		<i>Page</i>
37th meeting		Part 8. Appeal and review (<i>continued</i>).....	350
<i>Tuesday, 14 July 1998, at 3.10 p.m.</i>		Report of the Working Group on Procedural Matters (<i>continued</i>) (A/CONF.183/C.1/WGPM/L.2/Add.7 and Corr.1).....	350
Statement by the Minister for Foreign Affairs of Italy.....	348		
Agenda item 11 (<i>continued</i>)		38th meeting	
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/WGIC/L.11/Add.2 and Corr.1 and Add.3 and Corr.1 and 2 and A/CONF.183/C.1/WGIC/L.15 and Corr.1).....	349	<i>Wednesday, 15 July 1998, at 3.15 p.m.</i>	
Draft Statute		Agenda item 11 (<i>continued</i>)	
Part 9. International cooperation and judicial assistance (<i>continued</i>).....	349	Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.47/Add.2, A/CONF.183/C.1/L.73, A/CONF.183/C.1/WGAL/L.2/Add.1 and Corr.1, A/CONF.183/C.1/WGE/L.14/Add.2 and A/CONF.183/C.1/WGIC/L.11/Add.4 and Corr.1).....	351
Report of the Working Group on International Cooperation and Judicial Assistance (<i>continued</i>) (A/CONF.183/C.1/WGIC/L.11/Add.2 and Corr.1 and Add.3 and Corr.1 and 2).....	349	Draft Statute	
Agenda item 12 (<i>continued</i>)		Preamble (<i>continued</i>).....	351
Adoption of a convention and other instruments deemed appropriate and of the final act of the Conference (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.49/Rev.1/Add.1).....	350	Recommendations of the Coordinator (A/CONF.183/C.1/L.73).....	351
Recommendations of the Coordinator (<i>continued</i>) (A/CONF.183/C.1/L.49/Rev.1/Add.1).....	350	Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	351
Agenda item 11 (<i>continued</i>)		Article 20. Applicable law (<i>continued</i>).....	351
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.64, A/CONF.183/C.1/L.65/Rev.1, A/CONF.183/C.1/L.66 and Add.1, A/CONF.183/C.1/L.67/Rev.1, A/CONF.183/C.1/L.68/Rev.2 and A/CONF.183/C.1/WGPM/L.2/Add.7 and Corr.1).....	350	Report of the Working Group on Applicable Law (<i>concluded</i>) (A/CONF.183/C.1/WGAL/L.2/Add.1 and Corr.1).....	351
Draft Statute		Part 9. International cooperation and judicial assistance (<i>continued</i>).....	352
Part 1. Establishment of the Court (<i>continued</i>).....	350	Report of the Working Group on International Cooperation and Judicial Assistance (<i>concluded</i>) (A/CONF.183/C.1/WGIC/L.11/Add.4 and Corr.1).....	352
Part 3. General principles of criminal law (<i>continued</i>).....	350	Part 10. Enforcement (<i>continued</i>).....	352
Part 4. Composition and administration of the Court (<i>continued</i>).....	350	Report of the Working Group on Enforcement (<i>concluded</i>) (A/CONF.183/C.1/WGE/L.14/Add.2).....	352
Part 9. International cooperation and judicial assistance (<i>continued</i>).....	350	Part 11. Assembly of States Parties (<i>continued</i>).....	352
Part 11. Assembly of States Parties (<i>continued</i>).....	350	Recommendations of the Coordinator (<i>concluded</i>) (A/CONF.183/C.1/L.47/Add.2).....	352
Report of the Drafting Committee (A/CONF.183/C.1/L.64, A/CONF.183/C.1/L.65/Rev.1, A/CONF.183/C.1/L.66 and Add.1, A/CONF.183/C.1/L.67/Rev.1 and A/CONF.183/C.1/L.68/Rev.2).....	350		
Part 5. Investigation and prosecution (<i>continued</i>).....	350	39th meeting	
Part 6. The trial (<i>continued</i>).....	350	<i>Wednesday, 15 July 1998, at 6.25 p.m.</i>	
		Agenda item 11 (<i>continued</i>)	
		Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.64, A/CONF.183/C.1/L.65/Rev.1, A/CONF.183/C.1/L.66 and Add.1 and A/CONF.183/C.1/L.67/Rev.1).....	353
		Draft Statute	
		Part 1. Establishment of the Court (<i>continued</i>).....	353
		Report of the Drafting Committee (<i>continued</i>) (A/CONF.183/C.1/L.64).....	353

Contents

	<i>Page</i>		<i>Page</i>
Part 3. General principles of criminal law (<i>continued</i>).....	353	Report of the Drafting Committee (<i>continued</i>) (A/CONF.183/C.1/L.68/Rev.2).....	357
Report of the Drafting Committee (<i>continued</i>) (A/CONF.183/C.1/L.65/Rev.1).....	353	Part 7. Penalties (<i>continued</i>)	357
Part 4. Composition and administration of the Court (<i>continued</i>).....	353	Part 8. Appeal and review (<i>continued</i>).....	357
Report of the Drafting Committee (<i>continued</i>) (A/CONF.183/C.1/L.67/Rev.1).....	353	Report of the Drafting Committee (<i>continued</i>) (A/CONF.183/C.1/L.84 and A/CONF.183/C.1/L.85).....	357
Part 11. Assembly of States Parties (<i>continued</i>).....	354	Part 11. Assembly of States Parties (<i>continued</i>).....	357
Report of the Drafting Committee (<i>continued</i>) (A/CONF.183/C.1/L.66 and Add.1).....	354	Report of the Drafting Committee (<i>continued</i>) (A/CONF.183/C.1/L.47/Add.2).....	357
40th meeting		Agenda item 12 (<i>continued</i>)	
<i>Thursday, 16 July 1998, at 10.25 a.m.</i>		Adoption of a convention and other instruments deemed appropriate and of the final act of the Conference (A/CONF.183/2/Add.1 and Corr.1 and A/CONF.183/C.1/L.83).....	357
Organization of work (<i>concluded</i>).....	355	Report of the Drafting Committee on the Final Act (A/CONF.183/C.1/L.83).....	357
Agenda item 11 (<i>continued</i>)		Agenda item 11 (<i>continued</i>)	
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.78 and Corr.1 and A/CONF.183/C.1/WGPM/L.2/Add.8 and Corr.1).....	355	Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.78 and Corr.1, A/CONF.183/C.1/L.82 and Corr.1, A/CONF.183/C.1/L.86, A/CONF.183/C.1/L.87, A/CONF.183/C.1/L.88, A/CONF.183/DC/R.31 and A/CONF.183/DC/R.191–R.194).....	358
Draft Statute		Draft Statute	
Part 5. Investigation and prosecution (<i>continued</i>).....	355	Part 12. Financing of the Court (<i>continued</i>)	358
Part 6. The trial (<i>continued</i>).....	355	Recommendations of the Coordinator (<i>concluded</i>) (A/CONF.183/C.1/L.78 and Corr.1).....	358
Part 8. Appeal and review (<i>continued</i>).....	355	Part 13. Final clauses (<i>continued</i>)	358
Report of the Working Group on Procedural Matters (<i>concluded</i>) (A/CONF.183/C.1/WGPM/L.2/Add.8 and Corr.1).....	355	Text adopted by the Drafting Committee on first and second readings (14 July 1998) (A/CONF.183/DC/R.191–R.194).....	358
Part 12. Financing of the Court (<i>continued</i>)	355	Part 2. Jurisdiction, admissibility and applicable law (<i>continued</i>).....	358
Recommendations of the Coordinator (A/CONF.183/C.1/L.78 and Corr.1).....	355	Texts adopted by the Drafting Committee on second reading (26 June 1998) (A/CONF.183/DC/R.31).....	358
41st meeting		Part 10. Enforcement (<i>continued</i>)	358
<i>Thursday, 16 July 1998, at 3.15 p.m.</i>		Report of the Drafting Committee (<i>continued</i>) (A/CONF.183/C.1/L.86).....	358
Agenda item 11 (<i>continued</i>)		Part 5. Investigation and prosecution (<i>continued</i>).....	358
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/2/Add.1 and Corr.1, A/CONF.183/C.1/L.47/Add.2, A/CONF.183/C.1/L.68/Rev.2, A/CONF.183/C.1/L.84, A/CONF.183/C.1/L.85 and A/CONF.183/C.1/WGP/L.14/Add.3/Rev.1).....	356	Report of the Drafting Committee (<i>continued</i>) (A/CONF.183/C.1/L.87).....	358
Draft Statute		Part 6. The trial (<i>continued</i>).....	359
Part 7. Penalties (<i>continued</i>).....	356	Report of the Drafting Committee (<i>continued</i>) (A/CONF.183/C.1/L.88).....	359
Report of the Working Group on Penalties (<i>concluded</i>) (A/CONF.183/C.1/WGP/L.14/Add.3/Rev.1).....	356	Preamble (<i>continued</i>).....	359
Part 9. International cooperation and judicial assistance (<i>continued</i>).....	357	Report of the Drafting Committee (<i>concluded</i>) (A/CONF.183/C.1/L.82 and Corr.1).....	359

Contents

	<i>Page</i>		<i>Page</i>
42nd meeting			
<i>Friday, 17 July 1998, at 7.15 p.m.</i>			
<i>Agenda item 11 (concluded)</i>			
Consideration of the question concerning the finalization and adoption of a convention on the establishment of an international criminal court in accordance with General Assembly resolutions 51/207 of 17 December 1996 and 52/160 of 15 December 1997 (A/CONF.183/C.1/L.76 and Add.1, Add.2 and Corr.1, Add.3 and 4, Add.5 and Corr.1, Add.6 and Corr.1, Add.7 and 8, Add.9 and Corr.1 and Add.10-14, A/CONF.183/C.1/L.70, A/CONF.183/C.1/L.81, A/CONF.183/C.1/L.90, A/CONF.183/C.1/L.94 and A/CONF.183/C.1/L.95).....	360	Amendments proposed by India (A/CONF.183/C.1/L.94 and A/CONF.183/C.1/L.95)	360
		Motion proposed by Norway.....	360
		Action taken by the Committee.....	361
		Amendments proposed by the United States of America (A/CONF.183/C.1/L.70 and A/CONF.183/C.1/L.90).....	361
		Motion proposed by Norway.....	361
		Action taken by the Committee.....	362
		Report of the Committee of the Whole (A/CONF.183/C.1/L.92 and Corr.1)	362

Officers of the Conference and its Committees

President of the Conference

Mr. Giovanni Conso (Italy)

Vice-Presidents of the Conference

The representatives of the following States: Algeria, Austria, Bangladesh, Burkina Faso, Chile, China, Colombia, Costa Rica, Egypt, France, Gabon, Germany, India, Iran (Islamic Republic of), Japan, Kenya, Latvia, Malawi, Nepal, Nigeria, Pakistan, Russian Federation, Samoa, Slovakia, Sweden, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Uruguay

General Committee of the Conference

Chairman: The President of the Conference

Members: The President and Vice-Presidents of the Conference, the Chairman of the Committee of the Whole and the Chairman of the Drafting Committee

Committee of the Whole

Chairman: Mr. Philippe Kirsch (Canada)

Vice-Chairmen: Ms. Silvia Alejandra Fernández de Gurmendi (Argentina), Mr. Constantin Virgil Ivan (Romania) and Mr. Phakiso Mochochoko (Lesotho)

Rapporteur: Mr. Yasumasa Nagamine (Japan)

Drafting Committee

Chairman: Mr. Cherif Bassiouni (Egypt)

Members: Cameroon, China, Dominican Republic, France, Germany, Ghana, India, Jamaica, Lebanon, Mexico, Morocco, Philippines, Poland, Republic of Korea, Russian Federation, Slovenia, South Africa, Spain, Sudan, Switzerland, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela

The Rapporteur of the Committee of the Whole participated *ex officio* in the work of the Drafting Committee in accordance with rule 49 of the rules of procedure of the Conference.

Credentials Committee

Chairman: Ms. Angela Hannelore Benjamin (Dominica)

Members: Argentina, China, Côte d'Ivoire, Dominica, Nepal, Norway, Russian Federation, United States of America and Zambia

Secretariat of the Conference

- Mr. Hans Corell, Under-Secretary-General, Legal Counsel
(representing the Secretary-General of the United Nations)
- Mr. Roy Lee, Director of the Codification Division of the Office of Legal Affairs
(Executive Secretary of the Conference)
- Mr. Manuel Rama-Montaldo *(Secretary of the Drafting Committee)*
- Ms. Mahmoud H. Arsanjani *(Secretary of the Committee of the Whole)*
- Mr. Mpazi Sinjela *(Secretary of the Credentials Committee)*
- Ms. Christiane Bourloyannis-Vrailas *(Assistant Secretary of the Conference)*
- Ms. Virginia Morris *(Assistant Secretary of the Conference)*
- Mr. Vladimir Rudnitsky *(Assistant Secretary of the Conference)*
- Mr. Renan Villacis *(Assistant Secretary of the Conference)*