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## **Preparatory Commission for the International Criminal Court**

Working Group on Rules of Procedures and Evidence

New York

16–26 February 1999

26 July–13 August 1999

29 November–17 December 1999

### **Coordinator's paper**

## **Scheme of work for Part 4: Organization and composition of the Court**

The Coordinator would like to suggest that the following scheme of work be adopted as a framework for the discussion of the rules under Part 4. The rules set out in the scheme follow the Australian text.

**A.** Rules relating to situations that may affect the functioning of the Court.

**A.1.** Serious misconduct and serious breach of duty: rules 9, 19, 34 and 51.

**Proposals:**

Australia: PCNICC/1999/DP.1.

France: PCNICC/1999/DP.3.

Spain and Venezuela: PCNICC/WGRPE/DP.12.

Spain and Venezuela: PCNICC/1999/WGRPE/DP.16.

**A.2.** Misconduct of a less serious nature: rules 11, 20, 35 and 52.

**Proposals:**

Australia: PCNICC/1999/DP.1.

France: PCNICC/1999/DP.3.

Spain and Venezuela: PCNICC/WGRPE/DP.12 and DP.16.

**A.3.** Excuse and disqualification: rules 16, 17, 21, 47 and 48.

**Proposals:**

Australia: PCNICC/1999/DP.1.

France: PCNICC/1999/DP.3.

Spain and Venezuela: PCNICC/1999/WGRPE/DP.11.

**A.4.** Death and resignation: rules 18, 21, 32, 33, 36, 37, 44, 49 and 50.

**Proposals:**

Australia and France (op. cit.).

**B.** Rules relating to the organization of the Court.

**B.1.** Plenary sessions: rules 12, 13 and 14.

**Proposals:**

Australia and France.

**B.2.** Election, qualifications and precedence.

Judges: 12, 15 and 23.

Registrar: 24, 28 and 30.

Prosecutor: 40, 44 and 45.

**Proposals:**

Australia and France.

**B.3.** Replacements: rule 22.

**Proposals:**

Australia and France (op. cit.).

Spain and Venezuela: PCNICC/1999/WGRPE/DP.10.

Colombia: PCNICC/1999/WGRPE/DP.14.

**B.4.** Organization of divisions and Chambers.

**Proposals:**

Australia and France.

Colombia, Spain and Venezuela: PCNICC/1999/WGRPE/DP.9.

**B.5.** Organization of the Office of the Registrar: rules 25, 26, 27 and 29.

**Proposals:**

Australia and France.

**B.6.** Organization of the Office of the Prosecutor: rules 40, 41, 42 and 43.

**Proposals:**

Australia and France.

**C.** Rules relating to defence counsel and witnesses: 38, 53, 54 and 55.

**Proposals:**

Australia and France.

**D.** Rules relating to texts and languages, amendments and solemn undertaking: rules 2, 3, 6, 8, 31, 39 and 41.

**Proposals:**

Australia and France (op. cit.).

Colombia, Spain and Venezuela: PCNICC/1999/WGRPE/DP.8.