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English  
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**Preparatory Commission for the  
International Criminal Court**  
**Working Group on Rules of Procedure of the  
Assembly of States Parties**  
New York  
24 September-5 October 2001

**Proposal submitted by France**

**Rule 11**

Add at the end of paragraph 2:

(k) Any item proposed by the United Nations relating to matters of interest to the Court or to the Assembly of States Parties.

Replace rule 88 by the following three rules:

**Rule 88: Observers**

1. Representatives designated by entities, intergovernmental organizations and other entities that have received a standing invitation from the General Assembly of the United Nations pursuant to its relevant resolutions to participate, in the capacity of observers, in its sessions and work have the right to participate as observers, without the right to vote, in the deliberations of the Assembly.
2. Representatives designated by other regional intergovernmental organizations or other international bodies invited to the Rome Conference, accredited to the Preparatory Commission for the International Criminal Court or invited by the Assembly may participate as observers, without the right to vote, in the deliberations of the Assembly.
3. The representatives referred to in paragraphs 1 and 2 above may also participate in the deliberations of subsidiary bodies under the conditions laid down in rule 41 of the present rules of procedure.

**Rule 88 bis: Other participants**

1. Non-governmental organizations invited to the Rome Conference, accredited to the Preparatory Commission for the International Criminal Court, or having consultative status with the Economic and Social Council of the United Nations whose activities are relevant to the activities of the Court and other non-



governmental organizations invited by the Assembly may, through their designated representatives:

(a) Attend meetings of the Assembly and meetings of its subsidiary bodies under the conditions laid down in rule 41 of the present rules of procedure;

(b) Receive copies of official documents of the Assembly;

(c) Upon the invitation of the President and subject to the approval of the Assembly, make a limited number of oral statements on questions relating to their activities at the opening and closing meetings of the Assembly;

(d) Make a limited number of oral statements on questions relating to their activities at the opening and closing meetings of subsidiary bodies, when the assembly of these subsidiary bodies deems it appropriate.

2. At the beginning of each session of the Assembly, the President may, subject to the approval of the Assembly, invite a given State which is not a party and does not have observer status to designate a representative to be present during the work of the Assembly. A representative who is so designated may be authorized by the Assembly to make an oral statement during the opening meeting of the session.

**Rule 88 ter: Participation of the United Nations**

1. The United Nations shall have a standing invitation to participate, without the right to vote [with observer status] in the deliberations of the Assembly.

2. When issues of interest to the United Nations are taken up by subsidiary bodies, the Secretary-General, if he so desires, or his representative, may attend the deliberations of such subsidiary bodies. The Secretary-General or his representative may make a statement, in oral or written form, at the beginning of the deliberations.

Paragraph 3 consists of the text of the current rule 35 of the rules of procedure.

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