

International Criminal Court



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## **Report of the Committee on Budget and Finance on the work of its thirty-third session**

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## Executive Summary

1. During its thirty-third session, which was held from 26 August to 6 September 2019 in The Hague, the Committee on Budget and Finance considered the Proposed Programme Budget for 2020 of the International Criminal Court, including workload dynamics and their impact on resource requirements, audit matters including the Audit Committee reports and the External Auditor's reports, as well as other matters, such as the liquidity shortfall; arrears; the Court-wide Five-Year IT/IM Strategy; savings and efficiencies; activities and initiatives of the Trust Fund for Victims, human resources matters and on-going litigations.
2. In line with the One-Court principle, the Committee compared the budget requested by each major programme against the workload presented, as well as the Court-wide impact across the organs. Noting that the Court would continue to face unforeseen developments, the Committee recommended that the Court adopt flexible policies and manage its human resources in a manner that would allow adequate reaction to unforeseen developments by redeploying resources based on workload requirements.
3. The Committee noted that while Judiciary and Registry requested lower budget than the 2019 approved budget, the Office of the Prosecutor, the Trust Fund for Victims and the Independent Oversight Mechanism requested higher amounts of budget.
4. Without prejudice to the independence of the OTP, the Committee observed a significant increase in the OTP's budget in recent years compared to other major programmes. This trend might be explained by the fact that the OTP continues to carry out numerous activities, while ongoing investigations do not proceed to the trial stage. Thus, the number of active trials, which generates costs in other major programmes, remains stable.
5. The Committee noted that a number of budget lines in particular non-staff costs for OTP and TFV in the 2020 proposed budget are exactly the same for each budget line item as they were in 2019. The Committee agreed with the finding of the External Auditor that a zero-based budget approach across the Court is not feasible on an annual basis. However, the Committee emphasised that all requests for resource should be based on robust forecasts, which reflect as far as possible the expected expenditure for the year. The Committee expected non-staff costs to be presented as real estimates in future budgets and would like to be updated on how this is built into the budget coordination process at the next workshop in May 2020.
6. The Committee received three new separate but complementary strategies of the Court, the OTP and the Registry, which were already adopted subsequent to prior consultations with States Parties. Also, the Committee had before it the OTP's final evaluation of its prior strategic plan, now submitted in response to earlier requests of the Committee and the Assembly for a full evaluation. The Committee noted the Court's ambition to work towards continuous improvement and excellence. It welcomed the commitment to sound financial practices, savings and efficiencies, setting priorities, measuring and managing performance, risk management, staff engagement, geographical and gender balance, and complementarity. However, the strategic plan should be linked to action plans and to the budget proposals.
7. Whilst progress has been made, the Committee believed further enhancements can be made in preparation for the 2021 proposed budget accompanied with new KPIs, where the Court continue to examine in detail where savings and efficiencies can be realized across the Court and clearly present how they impact on the proposed budget. In addition, the Court to continue providing and developing analytical information on cost ratios and use analysis of the trends to improve the budget setting process; and more clearly compare and present the budget allocation of the previous year with the proposed budget for the following year.
8. The Committee noted with concern that in the first half of 2019, 19 unapproved GTA contracts were used Court-wide, mainly in OTP (ten) and Registry (seven). The Committee observed that such unapproved GTA resources were not included in the Contingency Fund notifications as unavoidable or unforeseeable human resource needs and were mainly justified as a consequence of increase workload. The Committee stressed the need for proper justification and approval of all human resources and strongly recommended that the Court in the future refrain from using unapproved GTAs and prudently manage human resources ensuring the required budgetary discipline. The Committee decided to monitor the use of unapproved GTAs in 2019 and further decided to come back to the matter at its thirty-fourth session in May 2020.

9. In February 2019, the United Nations International Civil Service Commission revised the post adjustment for Professional and higher categories for New York as well as an increase in the General Services staff salaries. The total impact for the Court was €2,438 thousand. The Committee noted that few major programmes managed to absorb the budgetary impact for 2020 while others did not. The Committee took into account the expected implementation rate for the 2019 budget both on staff and non-staff costs, and was of the view that Major Programme II could absorb 50 per cent and TFV 100 per cent of the increase resulting from the UN Common System.

10. The Committee reiterated its previous recommendation that the Court-wide total “lights-on” cost baseline should be kept at the level of the 2019 approved budget (€1,966 thousand) and therefore proposed a Court-wide reduction to the IT “lights-on” costs for 2020 in the amount of €88 thousand (divided proportionally among Major Programme II; Major Programme III and Major Programme VI with a view to matching the 2019 approved level.

11. The Committee considered the proposed budget for premises and requested the Court to submit a comprehensive report containing updated and detailed plans and estimates, a proposal for a multi-year financing mechanism including a financial reserve to cope with unforeseen and emergent needs, a possible mechanism to provide incentives to the contractor to lower costs through identifying more economical procurement taking advantage of technological progress and market conditions, among others. The Committee looked forward to reviewing both medium- and long-term plans and estimates and financial and administrative mechanisms in the next session of the Committee in May 2020. As regards capital replacements, the Committee recommended that the Assembly approve a total amount of €75 thousand for 2020 requesting the Court to operate within this envelope and further decided that it would consider allocating the same amount for 2021, after having reviewed the medium- and long-term plans and cost estimates. In this regards, the Committee would like to highlight to the States Parties for the need to maintain the premises of the Court and avoid losing its market value being a state of art. The Committee also recommended setting up a mechanism where an external pro bono expert(s) from States Parties provide expert advice in the planning and implementation of capital replacement plans, reporting periodically to the HWG on Premises with information shared to the Committee.

12. The Committee considered a range of policy issues relevant for the TFV’s efficient operation, accountability and fund-raising. The Committee noted that the implementation of reparations to victims required a more strengthen organisational structure. The Committee requested the Court, in coordination with STFV, to report on division of responsibilities between Registry and STFV and the ongoing process in reparation phase, including possible synergies and duplications and an update on the implementation of reparations, at its thirty-fourth session. In regards to strengthening of internal controls with regard to the implementation of reparation awards the Committee urged the TFV and the Court to finalize without delay any remaining work, clear the results with the External Auditor, and report back at the Committee’s thirty-fifth session.

13. The Committee recalled that the Court has a legal obligation to pay the instalments of the host State loan by first of February of each year. The Committee urged those States Parties that have to contribute to the payment of the host State loan to make their instalments in full and no later than by the end of January of each year, bearing in mind that the Court would have to make use of its operating funds in order to cover these payments. The Committee recalled that late and/or non-payment would put additional pressure on the operational resources and further aggravate the liquidity problem.

14. The Committee [recalled] the External Auditor’s recommendation that, in order to strengthen the process of recovering outstanding contributions, States Parties in arrears for the preceding two full years should only be allowed to vote, once the payment schedule is fulfilled, or that such requests for exemption be granted after the payment of a minimum amount identified<sup>1</sup> and once a payment plan for the remaining balance is presented. The Committee considered that the upcoming elections of Judges and the Prosecutor presented a situation where voting rights would be highly sought after and thus, urged States in arrears to settle their accounts in a timely manner. The Committee recommended that all States Parties in arrears settle their accounts with the Court as soon as possible.

15. The Committee noted that as at 30 June 2019, the actual level of the WCF stood at €9.1 million, which is below the established notional level of €1.6 million, adding to the cash-flow vulnerability of the Court. During its session, the Committee was informed that a cash surplus of

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<sup>1</sup> For example, all previous outstanding amounts up to and including previous year one.

€2.99 million would become available related to the financial year 2017. If the Assembly approved the notional level of the WCF to reach €12.3 million that was already recommended by the Committee at its thirty-second session, thus the Committee recommended that the cash surplus from the financial year 2017 in the amount of €2.99 million be used to finance the replenishment of the WCF in line with the decision of the Assembly made at its seventeenth session to mitigate the risk of a liquidity shortfall. However, such increase of the fund will only relieve the cash flow situation but is not a lasting solution to address the problem. Complementary to the increase of the WCF, the Committee was still of the view, which was raised also by the External Auditor that, in particular to mitigate the liquidity shortfalls risk at year-end, other mechanisms, such as delegating responsibility to the Bureau to take appropriate measures, would be appropriate. Without the timely payment by States Parties in accordance with the FRR, an alternative solution is required.

16. The facilitator on legal aid considered that based on the feedback from States Parties the new legal aid policy (LAP) required further consideration. There were unresolved issues, which could significantly add to the cost of the LAP. Among which the taxation of defence and victims counsel. The Committee reiterated its earlier recommendation the Court only provide a reform proposal when it is ready and complete. It reaffirmed its request that the Court make every effort to present a reform that can be achieved within existing resource profiles requested for the respective judicial phases.

17. The Committee looked again on the geographical distribution and gender balance, where the Court reported that the total number of its professional staff (excluding elected officials and 42 language staff) was 470, of which 60 (or 12.8 per cent) came from non-States Parties. The Committee recommended that the Court look into the possibility of freezing the hiring from this category. In relation to the gender parity, The Committee recommended that the Court try a different and proactive approach to tackle the issue of gender balance, and to set a target date for achievement.

18. After thorough considerations of the proposed programme budget, the Committee recommended that the Assembly approve a budget of €146,939.7 thousand, or a 0.65 per cent increase, compared to the 2019 approved budget, excluding the instalments for the host State loan. The respective recommended resources for each major programme are as follows and detailed in Annex III:

- Major Programme I (Judiciary): €12,081.50 thousand (decrease of -0.2 per cent);
- Major Programme II (Office of the Prosecutor): €47,383.45 thousand (increase of 1.2 per cent);
- Major Programme III (Registry): €75,916.90 thousand (decrease of 1.0 per cent);
- Major Programme IV (Secretariat of the Assembly of States Parties): €2,837.0 thousand (decrease of -0.2 per cent);
- Major Programme V (Premises): €2,775.0 thousand (increase of 54.2 per cent);
- Major Programme VI (Secretariat of the Trust Fund for Victims): €3,226.1 thousand (increase of 3.1 per cent);
- Major Programme VII-5 (Independent Oversight Mechanism): €551.9 thousand (increase of 3.9 per cent); and
- Major Programme VII-6 (Office of Internal Audit): €721.2 thousand (increase of 5.2 per cent).

## I. Introduction

### A. Opening of the thirty-third session

1. The thirty-third session of the Committee on Budget and Finance (“the Committee”), comprising 20 meetings, was held from 26 August to 6 September 2019 in The Hague, in accordance with the decision of the Assembly of States Parties (“the Assembly”) taken at its seventeenth session.<sup>2</sup>
2. The President of the International Criminal Court (“the Court”), Judge Chile Eboe-Osuji, delivered the welcoming remarks at the opening of the session.
3. The Executive Secretary to the Committee on Budget and Finance, Mr. Fakhri Dajani, acted as Secretary of the Committee, and his team assisted in providing the necessary substantive and logistical support to the Committee.
4. The following members attended the thirty-third session of the Committee:
  - 1) Carolina María Fernández Opazo (Mexico);
  - 2) Fawzi A. Gharaibeh (Jordan);
  - 3) Hitoshi Kozaki (Japan);
  - 4) Urmet Lee (Estonia);
  - 5) Mónica Sánchez (Ecuador);
  - 6) Gerd Saupe (Germany);
  - 7) Margaret Wambui Ngugi Shava (Kenya);
  - 8) Elena Sopková (Slovakia);
  - 9) Richard Veneau (France);
  - 10) Helen Louise Warren (United Kingdom); and
  - 11) François Marie Didier Zoundi (Burkina Faso).

### B. Adoption of the agenda and organization of work

5. At its first meeting, the Committee adopted the following agenda for the thirty-third session:
  - 1) Opening of the session
    - a) Welcoming remarks of the President of the Court
    - b) Adoption of the agenda and organization of work
    - c) Participation of observers
  - 2) 2020 proposed programme budget
    - a) Consideration of the 2020 proposed programme budget
    - b) Baseline for the 2020 proposed programme budget
    - c) Annexes of the 2020 proposed programme budget
  - 3) Other financial and budgetary matters:
    - a) Status of contributions
    - b) States in arrears
    - c) Report on Budget performance of the Court as at 30 June 2019
    - d) Precautionary reserves
    - e) Liquidity issue
  - 4) Institutional reform and administrative matters
    - a) Update on cost ratios
    - b) Annual progress report on the implementation of the Five-Year IT/IM Strategy
    - c) Comprehensive report on financial investigations and reimbursement of advances in legal aid fees
    - d) Update on best practices of international organizations regarding capital replacements

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<sup>2</sup> *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Seventeenth session, The Hague, 5-12 December 2018 (ICC-ASP/17/20)*, vol. I, part I, B., para. 45.



- e) Securing payment for the host State loan
  - f) Detailed guidelines and framework for voluntary contributions to the Court
  - g) The Court Strategic Plan
  - h) OTP Strategic Plan
  - i) Registry Strategic Plan
- 5) Trust Fund for Victims
- a) Projects and activities of the Board of Directors of the TFV (1 July 2018 to 30 June 2019)
  - b) Specific proposals by the TFV on private donations
  - c) Administrative costs of implementing partners related to reparations
- 6) Legal aid
- 7) Human resources
- a) Overall budget figures for the extension of the JPO programme beyond the second year of employment
- 8) Audit matters
- a) Reports of the Audit Committee in 2019
  - b) 2018 Financial Statements of the Court;
  - c) 2018 Financial Statements of the TFV; and
  - d) Performance audit report on Budget Process
- 9) Other matters
- a) Judicial developments and their budgetary implications
  - b) Assessment of litigation risks related to all cases pending before the ILO Administrative Tribunal and the internal Appeals Board.<sup>3</sup>

## C. Participation of observers

6. In accordance with the Rules of Procedure of the Assembly,<sup>4</sup> the principals of the Court and representatives of the Presidency, the Office of the Prosecutor (“the OTP”) and the Registry were invited to participate in the meetings of the Committee. Furthermore, the Chair of the Board of the Trust Fund for Victims (“the TFV”), Mr. Felipe Michelini, addressed the Committee. In addition, the facilitator for the budget, Ambassador Marlene Bonnici (Malta) and the facilitator for legal aid, Ambassador Sabine Nölke (Canada) updated the Committee on their work. The Committee accepted the request by the Coalition for the International Criminal Court to make a statement. The Committee invited Ms. Shweta Dhiman, an Expert on conflict resolution mechanism. The Committee expressed its appreciation to all observers who participated in its thirty-third session.

## II. Consideration of the 2020 proposed programme budget

### A. Budgetary issues across major programmes

#### 1. General observations and macro-analysis of the 2020 proposed programme budget

7. In accordance with Rule 9 of its Rules of Procedure, the Committee shall review the proposed programme budget of the Court and make the relevant recommendations to the Assembly. The Committee considered and scrutinized the “Proposed programme budget for 2020 of the International Criminal Court.”<sup>5</sup> The Committee conducted its examination of the requested budget resources on the basis of the general principle of budgetary integrity.

<sup>3</sup> Provisional agenda for the thirty-third session of the Committee on Budget and Finance (CBF/33/1).

<sup>4</sup> Rules 42, 92 and 93 of the Rules of Procedure of the Assembly concerning observers and other participants are applicable to the session. Upon invitation by the Chairperson and subject to the approval of the Committee, observers may participate in meetings of the Committee.

<sup>5</sup> Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10).

8. After reviewing the 2020 proposed programme budget and the justifications provided, the Committee concluded that total reductions could be achieved in the amount of €1,446.65 thousand from a total proposed programme budget of €146,939.7 thousand without the host State loan. This represents a €43.05 thousand (0.65 per cent) increase compared to the 2019 approved budget.

9. The Committee reiterated that the baseline has sufficient flexibility, if complemented by prudent and sound financial management, the setting of clear objectives and strict prioritization of activities. The Committee recalled that the Assembly at its seventeenth session had approved appropriations totalling €48,135.1 thousand for the 2019 budget year.<sup>6</sup> These were reduced by the instalments for the host State loan of €3,585.1 thousand, which were payable only by those States that have opted not to make a “one time” payment. Therefore, the 2019 budget approved by the Assembly, excluding interest and the principal repayment (instalments) for the host State loan, was €44,550 thousand.<sup>7</sup>

10. The main increase in absolute numbers for the budget year 2020 was related to MP V (Premises) in the amount of €1,288.1 thousand (71.6 per cent increase); followed by OTP with an increase of €1,133.8 thousand (2.4 per cent increase). The requested increase for the remaining major programmes is below €500 thousand and can be broken down as follows: requested increase of €252.7 thousand (or 47.6 per cent) for the Independent Oversight Mechanism (“the IOM”); €202.7 thousand (6.5 per cent) for the Secretariat of the Trust Fund for Victims (“the STFV”); and €35.6 thousand (5.2 per cent) for the Office of Internal Audit.

11. The Judiciary presented a decrease in the amount of €12.8 thousand (-0.1 per cent), the Registry a decrease of €505.7 thousand (-0.7 per cent) and the Secretariat of the Assembly of States Parties (SASP) a decrease of €4.7 thousand (-0.2 per cent). In addition, the amount of €3,585.1 thousand is required for the interest and capital repayments under the host State loan.

## 2. Strategic budget priorities and assumptions

12. The Committee took note of the Court’s strategic budget priorities and main cost drivers for 2020, described by the Court as follows:

- i. conduct and support fair and expeditious judicial proceedings, including in final appeals on up to six judgements and decisions in up to four cases and possibly hear appeals from cases<sup>8</sup> that are currently before the Trial Chamber;
- ii. conduct and support nine active investigations, including operations in the field;
- iii. continue implementing reparations awards in three cases; and
- iv. continue the implementation of the Court-wide information management strategy.<sup>9</sup>

13. As regards the overall workload and the Court’s assumptions and parameters for 2020, the situation is presented by the Court as follows:

- i. nine preliminary examinations;
- ii. 11 situations under investigation;
- iii. nine active investigations, of which eight are in parallel;
- iv. no trials pending the confirmation of charges in *Yekatom/Ngaïssona* (CAR II.b) and *Al Hassan* (Mali); and
- v. one final appeal.<sup>10</sup>

## 3. Court-wide and organ-specific Strategic Plans (2019-2021)

14. The Committee had before it the Court’s new strategic plan for the period 2019-2021.<sup>11</sup> The Court explained that:

<sup>6</sup> *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. I, part III, ICC-ASP/17/Res.4., A., para. 1.

<sup>7</sup> *Ibid.*

<sup>8</sup> *Bemba article 70*, possibly *Ntaganda*, *Ongwen* and *Gbagbo/Blé Goudé*.

<sup>9</sup> Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10), paras. 11-12.

<sup>10</sup> *Ibid.*, annex II.

<sup>11</sup> The previous plan had been developed for the period 2013- 2017 and then extended to 2018.

- (i) The new strategy is laid down in three separate but complementary documents. Namely (i) a Court-wide plan, which deals with matters of common concern to all Organs of the Court. Supplemented by Plans for (ii) the Registry and (iii) the Office of the Prosecutor, each focussing on Registry- and OTP-specific goals and strategies.
- (ii) These plans are final. The Court has already adopted them [...] subsequent to prior consultations with States Parties.
- (iii) Also, the Committee had before it the OTP's final evaluation of its prior strategic plan,<sup>12</sup> now submitted in response to earlier requests of the Committee and the Assembly for a full evaluation.<sup>13</sup>

15. The broad outline of these documents can be summarized as follows:

*a) Court-wide Strategic Plan<sup>14</sup>*

16. This plan outlines the Court's mission, a vision of how this will be fulfilled, and the strategic goals for which the Court will aim. These goals are grouped into three themes, namely (i) Judicial and Prosecutorial Performance, (ii) Cooperation and Complementarity and (iii) Organisational performance.

*b) Registry Strategic Plan<sup>15</sup>*

17. To provide its essential services to the Court, the Registry commits itself to employing the most productive and capable people and to strive for excellence in everything it does. It will embark on a three-year programme aimed at increasing staff engagement in pursuit of excellence in all respects. It will also commence a three-year programme of continuous improvement and embed the cultural change on which long-term efficiency depends. The Registry's three priorities will therefore be: (i) continuous improvement, (ii) increasing staff engagement and (iii) geographical balance and gender balance.

*c) Strategic Plan of the Office of the Prosecutor (OTP)<sup>16</sup>*

18. The OTP noted that the new Plan coincides with a period of mixed results in Court, as well as unprecedented external challenges. It defined six strategic goals for the period ahead, organised around three major themes: (i) Improving performance in relation to the OTP's core activities; (ii) ensuring good governance including sound management practices; (iii) increasing the effective functioning of the Rome Statute system.

*d) Evaluation of the previous OTP strategic plans 2016-2018*

19. The report presented by the OTP is summarised as follows:

- (iv) Eight goals out of the nine in the 2016 - 2018 plan have been achieved or significantly advanced, with the exception of strategic goal 5, which aimed at achieving a basic size that OTP believes, it would need to respond to the demands placed upon OTP.
- (v) The strategic period of 2016 to 2018 had produced mixed performance in Court and has witnessed unprecedented external challenges. A number of convictions, as well as litigation successes and landmark decisions were recorded. Preliminary examinations and investigations were taken forward.

20. The Committee took note of the evaluation exercise by the OTP on its previous strategic plan for 2016-2018 and will keep monitoring how the Court utilizes this information and draws lessons from it in the implementation of the current 2019-2021 OTP Strategy and see the outcomes reflected in future budget proposals.

<sup>12</sup> Report on the Implementation of the OTP Strategic Plan 2016-2018: Final Analysis and Evaluation of the Results, (CBF/33/20).

<sup>13</sup> *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2., para 59; Report of the Committee on Budget and Finance on the work of its thirty-second session (ICC-ASP/18/5), para. 14. Similarly, the Assembly requested a full evaluation at its sixteenth and seventeenth sessions.

<sup>14</sup> International Criminal Court Strategic Plan 2019-2021 (CBF/33/13).

<sup>15</sup> International Criminal Court – Registry Strategic Plan 2019-2021 (CBF/33/15).

<sup>16</sup> International Criminal Court – Office of the Prosecutor: Strategic Plan 2019-2021 (CBF/33/14).

21. The Committee noted the Court's ambition to work towards continuous improvement and excellence. It welcomed the commitment to sound financial practices, savings and efficiencies, setting priorities, measuring and managing performance, risk management, staff engagement, geographical and gender balance, and complementarity. However, the strategic plan should be linked to action plans and to the budget proposals.

22. **The Committee supported those objectives in the OTP Strategic Plan, and recommended that a clear link should be presented between the budget, action plans and the strategic plans, including clearly stating all efforts to first manage within existing resources and only requesting additional resource when necessary.**

23. **The Committee noted with interest that OTP will define a strategy for the completion of situations under investigation. The Committee recommended that the Court extend this consideration to a more comprehensive strategy for the "life cycle" of OTP's involvement in a given situation, clearly and simply covering all stages of the Court's involvement: preliminary examinations, investigations and prosecutions, including an attempt to cost each stage.**

24. **The Committee agreed with OTP that suitable indicators to measure the Court's broader catalytic impact upon national jurisdictions would be worth exploring,<sup>17</sup> and invited the Court to propose an approach at its thirty-fifth session.**

25. **The Committee welcomed the Court's commitment to "[d]evise and agree a sustainable framework for the introduction, operation and closure of country offices, which will also require consultation and collaboration with the OTP." The Committee invited the Court to submit its proposals on those topics for consideration at its thirty-fifth session.**

26. **The Committee looked forward to annual progress reports. It also suggested that the Court, in 2021, evaluate its performance under the new strategic plan and develop its plan for the subsequent period 2022 – 2024. Both the evaluation report and the follow-up strategy should be submitted to the Committee at its thirty-seventh session together with the 2022 proposed programme budget.**

#### **4. Containing and managing cost pressures**

27. The Committee welcomed the efforts to exercise sound financial practises when making future resource requests. However, the Committee also noted that the strategies submitted for the forthcoming years did not include information on when current activity might be reconsidered and therefore stopped or be redeployed. This implies any future activity would be additional.

28. The Committee discussed a number of sustained budget pressures over the medium-term, arising from a combination of internal and external factors. The Committee noted potential future liabilities including (i) potential change in the cost of employing existing and future staff – already by far the largest item; (ii) the emerging and growing need for sustained capital replacement to preserve the premises' assets value and prevent business disruption; (iii) the need eventually to start providing for the accruing Employment Benefit Liabilities; and (iv) the potentially significant financial impact of current and future litigation.

29. All the more, the Court needs to set priorities, distinguish between what is desirable and necessary, contain staff numbers, and keep the Court's organisation responsive to change. Critical elements for managing and containing costs are already in place. However, the Committee believed it will be worthwhile to systematically review the instruments and policies required and to trace their effect. The Committee will come back to it at its thirty-fifth meeting.

#### **5. Actual versus proposed budget**

30. In an effort to improve transparency and the ability to robustly analyse resource requests, the Committee made the following recommendations for information in previous sessions:

- (i) Annexed information to clearly distinguish savings, non-recurrent costs and additional cost reductions, which will impact the previous year's budget baseline, from efficiencies that constitute avoided "cost increases;"<sup>18</sup>

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<sup>17</sup> Report on the implementation of the OTP Strategic Plan 2016-2018: Final Analysis and Evaluation of the Results (CBF/33/20), chapter 1.6.

<sup>18</sup> Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10), Annex XVI.

- (ii) annexed information to compare the allocated budget with that requested for the following year;<sup>19</sup> and
- (iii) updated cost ratios using the last five-year average of actual Court's expenditures.<sup>20</sup>

31. The Committee welcomed the presentation of this information from the Court for the 2020 proposed programme budget process and looked forward to continued improvement through future budget workshops and One-Court coordination. The Committee noted the efforts of the Court to identify savings and efficiencies and most notably the Registry in absorbing cost increases and reducing its budget.

32. Whilst progress has been made, the Committee believed further enhancements can be made and that in preparation for the 2021 proposed programme budget, the Court:

- (i) *continue to examine in detail where savings and efficiencies can be realized across the Court and clearly present how they impact on the proposed budget.* The current itemised presentation of savings and efficiencies is suitable for accounting the isolated cases of savings and classifying them by savings type and impact to the baseline, but it is currently difficult to see how and where activity is stopped, made more efficient or redeployed. This examination of actual activity should be at the forefront of the budget setting exercise and by default any increased resource need first be offset by a decrease or efficiency elsewhere. An example in the 2020 proposed budget is providing resources for a staff Counsellor, which is expected to impact the figures for sick leave. The External Auditors observation<sup>21</sup> to apply more flexible work arrangements, may also allow staff costs to decrease in case the workload is decreasing. **The Committee recommended that current listing of savings and efficiencies should be further improved, and new strategic approach of continuous improvement accompanied with new KPIs should be used to provide better context for presenting, as well as interpreting the information about the savings and efficiencies;**
- (ii) *continue to provide and develop analytical information on cost ratios and use analysis of the trends to improve the budget setting process.* Analysis of the information provided suggests that on average over the five years, 76.9 per cent of the Court's budget allocation was spent on 'core' activities (Judicial, Prosecutorial and Investigative Activities) and 23.1 per cent on all other areas (non-staff costs etc.).<sup>22</sup> The analysis of annual cost ratios suggests that over the last five years the share of expenditure for investigations has also increased from 14.8 per cent to 19.7 per cent of total costs. In addition, it can be seen from the data that following the move to the Permanent Premises, capital costs have decreased as a proportion of spend. This burden is set to increase through the capital replacement schedule and should be noted by major programmes and in this regard it would be interesting to see further trend analysis by major programme to highlight how cost burdens have evolved over time. These are just some highlights possible with the cost-ratio data provided by the Court. Its analytical potential is underused in the budget process. **The Committee recommended that the Court continue to monitor the costs associated with the various activities. At the same time the Court should select one form of presenting the macro-analysis of Court resource use (possibly reflecting also the overall strategic priorities) and add to this trend analysis of past five years. The topic of cost-ratios could be discussed further during the thirty-fourth session of the Committee during its budget workshop.**
- (iii) *more clearly compare and present the budget allocation of the previous year with the proposed budget for the following year.* The Committee noted that for this year the applied methodology for presenting the budget baseline<sup>23</sup> is the same as in 2019 but it is now clear that only savings, non-recurrent costs and additional cost savings having true budgetary effect are considered. These are figures presented by the Court and are not audited or verified by any other party thus the data are open for degree of interpretation. The data available at the moment in 2020 proposed

<sup>19</sup> *Ibid.* pages 14-15, Tables 2 and 3.

<sup>20</sup> Report of the Court on Cost Ratios (CBF/33/12).

<sup>21</sup> Final audit report on the budget process of the International Criminal Court (ICC-ASP/18/2/Rev.1), recommendation 4.

<sup>22</sup> Report of the Court on Cost Ratios (CBF/33/12).

<sup>23</sup> Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10), Annex X.

programme budget showed that baseline for 2020 is €146.39 million with CF notifications and without host State loan.<sup>24</sup> This leaves for the Court to redeploy in total €0.6 million when absorption of the CF is deducted (€0.75 million in 2019). In comparative bases the 2020 estimated baseline budget €146.39 million is €4.79 million higher than €141.60 million an estimated baseline for 2019. This dynamic is mostly impacted by the effect of UNCS, which is different in 2020 (adding to the baseline €2.48 million) than it was in 2019 (decreased the baseline by €1.49 million). If to take away the UNCS effect the comparison between 2020 and 2019 baseline is €144 million for 2020 and €142.7 million for 2019 and increase of €1.3 million. In order to effectively analyse resource requests, the Committee must be clear of the baseline against which it is being prepared. Thus, having a stable methodology and reliable data is paramount for making the baseline analysis useful for budgeting process. **The Committee recommended the Court in parallel to developing the methodology of savings and efficiencies further improve the baseline calculations. The Court should propose cost effective mechanism for providing confidence that data used in baseline calculations are covering all the savings and efficiencies in the Court.**

## 6. Macro-analysis: Overview of approved budget increases over the period 2014-2019

33. The Committee welcomed the time-series included in the 2020 proposed programme budget that enable the Committee to put the figures into perspective. For example, the Committee compared the yearly increases in approved budgets of the Judiciary, the OTP, the Registry and the STFV from 2013 to 2019.

34. As illustrated in Table 1 and Graph 1 below, the Committee noted that in the period from 2013-2019, the approved budgets for Judiciary increased by €1.4 million (13.2 per cent); for the OTP by €18.5 million (65.6 per cent); for Registry by €2.1 million (18.8 per cent) and for the STFV by €1.6 million (or 98.1 per cent). Average expenditures or implementation over the period amounted to 97.3 per cent for Judiciary; 99.1 per cent for the Office of the Prosecutor; 101.1 per cent for Registry; and 85.2 per cent for the STFV.

**Table 1: Yearly increases in approved budgets and actual expenditures 2013-2019 (thousands of euros)**

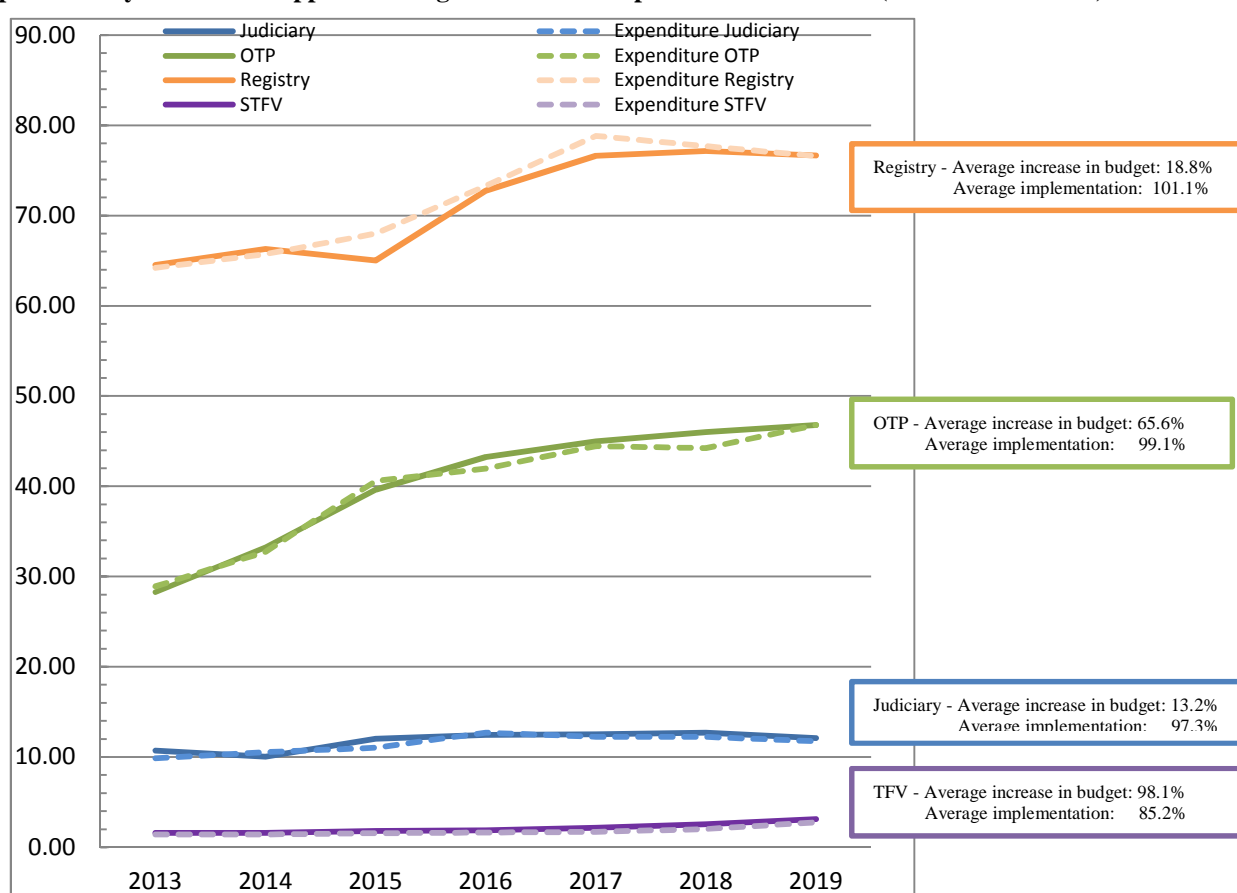
Major Programme		Approved Budget 2013	Approved Budget 2014	Approved Budget 2015	Approved Budget 2016	Approved Budget 2017	Approved Budget 2018	Approved Budget 2019	2013-2019 increase
MP I: Judiciary	Total	10,697.9	10,045.8	12,034.2	12,430.6	12,536.0	12,712.0	12,107.6	
	Variance	413.9	-652.1	1,988.4	396.4	105.4	176	-602.4	1,409.7
	Variance in %	4.0%	-6.1%	19.8%	3.3%	0.8%	1.4%	-4.7	13.2%
	Actual Expenditure	9,874.5	10,529.8	11,023.8	12,702.8	12,232.3	12,237.7	11,744.4*	1,869.9
	Implementation Rate in %	92.3%	104.8%	91.6%	102.2%	97.6%	96.3%	97.0%	Average 97.3%
MP II: Office of the Prosecutor	Total	28,265.7	33,220.0	39,612.6	43,233.7	44,974.2	45,991.8	46,802.5	18,536.8
	Variance	542.0	4,954.3	6,392.6	3,621.1	1,740.5	1,017.6	810.7	
	Variance in %	2.0%	17.5%	19.2%	9.1%	4.0%	2.3%	1.8%	65.6%
	Actual Expenditure	28,924.9	32,723.7	40,581.2	41,960.3	44,432	44,226.9	46,801.9*	17,877.9
	Implementation Rate in %	102.3%	98.5%	102.4%	97.1%	98.8%	96.2%	100%	Average 99.1%
MP III: Registry	Total	64,520.9	66,293.1	65,025.9	72,759.2	76,632.6	77,142.5	76,651.2	12,130.3
	Variance	-520.8	1,772.2	-1,267.2	7,733.3	3,873.4	509.9	-491.3	
	Variance in %	-0.8%	2.7%	-1.9%	11.9%	5.3%	0.7%	-0.6%	18.8%
	Actual Expenditure	64,203	65,738	67,988.3	73,278.6	78,811.5	77,677.2	76,571.9*	12,368.9
	Implementation Rate in %	99.5%	99.2%	104.6%	100.7%	102.8%	100.7%	99.9%	Average 101.1%

<sup>24</sup> Ibid.

Major Programme		Approved Budget 2013	Approved Budget 2014	Approved Budget 2015	Approved Budget 2016	Approved Budget 2017	Approved Budget 2018	Approved Budget 2019	2013-2019 increase
MP VI: Secretariat of the Trust Fund for Victims	Total	1,580.0	1,585.8	1,815.7	1,884.5	2,174.5	2,541.5	3,130.3	1,550.3
	Variance	129.4	5.8	229.9	68.8	290.0	367	588.8	
	Variance in %	8.9%	0.4%	14.5%	3.8%	15.4%	16.9%	23.1%	98.1%
	Actual Expenditure	1,432	1,425.7	1,542.9	1,640.7	1,704.3	2,031.3	2,762.6*	1,330.6
	Implementation Rate in %	90.6%	89.9%	85%	87.1%	78.4%	79.9%	88.3%	Average 85.2%

\* Expenditures for 2019 are forecast expenditures as at 30 June 2019.

**Graph 1: Yearly increases in approved budgets and actual expenditures 2013-2019 (thousands of euros)**



35. As part of its macro-analysis, the Committee also considered the forecast expenditure for 2019 and the average implementation rates for all major programmes analysing the proposed increases in light of such information. As for financial performance, the forecast expenditure for 2019 was estimated at €47.3 million, which represented 99.4 per cent of the 2019 approved budget of €48.1 million, including interest payments and capital repayments on the premises of €3.59 million.<sup>25</sup> The Committee noted that, when comparing this with the resources requested in the 2020 proposed programme budget of €50.52 million including the host State loan, resource increase would be €2.39 million (or 1.6 per cent).

<sup>25</sup> Report on Budget Performance of the International Criminal Court as at 30 June 2019 (CBF/33/19), page 4, Table 2.

## 7. Court-wide staff costs

36. The Committee further analysed the requested net increases in staff costs for 2020 by comparing them to the 2019 approved level, after taking into account the increases derived from the revised UN Common System Package, as shown in Table 2 below. EXPLANATION of the UNCSThe Committee noted that the Court requested for 2020 a net increase in staff costs of €2,001.7 thousand compared to the 2019 approved budget.

**Table 2: Staff costs Court-wide and per Major Programme (in thousands of euros)**

Staff costs	Court-wide	Judiciary MP I*	OTP MP II	Registry MP III	SASP MP IV	STFV MP VI	IOM MP VII-5	OIA MP VII-6
Budget approved in 2019	<b>103,235.4</b>	6,316.7	41,719.4	50,014.8	1,570.6	2,484.3	482.0	647.6
Implication of UN CS	<b>2,438.0</b>	103.4	722.1	1,448.1	35.3	105.9	8.9	14.3
Total staff changes	<b>-436.3</b>	0	412.2	-999.1	-93.3	96.8	147.1	0
Budget proposed for 2020	<b>105,237.1</b>	6,420.1	42,853.7	50,463.8	1,512.6	2,687.0	638.0	661.9
<i>Net increase for staff 2019/2020</i>	<b>2,001.7</b>	<i>-41.8</i>	<i>1,134.3</i>	<i>-225.1</i>	<i>-162.0</i>	<i>202.7</i>	<i>156.0</i>	<i>14.3</i>

\* Does not include judges' salaries.

## 8. Unapproved General Temporary Assistance (GTAs)

37. The Committee noted with concern that in the first half of 2019, 19 unapproved GTA contracts were used Court-wide, mainly in OTP (ten) and Registry (seven). The Committee reviewed the justification received by the Court and observed that such unapproved GTA resources were not included in the Contingency Fund notifications as unavoidable or unforeseeable human resource needs and were mainly justified as a consequence of increase workload. **The Committee stressed the need for proper justification and approval of all human resources and strongly recommended that the Court in the future refrain from using unapproved GTAs and prudently manage human resources ensuring the required budgetary discipline. The Committee decided to monitor the use of unapproved GTAs in 2019 and further decided to come back to the matter at its thirty-fourth session in May 2020.**

## 9. Review of the Administrative Instruction on the Classification and Reclassification of Posts

38. It should be noted that at its seventeenth session in December 2018, the Assembly decided not to approve any requested reclassifications for 2019, and reiterated that reclassification of posts should not be used as a promotional tool or as a consequence of increased workloads and recalled the importance of fairness and transparency in all human resources decision-making.

39. The Assembly took note of the Administrative Instruction on the Classification and Reclassification of Posts<sup>26</sup> promulgated by the Registrar and requested that the Committee review it at its thirty-second session and report to the Assembly.<sup>27</sup>

40. Pursuant to the Assembly's request, the Committee reviewed the AI and found that while the AI set out a detailed process for how a post should be considered for reclassification, the Committee was of the view that further fine-tuning could take place. The Committee welcomed the information provided by the Registrar that the AI is a "living document," which is constantly updated based on recent jurisprudence and is scheduled to be reviewed in 2021 or earlier, if needed.

41. The Committee reiterated its previous recommendations,<sup>28</sup> emphasizing that reclassifications are not to be used as a promotional tool, and further kept in mind their immediate budgetary consequences, as well as their potential organizational impact beyond the short-term, especially for those reclassification requests that would lead to the creation of senior management positions with potential additional staff resource requests in the future and/or changes in the reporting structures.

**42. After additional consideration of the promulgated AI and analysing each request on its own merits, the Committee was of the view that the reclassification of nine out of 12 requested**

<sup>26</sup> Administrative Instruction on the Classification and Reclassification of Posts (ICC/AI/2018/002).

<sup>27</sup> *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. I, part III, ICC-ASP/17/Res.4., M., para. 4.

<sup>28</sup> *Ibid.*, vol. II, part B.2., paras. 71, 72 and 93.



posts, namely eight (P-1) Assistant Trial Lawyers to (P-2) Associate Trial Lawyers in OTP and one (P-3) Administration Officer to (P-4) Administration Officer and Risk Management Coordinator in Registry (as specified in paragraphs 62-64 and 81 of this report) were justified and recommended their approval by the Assembly.

43. However, the Committee recommended that no new requests for reclassification should be submitted by the Court until the new review of the AI is finalized.

## 10. Non-staff costs Court-wide and per Major Programme

44. The Committee noted that a number of budget lines in particular non-staff costs for OTP and TFV in the 2020 proposed budget are exactly the same for each budget line item as they were in 2019. The Committee agreed with the finding of the External Auditor that a zero-based budget approach across the Court is not feasible on an annual basis. However, the Committee emphasised that all requests for resource should be based on robust forecasts, which reflect as far as possible the expected expenditure for the year. **The Committee expected non-staff costs to be presented as real estimates in future budgets and would like to be updated on how this is built into the budget coordination process at the next workshop in May 2020.**

## 11. Budget adjustments recommended by the Committee

45. After reviewing the 2020 proposed programme budget and the justifications provided, the Committee concluded that total reductions could be achieved in the amount of €1,446.65 thousand from a total proposed programme budget of €146,939.7 thousand without the host State loan. This represents a total amount of €43.05 thousand (0.65 per cent) increase compared to the 2019 approved budget. The total assessment of contributions for 2020 (without instalments for the host State loan) would be €145,493.05 thousand.

# A. Major Programme I: Judiciary

## 1. General observations and analysis

46. The 2020 proposed budget for Major Programme I (Judiciary) amounted to €12,094.8 thousand, representing a decrease of €2.8 thousand (or - 0.1 per cent) against the 2019 approved budget of €12,107.6 thousand.

47. As for 2019, it was forecasted that Judiciary will implement its budget at a rate of 97.0 per cent, or €1,744.4 thousand against the approved budget of €12,107.6 thousand.

48. The Committee observed that the proposed budget for 2020 reflected a reduction of non-recurrent costs in amount of €237.0 thousand, which were needed in 2019 for the remuneration of two judges whose mandate was extended in accordance with article 39(3)(a) Rome Statute<sup>29</sup> and who were separated from the Court in 2019.<sup>30</sup> This decrease allowed for the full absorption of the impact of UNCS changes, which resulted in an increase of staff costs of €103.4 thousand in Major Programme I.

## 2. Staff Costs

### a) *Established posts and General Temporary Assistance*

49. The Committee welcomed the assurance that the current policy of flexible assignment of established posts and GTA positions allowed the Chambers to handle the changing profile of its workload related to expected judicial development within existing staff levels. Accordingly, for 2020 proposed budget the number and structure of established posts and GTA positions for MP I remained at the same level as approved for 2019.

<sup>29</sup> Article 39(3)(a) Rome Statute reads as follows:

“Judges assigned to the Trial and Pre-Trial Divisions shall serve in those divisions for a period of three years and thereafter until the completion of any case the hearing of which has already commenced in the division concerned.”

<sup>30</sup> The budget for Major Programme I is based on the assumption that 18 judges would serve in 2020.

### 3. Non-staff costs

#### a) *Travel costs*

50. The proposed increase in travel budget was of €9.9 thousand (10.9 per cent). The Committee observed that the amount of €25.5 thousand allocated in the budget proposal for the travel to attend the session of the Assembly in New York was partly absorbed by the approved budget for previous year. **The Committee thus recommended the Assembly approving the requested travel costs in the amount of €100.7 thousand for Major Programme I.**

#### b) *Training*

51. The requested amount for training has increased by €9.1 thousand (86.8 per cent). Noting that 2020 is the last full calendar year of service for six (one third) of the judges elected in 2011,<sup>31</sup> the Committee believed that the full amount of the requested €9.1 thousand increase was not sufficiently justified. **Therefore, the Committee recommended the Assembly increasing the training budget by €5.8 thousand only (26.4 per cent compared to 2019) for the financing of staff retreats in Presidency (€1,300) and Chambers (€4,500) to an overall training budget for Major Programme I of €27.8 thousand.**

### 4. Recommended budget for Major Programme I

52. **The Committee recommended total reductions in the amount of €13.3 thousand for Major Programme I from its original 2020 proposed budget. The Committee thus recommended that the Assembly approve a total of €12,081.5 thousand for Major Programme I.**

### 5. Revision of judges' salaries

53. The Committee took note of Annex VI (a) of the Proposed Programme Budget for 2020,<sup>32</sup> which included a recurrent request in the amount of €80.9 thousand related to the revision of the costs of salary entitlements for the 18 judges.

54. The Committee reiterated its understanding that the Revision of judges' salaries is a policy matter to be ultimately decided by the Assembly.<sup>33</sup>

## B. Major Programme II: Office of the Prosecutor

### 1. General observation and analysis

55. The 2020 proposed budget for Major Programme II (Office of the Prosecutor) amounted to €47,936.3 thousand, representing an increase of €1,133.8 thousand (or 2.4 per cent) against the 2019 approved budget of €46,802.5 thousand.

56. As for the financial performance, forecast expenditure for 2019 for OTP was estimated at €46,801.9 thousand, which represents 100.0 per cent of the approved 2019 budget of €46,802.5 thousand.<sup>34</sup>

57. The OTP claimed that the overall workload in 2020 remains unchanged from 2019 and as such the non-staff costs remain exactly the same as approved for 2019. The Committee, however, noted that some of the assumptions between 2019 and 2020 had changed, while sharing the assessment of the External Auditor that the link between assumptions and resources had not yet been sufficiently demonstrated. Therefore, the Committee was of the view that the OTP's staffing levels for 2020 should, in general, be maintained at the 2019 approved level.

58. The Committee noted that staff costs increased due to the application of the UNCS and given the changing nature of the caseload, the OTP have put forward requests to reclassify and add to its current workforce.

<sup>31</sup> The duration of the mandate might be subject to extension.

<sup>32</sup> Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10), page 189.

<sup>33</sup> *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2., para. 47.

<sup>34</sup> Report on Budget Performance of the International Criminal Court as at 30 June 2019 (CBF/33/19), page 4, Table 2.

59. The Committee noted the practice of allocating and redeploying staff resources flexibly between ongoing cases. For example, some of the staff resources that were allocated to the *Ntaganda* trial in 2018 were redeployed to other situations in 2019, and the staff resources allocated to *Ongwen*, *Blé Goudé* and *Gbagbo* would be redeployed to new teams or used to strengthen existing teams or field operations in 2020. **While noting that this rotation system resulted in a redeployment of resources between different situations and different phases of proceedings (pre-trial, trial and appeals) in OTP depending on cases and workload needs, the Committee believed that clear criteria and transparent reporting on redeployments of staff were required and decided to come back on this matter at its thirty-fourth session in May 2020.**

60. While the Committee acknowledged that each case has its specificities, it took note that on average OTP dealt with 21 cases over the last five years, as outlined in Table 3 below. Thus, during this period OTP human resources increased by 16 per cent (58 fulltime headcounts), while its activities remained relatively stable.

**Table 3: Number of cases dealt by OTP in comparison with the number of established posts and GTAs (Full Time Equivalent)**

Number	2015	2016	2017	2018	2019	PPB 2020
Cases	21	22	16	23	23	21
Established Posts	218	239	317	319	320	320
GTA (FTE)	146.7	154.2	101.14	93.09	102.72	105.1
<i>Total Staff Resources</i>	<i>364.7</i>	<i>393.2</i>	<i>418.14</i>	<i>412.09</i>	<i>422.72</i>	<i>425.1</i>

61. The Committee noted from the strategy presented by the OTP for 2019-2021 that there was little said about reconsideration of current activity or any proposed exercise of reprioritisation. The Court is able and regularly exercises its ability to redeploy resources as it sees fit. For future budget proposals, the Committee is keen to have clear insight into this process at the next budget workshop and also how new requests for resource are considered against existing allocations.

## 2. Staff costs

### *a) Requests for reclassification*

62. The Office of the Prosecutor requested 11 reclassifications in the 2020 proposed budget. **After careful consideration of the information provided, the Committee saw justification that the Assembly approve only the eight reclassification requests from (P-1) Assistant Trial Lawyer to (P-2) Associate Trial Lawyer in the Prosecution Division.**

63. **On the request for one downward reclassification for a Field Operations Assistant from (G-6) level to (G-5) level in Investigation Division, the Committee recommended to the Assembly not to approve the request in light of lacking justification for the request.**

64. **As for the requests for reclassification from (P-4) Chef de Cabinet to (P-5) Chef de Cabinet and the (P-4) International Cooperation Adviser to (P-5) Senior Legal Adviser, the Committee reiterated its previous recommendation that the reclassification of these two posts would have an impact on the existing structures and reporting lines, and thus the Committee recommended that the Assembly not approve these two reclassifications.**

### *b) Newly requested GTA*

65. The Committee believed that human resources should be managed in a flexible manner allowing it to react to unexpected situations to the extent possible and redeploy resources based on actual workload requirements and that new staff resources be only requested whenever they are justified by an increase in workload that would necessitate a specific skill set.

66. The Committee welcomed the efforts taken by OTP in order to enhance its IT abilities; however, the Committee recalled the newly established Information, Knowledge and Evidence Management Section, where the OTP has completed the centralization of all of its information management and evidence processing activities under one section. The Committee was under the impression that such centralization of resources would fulfil all the new requirements of the OTP.

67. The OTP further requested five additional GTA positions for six months (2.5 FTE). **The Committee considered the requests against existing resources and the unique skillset required in 2020 and thus recommended that the Assembly approve a (P-4) Reviser (Arabic) for six months, and for 2020 only a (P-5) Senior Appeals Counsel for five months. The Committee was of the view that the remaining requests should be able to be absorbed within existing resource allocation. In view of the foregoing considerations, the Committee recommended a total net reduction in staff cost budget of €185.8 thousand for OTP.**

*c) Budget impact from application of the UN Common System*

68. In February 2019, the United Nations International Civil Service Commission (ICSC) revised the post adjustment for Professional and higher categories for New York, resulting in an increase of the post adjustment multiplier from 63.9 to 67.5. This resulted in an increase of approximately 1.8 per cent in the salaries of the Court's staff in the Professional and higher categories in all of its duty stations. Concurrently, a new pensionable remuneration scale was also promulgated as of 1 February 2019 for staff under this category.

69. Moreover, following the completion of a comprehensive local salary survey carried out by the ICSC, the General Service salary scales have been revised considering that there had been no increase since 2017. The revised net salaries reflect an overall increase of 0.77 per cent followed by an additional 1.6 per cent as of 01 May 2018 and another additional 2.0 per cent as of 01 May 2019.

70. **The Committee took into account the expected implementation rate for the 2019 budget both on staff and non-staff costs, the Committee was of the view that Major Programme II could absorb 50 per cent of the increase resulting from the United Nations Common System, and thus recommended to the Assembly that the amount of €361.05 thousand be reduced.**

### 3. Non-staff costs

71. **The Committee noted that OTP requested non-staff resources corresponding to the 2019 approved levels. The Committee reiterated that all requests for resource should be based on robust forecasts which reflect as far as possible the expected expenditure for the year. The Committee expected that non-staff costs to be presented as real estimate in future budgets.**

72. **The Committee further recommended a saving of €6 thousand from the IT budget (see paragraph 92 below).**

### 4. Recommended budget for Major Programme II

73. **The Committee recommended total reductions in the amount of €552.85 thousand for Major Programme II from its original 2020 proposed budget. The Committee thus recommended that the Assembly approve a total of €47,383.45 thousand for Major Programme II.**

## C. Major Programme III: Registry

### 1. General observation and analysis of the requested resources for 2020

74. The 2020 proposed budget for Major Programme III (Registry) amounted to €76,145.5 thousand, representing a decrease of €505.7 thousand (or -0.7 per cent) against the 2019 approved budget of €76,651.2 thousand.

75. The Committee welcomed the approach taken by Registry with regard to its 2020 proposed budget, resulting in a negative growth request achieved by offsetting increases through the reallocation of resources identified as savings and efficiencies, as well as non-recurrent costs and cost reductions.

76. As for financial performance, the forecast expenditure for 2019 for the Registry was estimated at €76,571.9 thousand, which represents 99.9 per cent of the approved 2019 budget. The Committee noted that when comparing this with the 2020 proposed budget, resource would decrease by €26.4 thousand (or -0.56 per cent).

77. Against this background, the Committee considered each proposal for all staff positions on their own merit, taking into account the workload and the assumptions of the 2020 proposed budget.

78. As service requirements for OTP have been reduced, the Registry was able to reallocate resources and absorb financial pressures by the application of the UNCS.

## 2. Staff costs

### a) *Unfunding of existing posts*

79. Given that the reduction of trials is expected to be of a temporary nature, the Registry sought to retain 10 posts, which would be required should trial activity resume. **The Committee recommended to the Assembly that nine out of these 10 posts in Registry were justified and that these posts remain unfunded for 2020, while it decided to carefully scrutinize if these posts can be abolished or permanently redeployed in 2021.**

80. Regarding the Request of the Registry that the post of the Chief of Country Office (P-5) in Uganda and Chief of Country Office in DRC (P-5) be merged as both operations can be managed from one office. The Court further requested to temporarily retain the additional post of Chief of Country Office (P-5) and place it in DRC as unfunded. **The Committee agreed that the posts be merged and that the incumbent from DRC be redeployed to Uganda as Chief of Country Office for Uganda and DRC. However, the Committee was of the view that the remaining (P-5) post originally encumbered by the Chief of Country Office in Uganda be abolished and not retained as an unfunded post since it would not be expected to be filled again in the future due to decreasing activities in this Country Office and had no functions attributed to it.**

### b) *Requests for reclassification*

81. **Having considered a request for reclassification of one Administrative Officer (P-3) to Administrative Officer and Risk Management Coordinator (P-4) on its merits, the Committee reiterated its previous recommendation made at its thirty-first session<sup>35</sup> and recommended its approval by the Assembly.**

### c) *New resource requirements under GTA*

82. **The Registry requested seven new GTA posts. The Committee considered the requests against existing resource and the unique skillset required and thus recommended the Assembly approve the following five positions on a GTA basis:**

- (i) **one Staff Counsellor (P-3):** the Committee welcomed the Secondary Trauma Prevention project and expects to see offsetting reductions in sick leave as a result;
- (ii) **one Associate Analyst-finance (P-2),** which had been requested as an established post to assist the Financial Investigator in OTP: the Committee recognized the increased need for skills in this area. However, the Committee believed the responsibility for this area should remain within the Registry. The Committee therefore approved this post rather than the requested six months Senior Investigator (P-4) GTA in OTP;
- (iii) **one Administrative Assistant (GS-OL) for Detention Section:** the Committee saw justification of the need for additional resource in this area to protect the integrity of the judicial orders; and
- (iv) **two Language Service Assistants (GS-PL) –** the Committee recognized the requirement for specialized language support.

83. With regard to the remaining two requests for budget assistant (GS-OL) and Field Case Management Assistant (GS-OL) the Committee was of the view that the skills required for this increased workload can be found within existing resources.

<sup>35</sup> *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2., para. 93.

### 3. Five-Year Information Technology and Information Management Strategy

#### a) Implementation of the Court's Five-Year IT/IM Strategy

84. The Committee considered the "Report of the Court on its Five-Year IT/IM Strategy"<sup>36</sup> and Annex IX to 2020 proposed programme budget, which gives an overview on the implementation of the 2017-2021 IT/IM Strategy.<sup>37</sup>

85. In a reply to a query by the Committee, the Court amended the budget figures for the strategy. The Committee took note that the total budget figure for the strategy for the period 2017-2021 now correspond to the approved total maximum ceiling of €8,671 thousand and that additional strategy related spending in 2018 for the implementation of the Missions Planning project will be absorbed by reductions against planned investments. The Committee also took note that the advancing of the main strategy component the Judicial Workflow Platform project is behind schedule but according to the Court's reassurances will be implemented within the originally planned strategy timeframe.

86. The Committee reiterated its recommendation<sup>38</sup> from its thirty-first session, which sets maximum annual ceilings to the strategy costs as a prerequisite to the multi-year budgeting arrangement. The Committee further reiterated its recommendation<sup>39</sup> from its thirty-second session regarding the establishment of a special account for Five-Year IT/IM Strategy with maximum annual ceilings allowing for the transfer of unspent funds from one financial year to the following, starting as of 2020.

#### b) Court-wide IT/IM costs figures for 2020

87. After considering Annex IX to 2020 proposed programme budget, which details the Court-wide IT/IM costs,<sup>40</sup> the Committee noted that a methodology for calculating the total costs of IT/IM expenditure has been developed, which allows for the first time to present the full overview of the Court-wide IT cost figures. As requested by the Committee the figures are presented as five-year time-series (Table 4 below). This creates the basis against which to measure the future changes in IT costs, in other words a budget baseline.

**Table 4: Total Court-wide "lights-on" costs by cost centre (in thousands euros)<sup>41</sup>**

Cost centre	2017	2018	2019	2020*	2021*	2022*
Staff costs	5,887.5	5,946.1	6,050.6	6,081.2	5,946.2	5,946.2
Non-staff costs	5,930.1	6,459.4	5,915.7	5,973.5	6,140.6	7,132.9
<b>Total "lights-on" cost</b>	<b>11,817.6</b>	<b>12,405.5</b>	<b>11,966.3</b>	<b>12,054.7</b>	<b>12,086.8</b>	<b>13,079.1</b>

\* Forecast.

88. The Committee welcomed the development to further centralise the management of Court-wide IT costs through the Information Management Governance Board (IMGB), as well as the improved presentation of IT costs in the 2020 proposed programme budget. This presentation should be continued, and the timeline should be adjusted annually to cover a five-year period (n-1 to n+3).

89. **The Committee also reiterated its recommendation made at the thirty-first session<sup>42</sup> that the Court manage its IT running costs with baseline of 2019 planned "lights-on" costs based on the approved budget of the costs centres (i.e. without considering any transfers) recommending that any additional costs should be clearly justified and possibly financed from savings and efficiencies.** The Committee noted that the global impact on efficiencies resulting from the implementation of the Five-Year IT/IM Strategy remains yet to be seen and the only immediate effect of additional IT development and spending can manifest itself in stable "lights-on" costs.

90. At its thirty-first session, the Committee also recommended that the IMGB should set an efficiency and/or savings target to total IT "lights-on" costs, and those savings and efficiencies should be reported in the future in the annexes on savings and efficiencies in the proposed programme

<sup>36</sup> Report of the Court on its Five-Year IT/IM Strategy (CBF/33/17).

<sup>37</sup> Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10), Annex IX (a) and (b).

<sup>38</sup> *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2., paras. 98 and 102.

<sup>39</sup> Report of the Committee on Budget and Finance on the work of its thirty-second session (ICC-ASP/18/5), paras. 74-75.

<sup>40</sup> Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10), Annex IX (a) and (b).

<sup>41</sup> *Ibid.*, Annex IX (b), Table 1.

<sup>42</sup> *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2., para 106.

budgets.<sup>43</sup> The Court reported on efficiencies in annexes X and XVI of the 2020 proposed programme budget.<sup>44</sup> The Committee noted that no efficiency targets have yet been set, since the new Court KPI's are being developed and a continuous improvement paradigm had been introduced. The Committee resolved to continue monitoring and analysing the measures taken by the Court to achieve real efficiencies affecting the Court's budget baseline in relation to IT expenditures.

*c) Recommended ICT budget for 2020*

91. The Committee analysed the implementation of IT costs over the last two years and observed that IMSS in Major Programme III and OTP IT costs were retrospectively and substantially corrected upwards during 2018. The additional costs were financed through transfers within Major Programme II and Major Programme III. The total transfers to IT in Major Programme III amounted to €730.1 thousand and in Major Programme II to €203 thousand. In 2019, the forecasted implementation of the IMSS is already estimated to exceed the approved budget by €346 thousand. According to the Court this is mostly caused by UNCS and is also planned to be covered from transfers. This practice indicated the existence of fiscal space within large major programmes and the possibility to reprioritize the spending during the execution of the budget.

92. **The Committee reiterated its recommendation<sup>45</sup> that the Court-wide total "lights-on" cost baseline should be kept at the level of the 2019 approved budget (€11,966 thousand) and therefore proposed a Court-wide reduction to the IT "lights-on" costs for 2020 in the amount of €88 thousand (divided proportionally among the cost centres as follows: Major Programme II: €6 thousand; Major Programme III: €81 thousand; and Major Programme VI: €1 thousand) with a view to matching the 2019 approved level.**

#### 4. Legal aid

93. The Committee noted the requested budget for legal aid for 2020 in the amount of €4.5 million (€1.3 million for victims and €3.2 million for the defence).<sup>46</sup> The Committee was presented with a number of documents to support its analysis of the request. However, given the challenging nature of predicting costs in this area, the Committee found it difficult to compare the financial impact of different cases that were included in the proposed budget document. **Therefore, the Committee recommended that the Court in the future look into improving its reporting with regard to providing detailed justification for the requested legal aid resources for victims and the defence.**

94. Moreover, the Committee was informed of the possibility for significant increases in the request for 2020 legal aid provisions, should the charges in Al Hassan and *Yekatom/Ngaïssona* be confirmed later in 2019.

*a) Legal aid for the defence*

95. The Committee noted a decrease in the amount of €240.3 thousand in legal aid resources as a result of funds being only requested for appeals, reduced activities and ad hoc counsels.

96. The Committee noted that 12 months of legal aid resources for the defence were foreseen in 2020 for the situation in Sudan (*Banda*), whereby **the Committee recommended that such resources be reduced by €80,000 taking into account that activities in this situation are not expected to take place throughout the entire calendar year.**

*b) Legal aid for victims*

97. The Committee noted that no resources were requested for the legal representation of victims in *Gbagbo* and *Blé Goudé* in 2020, as legal aid to victims is provided by the Court's Office of Public Counsel for Victims. **The Committee reiterated its recommendation that the Court consider channelling legal aid support, to the extent possible, through in-house capacity, which would result in significant reductions of resource requirements and respecting the rights of victims to effective legal support.**

<sup>43</sup> *Ibid.*, para. 108.

<sup>44</sup> Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10), Annex X and XVI.

<sup>45</sup> *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2., para 106.

<sup>46</sup> Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10), page 90, Table 25.

*c) Recommended legal aid budget*

98. **The Committee recommended total reductions in the amount of €80 thousand for legal aid in Major Programme III from its original 2020 proposed budget. Thus, the legal aid budget would amount to €4,467.5 thousand.**

**5. Financial investigations as well as the seizure and freezing of assets**

99. At its twenty-ninth session, the Committee identified investigation into financial assets of accused and convicted persons as a topical focus for technical review by the Committee. During this session, the Committee considered and took note of the “Second report of the Registry on financial investigations conducted by the Registry and the seizure and freezing of assets,”<sup>47</sup> which identified the importance of exploring synergies from cooperation with national authorities, international organizations and external experts (e.g. visiting professionals and external experts on a *pro bono* basis) as an effective and efficient way forward in advancing investigation strategy of the Court.

**6. Recommended budget for Major Programme III**

100. **The Committee recommended total reductions in the amount of €228.6 thousand in Major Programme III from its originally proposed budget. The Committee thus recommended that the Assembly approve a total of €75,916.9 thousand for Major Programme III.**

## **D. Major Programme IV: Secretariat of the Assembly of States Parties**

**1. General observations and analysis of the requested resources for 2020**

101. The 2020 proposed budget for Major Programme IV amounted to €2,837.0 thousand, representing a decrease of €4.7 thousand (or - 0.2 per cent) against the 2019 approved budget of €2,841.7 thousand.

102. The Committee reviewed the expected workload of the Secretariat, taking into account States Parties’ requirements and the financial resources requested to meet their needs, including those necessary to hold the nineteenth session of the Assembly in New York in 2020. Moreover, the Committee noted that for the Committee on the Election of the Prosecutor additional resources may be required in 2020, which had not been included in the proposed budget for 2020.

103. The Committee noted that Major Programme IV was at risk of running a deficit due to the filling vacancies and the transfer of €50 thousand to Major Programme VII-5 (Independent Oversight Mechanism). **Thus, in order to ensure that the programme is fully funded for 2020, and with a view to cover potential costs arising in relation to the Committee for the Election of the Prosecutor in 2020, the Committee was of the view that the vacancy rate for MP IV should be reduced in the 2021 budget to reflect the actual staffing levels and decided in this context to keep closely monitoring the vacancy rates for each major programme.**

104. The Committee further considered additional cost saving measures, and encouraged the Court to continue providing the Secretariat with staff on loan from other major programmes during the sessions of the Assembly as a good practice to achieve synergies based on the One-Court principle.

105. **Acknowledging the steps taken in recent years towards a “paper light” approach, the Committee recommended that the Assembly, its Bureau and subsidiary bodies consider additional measures to decrease the need for printing services and aim for a “paperless” approach reflecting the current trend in most international organizations.**

**2. Recommended budget for Major Programme IV**

106. **The Committee recommended that the Assembly approve the requested amount of €2,837.0 thousand for Major Programme IV.**

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<sup>47</sup> Second report of the Registry on financial investigations conducted by the Registry and the seizure and freezing of assets (CBF/33/11).



## E. Major Programme V: Premises

### 1. General observations and analysis of the requested resources for 2020

107. The 2020 proposed budget for Major Programme V amounted to €3,088.1 thousand, representing an increase of €1,288.1 thousand (or 71.6 per cent) against the 2019 approved budget of €1,800.0 thousand.

108. The Committee noted that the proposed increase related to (a) price index (2.5 per cent) adjusted maintenance costs of €1,845.0 thousand for the contract for preventive and corrective maintenance, and (b) capital replacement of €1,243.1 thousand for targeted infrastructure components including Building Management System, Security Management System, electrochemical installations and central HAVEC (heating, ventilation and air-cooling ) technology.

109. As regards capital replacement, the Committee recalled an updated five-year rolling forecast for capital replacements developed by the contractor, *Heijmans*, was provided during its thirty-second session in April this year. The forecast covered the capital replacement of building components, which have reached the end of their useful lives and which are necessary to preserve the building's value and reliable operability. The Committee received inflation adjusted figures as attached in the Table 5 below.

**Table 5: Five-year capital replacement plan (2020-2024)**

Capital Replacement	Cash flow (2020 prices, incl. 2.5% increase compared to 2019)					
	2020 (€)	2021(€)	2022 (€)	2023 (€)	2024 (€)	TOTAL (€)
<b>5-Year Plan (2020 - 2024)</b>						
<b>Building Management System (BMS)</b>	130,175	55,863				186,038
<b>Security Management System (SMS)</b>	895,748	84,563				980,310
<b>Security systems (indoor installation)</b>		176,505	78,105			254,610
<b>Security systems (outdoor installation)</b>			67,650	135,505		203,155
<b>Floor finishing</b>			721,600	541,200		1,262,800
<b>Electromechanical installation</b>	174,880	240,875	59,040		56,170	530,965
<b>Central HVAC building technology</b>	42,281		142,680	36,080	24,600	245,641
<b>ICT courtrooms and conference cluster</b>		153,750				153,750
	1,243,084	711,553	1,069,075	712,785	80,770	3,817,269

110. The Committee invited a representative of the main contractor *Heijmans* to exchange on the need, timing and cost related to capital replacements for the Court's premises and received additional background information on the different components of the Five-year capital replacement plan (2020-2024) from the Court. In this respect, the Committee was also informed that the contractor was tasked to provide the Court with an updated long-term (20-30 years), as well as medium-term (five-year rolling plan) plan and budget forecast in November.

111. The Committee was of the strong view that capital replacement should be commenced starting in 2020, based on the technical analysis provided by the Court and the contractor and in light of experiences in other international organizations that timely budget proposal and approval was key to the success of an effective capital replacements programme. The Committee emphasized that delays in the commencement of capital replace would not only raise overall maintenance and replacement costs in the long run and would reduce asset value of the premise, but also would raise security and operational risks for the Court. From the financial point of view, the Committee highlighted the importance of securing stable funding for a long-term capital replacement in a predictable manner without unnecessary fluctuations of annual budgets.

112. Keeping in mind the foregoing, the Committee suggested an estimated provision of €75.0 thousand both for 2020 and 2021 in lieu of the 2020 and 2021 budget proposals in the amount of €1,243.1 thousand and €711.6 thousand respectively. In response to the Committee's queries, the Court and the contractor assured that they would be able to manage the implementation of capital replacement by addressing high priority areas and risks if not implemented.

113. The Committee noted with interest the active participation of the Court in the Inter-Agency Network of Facility Managers (INFM), which will continue to share information on capital replacement mechanisms applied by international organisations. It asked the Court to update the Committee in due course.

114. **The Committee requested the Court to submit a comprehensive report containing updated and detailed plans and estimates, a proposal for a multi-year financing mechanism including a financial reserve to cope with unforeseen and emergent needs, a possible mechanism to provide incentives to the contractor to lower costs through identifying more economical procurement taking advantage of technological progress and market conditions, among others. The Committee looked forward to reviewing both medium- and long-term plans and estimates and financial and administrative mechanisms in the next session of the Committee in May 2020.**

115. **As regards capital replacements, the Committee recommended that the Assembly approve a total amount of €975 thousand for 2020 requesting the Court to operate within this envelope and further decided that it would consider allocating the same amount for 2021, after having reviewed the medium- and long-term plans and cost estimates.**

116. **The Committee also recommended setting up a mechanism where an external *pro bono* expert(s) from States Parties provide expert advice in the planning and implementation of capital replacement plans, reporting periodically to the HWG on Premises with information shared to the Committee.**

## **2. Recommended budget for Major Programme V**

117. **The Committee recommended total reductions of €313.1 thousand in Major Programme V from its originally proposed budget.**

## **F. Major Programme VI: Secretariat of the Trust Fund for Victims**

### **1. General observations and analysis - Requested budget for 2020 and implementation rate in 2019**

118. The Trust Fund for Victims (TFV) has two mandates 1) To administer reparations ordered by the Court against a convicted person; and 2) to use its other resources for the benefit of victims in accordance with article 79 of the Rome Statute. Through 2018 and 2019 the reparations practice of the Court and the TFV has further mature and taken shape, with the delivery of the first reparations awards.

119. The Committee recognized the efforts expressed by the newly elected Chair of the Board of Directors of the TFV and his commitment with ensuring the STFV adequate use of resources.

120. The 2020 proposed budget for Major Programme VI amounted to €3,333.0 thousand, representing an increase of €202.7 thousand (6.5 per cent) against the 2019 approved budget of €3,130.3 thousand. The increase requested mainly reflects staff costs due entirely to the full time continuation of GTA positions approved in the 2019 budget.

121. The Committee was informed that the budget performance for MP VI as at 30 June 2019 was 45.8 per cent and that the total forecast implementation rate as at 31 December 2019 is expected to be 88.3 per cent.

122. The Committee noted with concern the constant under-implementation rate of Major Programme VI, as well as the lack of the new strategic plan for 2019-2022.

### **2. Assistance mandate**

123. The Committee was informed that as part of the assistance mandate there are ongoing programmes in the Democratic Republic of Congo, northern Uganda and also in Côte d'Ivoire by the end of 2019.

124. In addition, new assistance programmes are being explored for the Central African Republic, Kenya, Georgia and Mali for 2020.

### 3. Reparations mandate

125. The Committee noted that three cases will continue in the reparation phase in 2020. In *Lubanga* reparations proceedings started in 2012, no reparation award has been implemented yet, *Katanga*, which started in 2017, award implemented partly and *Al Mahdi*, which started in 2017 no award has been implemented. Reparations proceedings in *Ntaganda* are also expected. The Committee recognizes that reparations are unprecedented activities in international criminal justice and require careful approach. Furthermore, the Committee recognized that the length of reparations not only has significant financial implications, mainly human resources in the Judiciary, Registry, resources needed for legal aid for defence and for victims, the STFV, but most importantly have a potential impact on the victims' expectations and consequently significant impact on the reputation of the Court.

126. The Committee noted that the implementation of reparations to victims required a more strengthen organisational structure. **The Committee requested the Court, in coordination with STFV, to report on division of responsibilities between Registry and STFV and the ongoing process in reparation phase, including possible synergies and duplications and an update on the implementation of reparations, at its thirty-fourth session.**

127. The Committee recognized that each case has its own particularities, which must be respected. However, the Committee invited the Court, on the basis of the results of the ongoing Evaluation of the reparation process made by the IOM (upon request by the Assembly), taking in account its own experience during reparations in three cases, the Lesson Learnt Exercise in Judiciary, to start working, as soon as possible on the policy and framework on the reparation process. The Committee is of the view that the policy should focuses on the principle of equal treatment of victims in particular cases, while taking in account the specificities of each case, to identify, to the extent possible, where the procedure might be unified while respecting the principle of independence of the judges and how the whole process may be simplified, more effective and more accelerated. **The Committee recommended to be informed on any progress on reparations at its thirty-fifth meeting.**

128. The Committee welcomed the TFV focus on establishing proper Monitoring and Evaluation system to allow the TFV and implementing partners to collect data that will be used to track the TFV progress in achieving its goals and to monitor the performance of its implementing partners, as well as to measure the efficiency and effectiveness of programme implementation.

### 4. Staff costs

#### *a) Established posts*

129. The Committee noted that no new established posts were proposed by the STFV for 2020. The impact of the application of the UNCS was €105.9 thousand.

#### *b) General Temporary Assistance*

130. The STFV requested an increase by €155.8 thousand (11.0 per cent) due entirely to the full-time continuation of GTA positions approved in the 2019 budget.

131. **The Committee recommended that the Assembly approve all of GTA positions, based on previously demonstrated workload requirements and with a view to maintain continuation and institutional knowledge and capacity in the STFV's work.**

### 5. Non-staff costs

132. The Committee noted that the requested non-staff remained at the 2019 approved levels. The Committee reiterated that all requests for resource should be based on robust forecasts which reflect as far as possible the expected expenditure for the year. The Committee expected non-staff costs to be presented as real estimates in future budgets.

133. **Taking into account the expected implementation rate for the 2019 budget both on staff and non-staff costs, was of the view that all efforts should be made to accommodate additional needs, including the absorption of the increase related to the UN Common System in the amount of €105.9 thousand, and additional saving of €1 thousand as explained in paragraph 92 above related to IT "lights-on" costs for 2020 through the reallocation of available resources within the STFV.**

## 6. Policy issues related to the Trust Fund for Victims

134. The Committee considered a range of policy issues all relevant for the TFV's cost-efficient operation, accountability and fund-raising and with potential financial and budgetary implications.

### *a) Strengthening of internal controls with regard to the implementation of reparation awards*

135. In April 2018, the Committee considered a concern of the External Auditor in its audit of the TFV's financial statements for 2017. The Auditor had drawn attention to the TFV's internal controls when implementing individual reparation awards.<sup>48</sup> These controls required significant effort in terms of legal expertise, traceability and documentation. The TFV's current structure, the Auditor found, could not ensure the level of rigour, especially given the number of potential victims, depending on the case.<sup>49</sup> There was a risk of uncertainties as to the completeness, reality, and accuracy of the commitments, which, unless dealt with, "could lead to significant difficulties in terms of certification." The Committee took note of the ongoing cooperation between the Secretariat of the TFV (STFV) and the Court in this matter and asked for a progress report at its thirty-third session.<sup>50</sup>

136. The Committee considered the progress report the TFV had submitted as requested.<sup>51</sup> The report examined and presented the practice of the TFV in respect of the certification of victims within the context of the implementation of Court-ordered reparation awards. Victims certification, the TFV explained; consists of the administrative processes and procedures related to the identification and screening of victims who may be eligible for individual and / or collective awards in accordance with the instructions of the respective Trial Chambers. The report sketched out the concrete steps the TFV was taking in the ongoing *Lubanga*, *Al Mahdi* and *Katanga* cases.

137. The Committee appreciated the TFV's explanations, which suggested that significant care was taken in implementing the awards. As a step forward it should also be noted that the External Auditor, in his most recent audit of the TFV's financial statements for 2018, considered his earlier recommendation of 2018 as partially implemented.<sup>52</sup> **Altogether, the Committee urged the TFV and the Court to finalize without delay any remaining work, clear the results with the External Auditor, and report back at the Committee's thirty-fifth session.**

### *b) Administrative costs of implementing partners related to reparations*

138. Upon request by the Committee to receive more information about the calculation of the administrative costs of 15 per cent in services contracts with the implementing partners that are funded by donors' contributions, the TFV submitted a report in response,<sup>53</sup> the key points of which can be summarized as follows:

- (a) The TFV's template agreement with implementing provides that "the total indirect administrative and management cost of the project should not exceed 15 per cent of the total project costs". Therefore, 15 per cent is the maximum that an implementing partner may indicate in its project budget proposal; and<sup>54</sup>
- (b) Moreover, the TFV has identified monitoring and evaluation quality standards, as specified in the TFV's "Performance Monitoring Plan."

139. **The Committee appreciated the information provided by the Court and believed, however, that, to ensure transparency and accountability, further clarifications to the**

<sup>48</sup> *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part C.2., paras. 2.29-2.32.

<sup>49</sup> For example, the External Auditor noted the decision of Trial Chamber II in the *Lubanga* case with hundreds or even thousands of victims. See *ibid.*, para. 31.

<sup>50</sup> Report of the Committee on Budget and Finance on the work of its thirty-second session (ICC-ASP/18/5), para. 139.

<sup>51</sup> Trust Fund for Victims progress report on certification during the implementation of reparations awards (CBF/33/9). Complementing its earlier Report on existing internal controls of the reparation awards (CBF/32/3).

<sup>52</sup> Financial statements of the Trust Fund for Victims for the year ended 31 December 2018 (ICC-ASP/18/13), para. 8. The Auditor received confirmation by the STFV that access to the victim identification software (VAMS) is already available on an "as needed basis". Moreover, a joint analysis with the Court is ongoing on IT requirements and adjustments of the VAMS.

<sup>53</sup> Report of the Trust Fund for Victims on the 15 per cent rate of administrative costs in services contracts with implementing partners (CBF/33/4).

<sup>54</sup> Under the agreement entered into with the implementing partners, indirect costs are those that will be incurred by the implementing partner to provide general administrative and management support for the project, including expenditure on personnel (management and administration), fringe benefits, office supplies, and contractual and other costs (which must be itemized).

Committee at its thirty-fifth session in September 2019 on the elements below, by drawing from the practise and lessons learned from other organisations:<sup>55</sup>

- (i) relation to the usage of Programme Support Costs;
- (ii) no automatic correlation between the administrative effort and cost of programme implementation with the financial size of the awards;
- (iii) possible presentation of the annual pay-outs, for instance, in the annual activity reports of the TFV Board of Directors; and
- (iv) practical process to control and verify the invoices of its implementing partners.

*c) Financial self-sustainability of the Trust Fund for Victims*

140. The Committee considered the report the TFV has submitted in response.<sup>56</sup> The report (i) reviews the TFV's budgeting and financing practice; (ii) examines the TFV's anticipated (significant) resource needs to conduct its assistance and reparations programmes; (iii) reviews its conclusions from the previous discussion with the Committee in 2012; and (iv) examines the relation at the TFV between financial self-sustainability, voluntary contributions and assessed contributions within the framework of the Rome Statute system, and compares it to the practices of international organisations.

141. The TFV recalls that, since 2015, the TFV Board of Directors has indeed used donor funds for incidental programme costs ("IPC funds"), primarily related to the discharge of the assistance mandate. The Committee had welcomed this approach, which has been steadily maintained.<sup>57</sup>

142. Nevertheless, the TFV reconfirmed its earlier assessment in 2012 that "using a portion of the revenue from voluntary contributions to alleviate the STFV's costs would still be hugely detrimental to resources - already scarce - available for the actual direct benefit of victims [...]."

143. From the Committee's financial perspective, it would be difficult to dismiss the concern that an expanded use of voluntary contributions for general budget support would not exactly be an incentive to donors. Also, there might be an issue of burden-sharing. Currently, all States Parties contribute their shares of the STFV's budget. Setting voluntary contributions aside for general budget relief could be perceived as increasing the burden of donors.

**144. At the same time, the donor-funded incidental programme costs approach does seem to work. The distinguishing feature here appears to be the relatively close link of the funding to defined assistance programmes. There might be scope for expanding this approach. Also, other organisations using a portion of donor funds for programme support costs appear to manage this. The Committee invited the TFV to report thereon at its thirty-fifth session.**

*d) Voluntary contributions and fund-raising from private donors*

145. In April 2018, the Committee recommended that the STFV and the Court jointly establish a working group to identify viable options, weigh their advantages and downsides, and work out a specific proposal for decision.

146. One-and-half years later, while the work has got under way, it is still in the incipient stage. A joint Working Group on Private Donations to the Trust Fund for Victims composed by the TFV and the Registry has been set up. It will focus on four areas: (i) the feasibility of fiscal sponsor arrangements in the relevant markets; (ii) the feasibility of obtaining legal status enabling receipt of tax-deductible private donations; (iii) procedures for vetting prospective TFV private donors; and (iv) updating the TFV gift accepting policy for private donations.

147. The TFV's "Progress Report on Private Fundraising"<sup>58</sup> highlighted the most recent developments: (i) the initial activities of the "Fundraising and Visibility Officer, who joined the TFV Secretariat in May 2019; (ii) the call for expression targeting potential fiscal sponsors in different geographical markets; (iii) the conduct of further research on how comparable international

<sup>55</sup> Report of the Secretariat of the Trust Fund for Victims on the usage of programme support costs (CBF/18/14).

<sup>56</sup> Report of the Trust Fund for Victims on financial self-sustainability (CBF/33/10).

<sup>57</sup> The types of activities financed by IPC funds, and typically carried out by contracted third parties, include situational assessments; capacity-building of implementing partners; programme-related communication and outreach; external audits of implementing partners conducted by locally based auditors, centrally selected and contracted by the TFV pursuant to a recommendation by the External Auditor; and the development of a management information system to record programme performance and results reporting within the framework of the TFV's Performance Monitoring Plan.

<sup>58</sup> Trust Fund for Victims Progress Report on Private Fundraising (CBF/33/7).

organisations engage with the private sector to raise funds through tax-deductible donations.<sup>59</sup> In addition, the TFV will discuss the question of tax deductions for private contributions with the Dutch Ministry of Finance.

148. The Committee is mindful of the complexity of the issues and of the workload of the TFV. It appreciated the Registry's support to the TFV. At the same time, the Committee would once again urge the TFV and the Registry to move ahead without further delay. The TFV depends critically on voluntary contributions to fund its reparations and assistance programmes. Complementary to public donor funding, private donations could become a second mainstay.

149. The Committee noted the modest fundraising to date. From 2010 to 2018, private donations amounted to a mere €218 thousand, less than one per cent of the volume of public donations, which totalled €28,502 thousand over the same period. This suggests there are opportunities to be seized. **The Committee looked forward to specific proposals on private fundraising at its thirty-fifth meeting.**

## **7. Recommended budget for Major Programme VI**

150. **The Committee accordingly recommended reductions in the amount of €106.9 thousand in Major Programme VI from its originally proposed budget. The Committee thus recommended that the Assembly approve a total amount of €3,226.1 thousand for Major Programme VI.**

## **G. Major Programme VII-2: Permanent Premises - Host State Loan**

### **1. General observations and analysis of the requested resources for 2020**

151. The Committee recalled that in 2008 the Assembly accepted the host State's offer of a loan for the permanent premises of up to a maximum of €200 million to be repaid over a period of 30 years at an interest rate of 2.5 per cent. The Committee also recalled that the financial implications of MP VII-2 are applicable only to those States Parties that did not opt to make a one-time payment for the costs of constructing the permanent premises, or did not fully complete their one-time payments.

152. The 2020 proposed budget for Major Programme VII-2 amounted to €3,585.1 thousand, which corresponds to the level of the 2019 approved budget of 3,585.1 thousand.

153. The Committee recalled that the Court has a legal obligation to pay the instalments by first of February of each year. **The Committee urged those States Parties that have to contribute to the payment of the host State loan to make their instalments in full and no later than by the end of January of each year, bearing in mind that the Court would have to make use of its operating funds in order to cover these payments. The Committee recalled that late and/or non-payment would put additional pressure on the operational resources and further aggravate the liquidity problem.**

### **2. Recommended budget for Major Programme VII-2**

154. **The Committee accordingly recommended that the Assembly approve a total of €3,585.1 thousand for Major Programme VII-2.**

## **H. Major Programme VII-5: Independent Oversight Mechanism**

### **1. General observations and analysis of the requested resources for 2020**

155. The 2020 proposed budget for Major Programme VII-5 amounted to €783.8 thousand, representing an increase of €252.7 thousand (47.6 per cent) against the 2019 approved budget of €31.1 thousand. The impact of the UNCS is €8.9 thousand.

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<sup>59</sup> The TFV noted that Organizations such as UN Women and the International Organization for Migration have parallel not-for-profit partners, which work solely on fundraising, awareness-raising and visibility for their "parent" institutions and collaborate closely with those institutions' central fundraising offices on relevant policies and guidelines. For example, UNICEF has "National Committees", in developed countries, whose mandate is to engage in awareness-raising and fundraising in their capacity as separate NGOs. For more details on the practice of these and of other organizations see Trust Fund for Victims Progress Report on Private Fundraising (CBF/33/7), para. 6.

156. After careful consideration of the staffing budget request including the 2019 budgetary transfer of €50 thousand from Major Programme IV, the Committee was of the view that in the absence of workload indicators for evaluation, inspection and investigation cases to be conducted in 2020, in addition, the terms established in Resolution ICC-ASP/8/Res.1, paragraph 3 had not yet been met and believed that for the time being and taking into consideration the staff resources<sup>60</sup> already available at (P-5) and (P-2) levels for investigation and the approved budget for consultancy of €20 thousand, **no additional posts should be approved and thus the Committee recommended that the Assembly not approve the requested post Senior Investigator (P-4).**

157. **The Committee also considered the requirements for travel and consultants, and taking into account that it is impossible to predict exactly how many investigations would arise. The Committee recommended that the Assembly increase the travel budget by €7 thousand compared to the approved level for 2019 and further recommended to maintain the budget for consultants at the 2019 approved levels in light of the narrative of the 2020 proposed budget under *Consultants* that “it is to be expected that the full amount may not be utilized.”<sup>61</sup>**

158. The Committee looked forward to receiving the Quarterly Reports and other reports produced by the Independent Oversight Mechanism in line with Resolution ICC-ASP/12/Res.6, paragraph 47. The Committee received, as information, a letter dated 16 May 2019 in which the President of the Court confirmed that there is no need to issue a presidential directive for the IOM to operate.

## 2. Recommended budget for Major Programme VII-5

159. **The Committee accordingly recommended reductions in the amount of €231.9 thousand in Major Programme VII-5 from its originally proposed budget. The Committee thus recommended that the Assembly approve a total amount of €551.9 thousand for Major Programme VII-5.**

# I. Major Programme VII-6: Office of Internal Audit

## 1. General observations and analysis of the requested resources for 2020

160. The 2020 proposed budget for Major Programme VII-6 amounted to €721.2 thousand, representing an increase of €35.6 thousand (5.2 per cent) against the 2019 approved budget of €685.6 thousand.

161. The Committee observed that the budget increase is mainly attributable to the application of the revised UNCS salary scales (of €14.3 thousand in the staff costs) and resources needed to provide the expertise for the performance of the audit of the Judicial Workflow Platform by an external consultant. A minor increase is requested in travel to conduct audits at the Field Offices (of €0.5 thousand) and for the compulsory training for certified auditors (of €0.8 thousand).

## 2. Recommended budget for MP VII-6

162. **The Committee accordingly recommended that the Assembly approve a total amount of €721.2 thousand for Major Programme VII-6.**

# III. Other financial and budgetary matters

## A. Status of contributions to the regular budget, the Contingency Fund, the Working Capital Fund and the host State loan

163. The Committee recalled that all States Parties were required to contribute to the regular budget of the Court, the Working Capital Fund (“the WCF”) and to the CF, and that those States Parties that

<sup>60</sup> The IOM has the following approved staff resources: One Head of IOM (P-5), one Evaluation Officer (P-4); one Associate Investigator Officer (P-2), and Administrative Assistant (GS-OL).

<sup>61</sup> ICC-ASP/18/10, page 161, para. 731.

have not opted to make a “one-time” payment towards the premises of the Court are required to contribute to the instalments for the host State loan.<sup>62</sup>

164. The Committee took note of the Monthly financial report of the Court as of 31 July 2019 and as of 31 August 2019, which include updates on the status of contributions.

165. The Committee noted with concern that as at 31 August 2019, four States Parties had not yet paid their contributions to the host State loan for 2019. As the Court has a legal obligation to pay instalments in full by the first day of February of each year, it had to use operating funds in order to cover instalments due from those States Parties. This had the effect of widening the gap between the financial needs and resources for the functioning of the Court.

166. The Committee reviewed the status of contributions towards:

- i. the assessed contributions for the 2019 approved budget of €144,550 thousand; and
- ii. instalments of €3,585.1 thousand for the host State loan for the Court’s premises and analysed the trend over the last 10 years, as illustrated in Table 6 and Graph 2 below.

167. The Committee noted that as at 31 August 2019:

- (i) €13,051.6 thousand (8.9 per cent) of regular assessed contributions remained outstanding from the 2018 approved budget in the amount of €147,431.5 thousand;
- (ii) €19,846.4 thousand outstanding regular contributions from previous years;
- (iii) €295 were outstanding from previous years for the CF;
- (iv) €1,209.9 thousand of outstanding instalments for the host State loan (€669.6 thousand from previous years and €540.3 thousand for 2019); and
- (v) €37,967.9 thousand of total outstanding contributions, including for the regular budget, the CF and instalments for the host State loan.

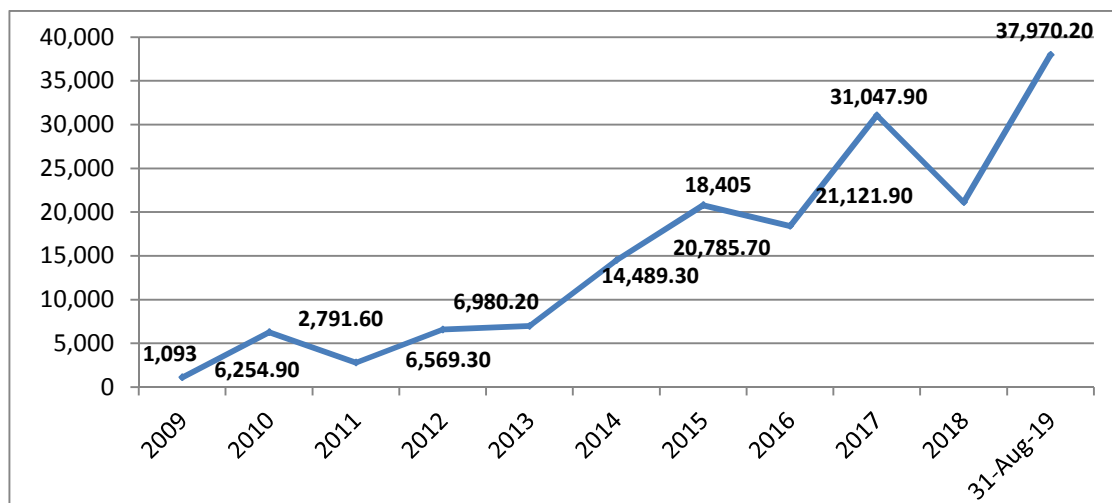
**Table 6: Trend analysis on total of outstanding contributions from 2009-2019, excluding the Contingency Fund and the host State loan (in thousands of euros)**

Year	Approved programme budget	Outstanding contributions at the end of the current period	Outstanding contributions at the end of the current period (in %)	Total outstanding contributions at the end of the period including from previous years
2009	101,229.9	760.6	0.75%	1,093.0
2010	103,623.3	5,774.4	5.6%	6,254.9
2011	103,607.9	2,385.6	2.3%	2,791.6
2012	108,800.0	6,159.7	5.7%	6,569.3
2013	115,120.3	6,659.1	5.8%	6,980.2
2014	121,656.2	8,034.2	6.6%	14,489.3
2015	130,665.6	12,639.1	9.7%	20,785.7
2016	139,590.6	14,059.7	10.1%	18,405.0
2017	144,587.3	18,234.7	12.6%	31,047.9
2018	147,431.5	15,339.9	10.4%	21,121.9
2019	148,135.1	18,661.8*	9.7%*	37,970.2*

\*Forecast.

<sup>62</sup> Each State Party could choose whether to finance its share of the costs of the construction of the premises either through a one-time payment or by contributing to the host State loan. <sup>63</sup> States Parties had made one-time payments towards the construction of the premises, either in full or in part, by the specified deadline.



**Graph 2: Development of total outstanding contributions since 2009 (in thousands of euros)**

168. The Committee stressed the importance of contributions being paid in full and in a timely manner. Not meeting obligations in relation to the payment of contributions may seriously jeopardize the daily operations of the Court. If contributions remain unpaid at the end of the year, the Court may need to resort to the WCF, whose available amount may not be sufficient to cater for liquidity shortfalls.

169. **The Committee urged all States Parties to make their payments on time in order to ensure that the Court has sufficient funds throughout the year, in accordance with regulation 5.6 of the FRR. The Committee requested that the Court notify once again those States Parties that had not paid their contribution in full of their payment obligations prior to the eighteenth session of the Assembly in December 2019. Furthermore, the Committee recalled its previous recommendation that the President of the Assembly and Court officials take up this issue with States that have outstanding dues to the Court whenever they have bilateral meetings.**

## B. States in arrears

170. The Committee observed that, as at 31 August 2019, 13 States Parties were in arrears, and would therefore not be able to vote in accordance with article 112, paragraph 8.

171. The Committee recalled the External Auditor's recommendation that, in order to strengthen the process of recovering outstanding contributions, States Parties in arrears for the preceding two full years should only be allowed to vote, once the payment schedule is fulfilled, or that such requests for exemption be granted after the payment of a minimum amount identified and once a payment plan for the remaining balance is presented.<sup>63</sup> **The Committee considered that the upcoming elections of Judges and the Prosecutor presented a situation where voting rights would be highly sought after and thus, urged States in arrears to settle their accounts in a timely manner.**

172. **The Committee recommended that all States Parties in arrears settle their accounts with the Court as soon as possible. The Committee requested that the Secretariat of the Assembly notify States Parties in arrears once again prior to the eighteenth session of the Assembly, highlighting the importance of their contributions for the budget and the financial stability of the Court.**

## C. Securing payment for the host State loan

173. The Committee received and took note of the "Report of the Court on securing payment for the host State loan"<sup>64</sup> with regard to securing payment of outstanding amounts from withdrawing States Parties.

174. As stated in its report, the Court has held discussions with the host State, which has indicated its wish to maintain the current contractual arrangement with the Court rather than to conclude bilateral arrangements with withdrawing States.

<sup>63</sup> ICC-ASP/18/12, para. 37.

<sup>64</sup> Report of the Court on securing payment of the Host State Loan (CBF/33/3).

175. While the Committee noted that the current exposure is limited, it supported the Court's proposal to place this issue on the agenda of the Assembly for discussion on possible solutions.

## D. Precautionary reserves and cash flow

176. The Court holds and manages a number of precautionary reserves to allow it to cope with liquidity shortages, unforeseen events and staff liabilities. The Committee reviewed the levels of the WCF and the CF.

### 1. Working Capital Fund

177. The WCF was established to ensure capital for the Court to meet short-term liquidity problems pending receipt of assessed contributions.<sup>65</sup>

178. At its thirty-second session in April 2019, the Committee stressed that the liquidity situation remained vulnerable and that an adequately funded WCF was a key safeguard to protect the Court's operational continuity since it is the only source available to overcome short-term liquidity problems. In this context, the Court requested a WCF cash top-up of no less than €5.4 million to reflect six weeks' operational expenditure or up to €17 million in order to address ongoing liquidity issues. The Committee recommended at the time that the level of the WCF be maintained at one month of the Court's expenditure, thus recommending an increase of the notional level to €12.3 million.

179. The Committee noted that as at 30 June 2019, the actual level of the WCF stood at €9.1 million,<sup>66</sup> which is below the established notional level of €11.6 million, adding to the cash-flow vulnerability of the Court. During its session, the Committee was informed that a cash surplus of €2.99 million would become available related to the financial year 2017. **The Committee recommended using an amount of €2.5 million of the cash surplus from 2017 to reach the established level of the WCF of €11.6 million as decided by the Assembly at its seventeenth session in 2018.**<sup>67</sup>

180. **The Committee reiterated its recommendation raised at its thirty-second session that the level of the WCF be maintained at one month of the Court's expenditure, and recommending the Assembly to approve an increase of the notional level to €12.3 million.**

181. **The Committee further recommended that upon the approval by the Assembly of the notional level of the WCF to reach €12.3 million, thus the cash surplus from the financial year 2017 in the total amount of €2.99 million be used to finance the replenishment of the WCF to mitigate the risk of a liquidity shortfall.**

### 2. Contingency Fund

182. The CF was established to ensure that the Court can meet unforeseen and unavoidable expenses.<sup>68</sup> The level of the CF was originally set at €10 million by the Assembly in 2004 and set at €7 million in 2009.<sup>69</sup>

183. At its seventeenth session, the Assembly, after noting the current level of the CF of €5.24 million, decided to maintain the CF at the notional level of €7.0 million for 2019.<sup>70</sup> Moreover, the Assembly welcomed the decision of the Committee to consider the level of precautionary reserves and the liquidity issue in 2019 in light of further experience and requested the Bureau to keep the €7.0 million threshold under review in light of further experience on the functioning of the CF.<sup>71</sup>

184. The Committee noted that, in order for the CF to reach the established level of €7 million, financial resources in the amount of €1.76 million would be required.

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<sup>65</sup> Regulation 6.2 of the FRR.

<sup>66</sup> Report on Budget Performance of the International Criminal Court as at 30 June 2019 (CBF/33/19), page 9, para. 40.

<sup>67</sup> *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. I, part III, ICC-ASP/17/Res.4., B., para. 5.

<sup>68</sup> Rule 6.6 of the FRR.

<sup>69</sup> ICC-ASP/3/Res.4, section B, para. 1, and ICC-ASP/8/Res.7, Section E, para. 2.

<sup>70</sup> *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. I, part III, ICC-ASP/17/Res.4., D., paras. 1-2.

<sup>71</sup> *Ibid.*, paras. 3-4.

### 3. Liquidity shortfall

185. At its seventeenth session, the Assembly urged all States Parties to make timely payments of assessed contributions and requested the Court and States Parties to make serious efforts and take necessary steps to reduce the level of arrears and outstanding contributions as far as possible to avoid liquidity issues for the Court, and further requested the Court to communicate to the Committee all information concerning outstanding contributions in advance of the Assembly's eighteenth session.<sup>72</sup>

186. The Committee considered the status of contributions as at 31 August 2019 as part of the Monthly financial report and Section E.4 of the "Final audit report on the budget process of the International Criminal Court" the External Auditor considered liquidity issues.<sup>73</sup> In addition, the Committee was provided with updated cash flow projections by the Court.

187. The Committee reiterated its concern regarding the trend of increasing arrears in recent years, which results in a significant risk of a liquidity shortfall, as had been also highlighted in the performance report of the External Auditor on the Court's budget process.<sup>74</sup>

188. Considering the contributions received at the end August 2019, the Court projected the following cash flow scenarios for the last four months of 2019:

- (i) Assuming that States Parties will pay their contributions in 2019 following the same payment pattern of outstanding contributions as in 2018, the Court is likely to have limited utilization of the WCF at the end of December 2019; and
- (ii) In the event of the cash flow being based exclusively on the payment dates confirmed by States Parties, the projections show a liquidity shortfall at the end of 2019 as shown in Annex III of the Monthly cash flow forecast at the end of August 2019.

189. The WCF currently cannot be relied upon to fully cover the significant forecasted annual shortfalls. The Committee noted that from the financial year 2017 a cash surplus in the amount of €2.99 million would become available, which can be used to replenish the WCF. However, such increase of the fund will only relieve the cash flow situation but is not a lasting solution to address the problem. Complementary to the increase of the WCF, the Committee was still of the view that, in particular to solve liquidity shortfalls at year-end, other mechanisms, such as delegating responsibility to the Bureau to take appropriate measures, would be appropriate. Without the timely payment by States Parties in accordance with the FRR, an alternative solution is required.

190. As in prior years, in order to mitigate the risk that the Court might be unable to discharge its obligations and deal with the expected shortfall, the Court suggested that it be exceptionally authorized to use the CF and, if necessary, to supplement it with external funding.

191. The Committee noted that the Assembly so far did not authorize the Court to temporarily utilize the CF and/or establish external funding to address its temporary liquidity shortfall, and that there is currently no mechanism in place to address this situation, which may result in a scenario where the Court may not be able to discharge its essential obligations (e.g. pay salaries to staff and invoices to suppliers).

192. The Committee concurred with the External Auditor that the liquidity issue was a recurrent problem for the Court<sup>75</sup> warranting a mechanism to effectively address any issues arising, as suggested also by the External Auditor in Recommendation no. 9 of the audit report on the Court's budget process.

**193. In light of the significant operational and reputational risks caused by a liquidity shortfall, the Committee reiterated its recommendation that:**

- (i) the Court closely monitor its cash-flow projections and strengthen its efforts in different directions to avoid a liquidity shortfall at year-end;**
- (ii) the Assembly, at its eighteenth session, consider establishing a permanent mechanism authorizing the Bureau to deal with liquidity issues, such as through the temporary use**

<sup>72</sup> *Ibid.*, section C.

<sup>73</sup> Final audit report on the budget process of the International Criminal Court (ICC-ASP/18/2/Rev.1), paras. 180-190.

<sup>74</sup> For example, Financial statements of the International Criminal Court for the year ended 31 December 2018 (ICC-ASP/18/2/Rev.1), paras. 178-188.

<sup>75</sup> Final audit report on the budget process of the International Criminal Court (ICC-ASP/18/2/Rev.1), para. 188.

of the CF and/or the establishment of external funding upon recommendation of the Committee, as a risk mitigating measure; and

- (iii) **in the case that a liquidity shortfall arise before the session of the Assembly in December 2019, the Bureau, upon recommendation of the Committee, consider all possible options to deal with the situation.**

194. The Committee decided to continue closely monitoring the cash flow situation during its review on precautionary reserves at its thirty-fourth session in May 2020.

## E. Budget performance in 2019

### 1. Budget performance in the first half of 2019

195. The Committee had before it the “Report on Budget Performance of the International Criminal Court as at 30 June 2019,”<sup>76</sup> as well as the forecast performance as at 31 December 2019. The Committee noted that the implementation rate at mid-year was 54.5 per cent, or €78.77 million, against the 2019 approved budget of €144.55 million, excluding instalments for the host State loan. The Committee noted that this represents an increase of 4.3 per cent compared to last year’s implementation rate as at 30 June 2018.

196. The forecast implementation rate for the Court, including the interest and capital repayments on the premises, is estimated at 99.4 per cent, or €147.30 million, against the approved budget for 2019 of €148.14 million.

197. The Committee noted that €1.8 million are expected to be transferred within and between major programmes in 2019 that are due mainly to the increase in the UNCS. The Committee recalled, that in 2018, an unspent amount of €2,550.7<sup>77</sup> thousand for Victims and Witness Section was transferred to pay for additional resource requirements for IT, operations, legal aid, staff cost and consultancy as detailed in the Committee’s report at its thirty-second session. One of the reasons forcing the Court to make the transfers between budget lines and even sometimes between major programmes is due to change in certain assumptions and other unforeseen circumstances, which results in a change in the expenditures structure and the need for transfer of funds. The Committee decided to follow up on the issue of transfers at its thirty-fourth session in May 2020.

**198. In terms of formatting of the tables provided in the budget performance report and in order to compare the approved budget level and the related expenditure, the Committee recommended the Court to add a column for the approved budget levels before the expenditure ones in the future budget performance reports.**

199. The Committee noted a budgetary transfer of €50 thousand from MP IV to MP VII-5 requested in the first semester of the financial year despite the FRR Rule 4.8 that no transfer between appropriation sections may be made without authorization by the Assembly, unless such a transfer is made necessary by exceptional circumstances, and is in accordance with the criteria agreed upon by the Assembly. The Committee recalled that every year the Assembly approves, in line with established practice, that the Court may transfer any remaining funds between major programmes at the conclusion of that financial year should costs for activities, which were unforeseen or could not be accurately estimated be unable to be absorbed within one major programme. **The Committee recommended that the Court continue to observe the respective Rule 4.8 and the established practice by the Assembly in transferring between major programmes during the year.**

### 2. Hearing days and Courtroom usage in 2019

200. The Committee noted significant changes to the judicial activities that were foreseen and budgeted for 2019. Instead of three cases that were supposed to be on trial (*Ongwen, Gbagbo/Blé*

<sup>76</sup> Report on Budget Performance of the International Criminal Court as at 30 June 2019 (CBF/33/19).

<sup>77</sup> In 2018, a total amount of €2,550.7 thousand was transferred from VWS as follows:

1. Information management operational requirements (IMSS, as reported by the Court in CBF32/18SO1Q50): €746.6 thousand; 2. Field Operations – fleet and facilities management and field office infrastructure (CIV, GEO and GSS, CBF/32/14 para. 256 and 26–59): €754.3 thousand; 3. Additional legal aid costs due to changes in judicial assumptions (CSS): €541.9 thousand; 4. Staff costs – other Registry sections overspend: €379.0 thousand; and 5. ILOAT related consultancy (IOR): €125.0 thousand.

*Goudé* and *Al Hassan* for 10 days) only one trial has been held in the *Ongwen* case. *Gbagbo* and *Blé Goudé* were released, whereas the *Al Hassan* case trial hearings were postponed to 2020.

201. On the other hand unforeseen developments occurred, such as in the situation of the Central African Republic related to *Yekatom* and *Ngaïssona*.

202. The Committee noted that one of the main indicators that determine the budget request is the usage of courtrooms. The Committee observed that in the period from 1 January until 31 August 2019, the total number of actual hearing days was 57 against the budget assumption of 294<sup>78</sup> hearing days that would be held in two courtrooms. The savings from reduced Courtroom hearing would be allocated to cover operational needs, mainly the overspend in staff costs amounting to €2.7 million resulting from the application of the revised UNCS salary.

203. Observing that the Court will continue to face unforeseen developments in existing situations, the Committee noted that the Registry made an effort to manage its human resources in a flexible manner and **the Committee recommended the different organs of the Court to make all efforts to manage its human resources in the future allowing the Court to react to unexpected situations to the extent possible and redeploy resources based on actual workload requirements.**

### 3. Contingency Fund (CF) notifications in 2019

204. Until 1 September 2019, the Court submitted three CF notifications for a total amount of €2.45 million: two CF notifications in the amount of €0.33 million and €0.13 million in connection with unforeseen and unavoidable costs with regard to the *Gbagbo/Blé Goudé* (situation in Côte d'Ivoire) and €1.99 million in relation to the *Yekatom/Ngaïssona* in the situation in the Central African Republic.

205. **The Committee recommended that the Court make all efforts to absorb all unforeseen expenditures notified against the Contingency Fund within its regular budget. The Committee requested that the Court provide an updated forecast to the Assembly for its eighteenth session, through the Committee, that would include actual expenditures in respect of both the regular budget and the CF notifications until the end of October 2019.**

## IV. Institutional reform and administrative matters

### A. Reform of legal aid system

206. In advance of its thirty-third session, the Committee received a document entitled “Draft legal aid policy of the International Criminal Court, Amendment proposal, version 2.5.”<sup>79</sup>

207. The Court Legal Aid Policy (LAP) provides for the allocation of resources to defence counsel and legal representatives of victims in proceedings before the Court on behalf of indigent clients. Legal aid is essential for fair and expeditious proceedings. It is also a major cost factor in the Court’s budget. Annex II to this report depicts the legal aid expenditures for defence and victims, including the Contingency Fund (2015-2019).

208. The continuous monitoring of the efficiency of the legal aid system has been a long-standing request of the Assembly.<sup>80</sup> In 2017, the Assembly was:

*“mindful of the recommendation of the Committee on Budget and Finance that the Court make every effort to present a reform that can be achieved within existing resources by exploring opportunities to contain the administrative burden without jeopardizing the need for accountability and by setting priorities accordingly,”*

and requested proposals for consideration through the Committee.

209. The Committee had *before* it the revised amendment proposal the Court had prepared in response.<sup>81</sup> The legal aid facilitator of the Hague Working Group briefed the Committee on the HWG discussions.

<sup>78</sup> Approved 2019 Programme Budget of the International Criminal Court, para. 340.

<sup>79</sup> Legal aid policy of the International Criminal Court, Amendment proposal (CBF/33/18).

<sup>80</sup> *Official Records ... Sixteenth session ... 2017* (ICC-ASP/16/20), vol. I, part III, ICC-ASP/16/Res.6., Annex, para. 8.

<sup>81</sup> Legal aid policy of the International Criminal Court, Amendment proposal (CBF/33/18).

210. The Court explained that, as before, the amended LAP would be governed by five principles: (i) equality of arms, (ii) objectivity, (iii) transparency, (iv) continuity and flexibility, and (v) economy. The proposed amendments aim to facilitate the administration of the LAP and reduce the administrative burden. Resources are redistributed better to comply with counsels' needs. The Registry would establish service contracts with counsel and with persons assisting them. The system of payment of travel expenses to The Hague would be simplified.

211. The facilitator on legal aid considered that based on the feedback from States Parties the new LAP required further consideration. There were unresolved issues, which could significantly add to the cost of the LAP. Among which the taxation of defence and victims counsel. Also, questions had been raised, whether the pay and working conditions were compatible with equality of arms, fair geographical representation of counsel and gender equality. The Court replied it would be glad to discuss these issues further.

212. The Committee reiterated its earlier recommendation the Court only provide a reform proposal when it is ready and complete.<sup>82</sup> It reaffirmed its request that the Court make every effort to present a reform that can be achieved within existing resource profiles requested for the respective judicial phases.

213. The proposed draft LAP provides, as before, that legal aid will be only available to indigent defendants, and determines establishes how indigence is calculated. These rules are unchanged. **However, the revision of the Legal Aid Policy provides an opportunity to reassess the rules on indigence in the light of further experience.**<sup>83</sup> The Committee looked forward to a report at its thirty-fourth session.

## B. Voluntary contributions to the Court

214. In line with the previous recommendation of the Committee,<sup>84</sup> the Court submitted the "Report of the Court on its guidelines for the receipt and expenditure of voluntary contributions and extra budgetary resources."<sup>85</sup> The Court provided the Committee with a description of the current practice regarding the management of voluntary contributions and extra budgetary resources, concluding that the present regulatory framework is sufficient and does not required amendments.

215. The Committee took note of Court's position and the information included in the financial statements of the Court for 2018.<sup>86</sup> **Furthermore, the Committee recommended the Court for the informational purposes find an adequate format (e.g. the one used in the financial accounts) to present information regarding the balance of trust funds, as well as extra budgetary commitments in the 2021 proposed programme budget. It should show the funds available for a specific budget year, the implementing office and the agreed overhead to be charged against each fund.**

## C. Human resource matters

### 1. Equitable geographical distribution and gender balance

#### a) *Geographical Distribution*

216. The Committee noted with satisfaction that the Registry's Strategic Plan 2019-2021 included improving geographical representation and gender balance among the Registry staff as one of the three priorities and further noted that the Registry is intending to take additional measures in accordance with the existing legal framework to redress imbalances.<sup>87</sup>

217. The Court submitted human resource statistics, which showed certain imbalances in the geographical representation of the Court's professional staff. In the past, the Committee had urged the Court to take care of the issue.

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<sup>82</sup> *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2., para. 227.

<sup>83</sup> Also in line with the Assembly's expectation expressed in 2013. See Resolution ICC-ASP/12/Res.8, Annex I, paragraph 6(c).

<sup>84</sup> Report of the Committee on Budget and Finance on the work of its thirty-second session (ICC-ASP/18/5), para. 37.

<sup>85</sup> Report of the Court on its guidelines for the receipt and expenditure of voluntary contributions and extra budgetary resources (CBF/33/6).

<sup>86</sup> Financial statements of the International Criminal Court for the year ended 31 December 2018 (ICC-ASP/18/12).

<sup>87</sup> Registry Strategic Plan 2019-2021 (CBF/33/15), para. 19.

218. The Court's updated information revealed that the number of over-represented countries stood at 27 at the end of July 2019; whereas in-balance states stood at 20; meanwhile the figures for the under-represented, unrepresented and non-State Parties were 22, 54 and 25, respectively. In view of the Court's previous efforts concerning the issue of equitable geographical representation the Committee suggested that the Court come back with a medium-range plan with clear and well-defined objectives for addressing the situation.

219. As regards the regional distribution of the professional staff 17.02 per cent belong to the African region; 6.80 per cent came from the Asian region; whereas 10.85 per cent, 6.60 per cent and 58.75 per cent were nationals of the Eastern European, GRULAC and WEOG regions. In terms of equitable geographical representation, the African and the WEOG regions were over-represented, whereas the Asian, the East European and GRULAC were under-represented.

**220. The Court reported that the total number of its professional staff (excluding elected officials and 42 language staff) was 470, of which 60 (or 12.8 per cent) came from non-States Parties. The Committee recommended that the Court look into the possibility of freezing the hiring from this category.**

#### *b) Gender balance*

221. The Court provided detailed information concerning gender balance within the professional staff, broken down by major programmes and ranks as of July 2019. The total number of the Court's professional staff was 505, including elected officials and language staff. Overall the professional staff was almost equally distributed between male staff (50.3 per cent) and female staff (49.7 per cent).

222. At the programme level, the number of the professional staff in the SASP was five, the TFV was six, the IOM was three and the OIA was three. The total is too small to affect the results of the analysis if it was dropped. Major Programme I (the Judiciary) had 36 professional staff members of which 19 or 52.8 per cent were female, whereas the proportion of women in the OTP and the Registrar were 48.7 per cent and 52.2 per cent respectively.

223. The Committee observed that the top grade posts in the professional staff were dominated by men. At the (P-4) and above categories out of 126 posts more than two thirds, 68.3 per cent, were occupied by male staff. Conversely, the posts at the lower levels of the scale, namely (P-1) to (P-3), were filled by female staff, comprising 57.2 per cent of those posts. The Committee further noted that the gender imbalance, especially at the senior levels, had not been improved over time. **The Committee recommended that the Court try a different and pro-active approach to tackle the issue of gender balance, and to set a target date for achievement.**

## **2. Sick leave**

224. Taking into consideration information brought to its attention regarding the setting up of an internal alternative dispute settlement mechanism, **the Committee expressed its concern regarding the high cost due to sick leave and requested the Court to present a report during its thirty-fourth session by presenting information for the last five years on the following issues:**

- (i) **the volume and average duration of sick leave;**
- (ii) **the financial implications of sick leave;**
- (iii) **the criteria and procedure for certification and administration of sick leave, including relevant roles and responsibilities; and**
- (iv) **staff and managerial responsibilities to the Court during sick leave.**

## **3. Extension of the JPO Programme beyond the second year of employment**

225. At the thirty-second session in April 2019, the Committee was of the view that the Junior Professional Officer (JPO) programme, if appropriately managed, can make a valuable contribution in raising awareness of the Court as a prospective career choice for junior professionals from national systems and supporting the Court in the achievement of its objectives.<sup>88</sup>

<sup>88</sup> Report of the Committee on Budget and Finance on the work of its thirty-second session (ICC-ASP/18/5), para. 119.

226. The Committee considered the “Report of the Court on the possible extension of the Junior Professional Officer Programme beyond the second year”<sup>89</sup> submitted by the Court.

227. The Court signed its first memorandum of understanding with the governments of Japan, the Republic of Korea and Switzerland whereby those governments send their junior professional officers to the Court to work under the JPO Programme for two years at no cost for the Court. The Court started receiving junior professionals in 2017 and has currently six from the sponsoring States Parties: four from Japan (equally divided between male and female staff), as well as one female staff from each of the other two countries.

228. The Committee noted that the JPO Programme was approved by the Assembly on a trial and cost-neutral bases. The sponsoring countries requested the Court to extend the Programme for a third year on a 50-50 per cent cost-sharing. In other words, the Court would absorb half the costs of the third year for each of the staff, if the requests were granted.

229. The Court reported that the total costs for the one year extension for the six officers would amount to €410 thousand, half of which (€205.5) would come from the Court’s 2020 (€157.1 thousand) and 2021 (48.4 thousand) budgets. The Court asked the Committee whether it could support the extensions and, if so, to recommend them to the Assembly for approval.

230. The Committee took into consideration that the JPO Programme’s approval was on a trial and cost-free basis and for a two-year duration. Currently the period will expire shortly. The Court mentioned in its report the merits of the Programme but it fell short on evaluation. **Therefore, the Committee recommended that the Court provisionally extend the Programme for a third year by absorbing the costs related to the extension of the programme within the approved budget, and report to the Committee on the results of its evaluation at its thirty-sixth session in 2021.**

## D. Audit matters

### 1. Reports of the Audit Committee in 2019

231. The Committee took note with appreciation of the reports of Audit Committee (“the AC”) in 2019,<sup>90</sup> with regard mainly on governance matters, oversight of internal and external audit matters as well as the follow up on the implementation of recommendations, as part of the AC’s clearly defined mandate. The Committee noted that the findings and recommendations of the AC are of added value for the deliberation of the Committee and complement to its own mandate.

232. **The Committee recommended that the Assembly approve the re-appointment of Ms Elena Sopková to represent the Committee on the Audit Committee for another term commencing 1 January 2020.**

233. In the field of governance, the Committee noted the development of the Court’s Organisational Manual due for completion in the first quarter of 2021. This manual is an important management tool, which is expected to provide clarification on the roles and responsibilities of each entity in the organisation.

234. **Regarding the oversight of internal audit matters, the Committee shared the concerns raised by the Audit Committee on the selecting audit topics and the number of working days allocated for audits in the Draft 2020 Internal Audit Plan, and requested to be kept informed of the progress.**

235. **The Committee endorsed all the recommendations of the Audit Committee after being informed of their findings, and underlined some of the specific matters raised.**

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<sup>89</sup> Report of the Court on the possible extension of the Junior Professional Officer Programme beyond the second year (CBF/33/2).

<sup>90</sup> Report of the Audit Committee on the work at its ninth session (AC/9/5); and Report of the Audit Committee on the work at its tenth session (AC/10/5), available on the Webpage of the Audit Committee under: [https://asp.icc-cpi.int/en\\_menus/asp/AuditCommittee/Pages/default.aspx](https://asp.icc-cpi.int/en_menus/asp/AuditCommittee/Pages/default.aspx).



## 2. External audit matters and reports of the External Auditor

### a) 2018 Financial Statements of the Court

236. The Committee considered the “Financial Statement of the International Criminal Court for the year ended 31 December 2018”<sup>91</sup> and took note with appreciation of a presentation by the External Auditor.

237. The Committee noted that the External Auditor gave an unqualified opinion and endorsed the three recommendations made by the External Auditor.

238. **In the context of the oversight on external audit matters, the Committee agreed on the importance of the Audit Committee to be informed in a timely manner by the Court and by the External Auditor, before the issuance of the audit reports on the financial statements of the Court and the TFV, on any matter of relevance that could potentially lead to the issuance of a qualified opinion and recommended to be included in such communication.**

239. **The Committee recommended that the Assembly approve the financial statements of the Court for the year ending 31 December 2018.**

### b) 2018 Financial Statements of the Trust Fund

240. The Committee considered the “Financial Statements of the Trust Fund for Victims for the year ended 31 December 2018.”<sup>92</sup>

241. The Committee noted that the External Auditor expressed an unqualified opinion and endorsed the two recommendations made by the External Auditor.

242. **The Committee welcomed the recommendation of the External Auditor that the TFV adopt a budgetary chart or framework in order to clarify the annual and pluriennial planning of its appropriations and the authorizations of commitments on expenses and resources, distinguishing between resources coming from Major Programme VI (STFV) and voluntary contributions, for all its activities. The Committee looked forward to be informed about the implementation of this recommendation at its thirty-fifth session in September 2020.**

243. **The Committee further recommended that the Assembly approve the financial statements of the Trust Fund for Victims for the year ending 31 December 2018.**

### c) Performance audit report on the Court’s budget process

244. The Committee received the External Auditor’s Report on the Budget Process at the International Criminal Court<sup>93</sup> and exchanged views during its thirty-third session with the representatives of the External Auditors that was produced in consultations with multiple stakeholders of the Court. The Committee highly appreciated the assessments of the budget process in the Court.

245. The Committee, on its part, initiated budget process improvement with close dialogue and consultation with the Court that organized budget workshops during spring sessions of the Committee over the last few years.

### d) Recommendations of the External Auditors

#### **Recommendation n°1 (priority 1)**

*The External Auditor recommends the ASP to put on its agenda, in the context of an upcoming evaluation of the Court or through any other forum, the interpretation of Article 42(2) of the Rome Statute, in order to clarify to what extent it forbids the Prosecutor to transfer to the Registry, acting as provider of shared services, accountability for common administrative tasks.*

246. The Committee took note of the endorsement of the Audit Committee in relation to this recommendation and further building on the views of the Audit Committee, the Committee noted the

<sup>91</sup> Financial statements of the International Criminal Court for the year ended 31 December 2018 (ICC-ASP/18/12).

<sup>92</sup> Financial statements of the Trust Fund for Victims for the year ended 31 December 2018 (ICC-ASP/18/13).

<sup>93</sup> Final audit report on the budget process of the International Criminal Court (ICC-ASP/18/2/Rev.1).

efforts by the Court to establish efficient procedures within the framework of the Rome Statute through the implementation of the synergies project whose results were shared to the Assembly and the Committee. Also functioning of Coordination Council and other co-ordination mechanisms for different topics and programmes indicate concrete steps taken towards implementing the One-Court Principle. The Committee also noted that the Assembly had tackled this issue through its HWG under the Study Group on Governance.

247. The Committee was aware of the complexity of the matter and the responsibility of the Assembly regarding the interpretation of the Rome Statute. The Committee wished to highlight the importance of “One Court Principle” as key vehicle in the preparation and implementation of the budget of the Court where there is noticeable progress made over past four years.

**Recommendation n°2 (priority 1)**

*The External Auditor recommends that, when preparing yearly budget submissions, the Court 1) should continue to take into account not only incremental adjustments, of current appropriations levels through the service requests process in relation to the preceding year, 2) but also, in a comprehensive “zero-based budget” approach, should question the nature of those appropriations in and of themselves, in order to avoid a gradual drift in budget appropriations.*

248. The Committee recognized the usefulness of the zero-based budgeting approach, while, at the same time, noting labour-intensive and complex nature of this process. The practical approach would be to include in the Court’s budget process zero-based budgeting elements for many of its resource requirements. For example, based on the budget assumptions and priorities set by Coordination Council, temporary staff positions (GTAs) and non-staff costs (such as travel, contractual services, consultants, etc.) were already re-assessed and justified in every budget proposal submitted for review by the Committee and approval by the Assembly. Likewise, established posts structure should continue to be reviewed, as appropriate, by the Court and presented to the Assembly through the Committee to ensure the most efficient approach to identify resource requirements commensurate with operational needs. As an alternative to wide-scale zero-based budgeting, an occasional budget review of critical spending areas could be conducted. The Registry Strategy provides for this a good starting point with its introduction of the focused approach to critical services.

**Recommendation n°3 (priority 2)**

*Concerning savings and efficiencies, the External auditor recommends that:*

- (i) the launching of the annual workshop on savings and efficiencies be chaired personally by the Registrar;*
- (ii) standard templates be more widely used to support proposed and approved savings and efficiencies, disclosing the baseline level, the proposed and the approved amounts saved and the precise origin/nature of the saving (cut of existing cost or potential cost avoided);*
- (iii) the appendix to the proposed budget document dedicated to savings and efficiencies should refer to those which result from genuine managerial initiatives and have an impact on the baseline;*
- (iv) a symmetric “top-down” approach, initiated every year at Principals level, and giving rise to an organized challenge with lower levels (i.e. Divisions and Sections) should be designed and implemented for staff limitations.*

249. Concerning savings and efficiencies, the External Auditor made four recommendations, which would improve the accounting and reporting of real savings impacting the Court baseline.

250. The Committee noted the strategic plans issued by the Court, the OTP and the Registry emphasized the continuous improvement, savings and efficiencies are strategic objectives all Principals have committed to pursue. The Committee will continue its dialogue with the Court and would suggest practical way forward to improve the budget presentation. Thus far the current information presented in the 2020 proposed programme budget about savings and efficiencies provides already improved understanding how the Court baseline is affected.

**Recommendation n°4 (priority 1)**

*The External Auditor recommends the ICC to adapt Staff Rules so that, in cases where the workload evolution should lead to staff decreases in some sectors, as an alternative to separation, a strong priority for recruitment on other open internal positions be offered to the incumbents, if and when their profiles are clearly adequate for the new assignments.*

251. The Committee drew attention to the fact that seven out of ten of the HR management recommendations to the Court coming from HR audit report<sup>94</sup> are still partially implemented, as at the beginning of 2019. The Committee looked forward to addressing these issues in the context of HR policy review in the upcoming sessions and endorsed the use of instruments to further increase the HR flexibility. The Committee continued to review the current HR policies within the Court: recruitment, cross training/re-profiling of existing posts and mobility concepts, which are necessary to provide better adjustment between the fluctuation of the Court's operations and resource requirements.

**Recommendation n°5 (priority 2)**

*The External Auditor recommends the Budget Working Group (BWG) to study and submit for clearance to the Committee on Budget and Finance (CBF) and to the Hague Working Group (HWG) a proposal for a renewed, simplified and shorter budget document, strictly focused on budget-relevant issues, and based on the acquired ICC experience. If and when endorsed by the Committee on Budget and Finance (CBF) and the Hague Working Group (HWG), the new document structure could be approved by the Assembly of State parties (ASP).*

252. The Committee will continue its dialogue with the Court and would suggest practical way forward to improve the budget presentation with a view to achieving a unified format based on One-Court Principle and making the information more comprehensive, transparent, easy to compare and analyse. The information needs of different stakeholders in budget process vary which also must be considered and proper presentation format has to be designed (e.g. the executive summary of the PPB).

**Recommendation n°6 (priority 3)**

*The External auditor recommends that final budget document for year n be published no later than by end-January of the same year.*

253. The Committee notes the importance of timely issuance of key documents of the Court. The Committee invited the Court to consider this matter in the context of improving budget process of the Court. Specially focusing on timely dissemination of the budget information that meets the information need of particular stakeholder within the Court as well as outside.

**Recommendation n°7 (priority 3)**

*The External Auditor recommends to adapt the Financial Rules, which currently prohibit transfers between Major Programmes, in order to allow such transfers and thus bring an adequate management flexibility to smaller Major Programmes, such as the Independent Oversight Mechanism (IOM) or the Office of Internal Audit.*

254. The Committee referring to the current FRR,<sup>95</sup> which regulate the transfer of funds noted that proposal to change of the FRRs, especially those relating to transfer of fund without the Assembly's approval across the major programmes and between staff and non-staff costs, should be considered in light of the overall FRR framework (including the use of CF), without undermining the overall budgetary control and budgetary discipline. The recent practice of inter-MP transfers calls for caution introducing even more flexibility to budget management.

<sup>94</sup> ICC-ASP/17/7.

<sup>95</sup> Rule 4.8 of the Financial Regulations and Rules.

**Recommendation n° 8 (priority 2)**

*To ensure a streamlined coherence between approval of multi-year investment projects and related annual budgetary decisions by the ASP, the External Auditor recommends the Court to submit to the ASP a proposal to extend its current IT strategy multi-year special account so that:*

- (i) it could be used as a multi-year multi-purpose mechanism allowing a carry-over of unspent regular budget resources for a list of other multi-year significant investment projects approved by the ASP;*
- (ii) adequate rules be designed, guaranteeing a robust separation of the appropriations dedicated to each approved project and a yearly reporting to the ASP.*

255. The Committee noted that the Court have already implemented multi-year special accounts in the past for IPSAS and more recently, for the proposal is made to be used for current IT strategy which was recommended by the Committee in its report ICC-ASP/17/15. In principle the introduction of multi-year funds supports the good budgeting practice and should be considered as an instrument helping to achieve savings (e.g. improved procurement planning) and ensure affordability (e.g. avoiding expenditure peaks in capital replacement). The Committee noted experience with the implementation of the IT Strategy would be invaluable before extending it to other projects and possibly considering amending the FRR, if necessary.

**Recommendation n°9 (priority 1)**

*So as to avoid adverse financial and reputational consequences in case of a liquidity shortfall, the Auditor recommends the ASP to delegate some responsibility to the Bureau, in order:*

- (i) to announce, in due time (i.e. leaving a reasonable period, such as two/three weeks – needing to be more precisely defined – before the forecasted available cash only represents less than one standard month of payments), that the Court will be exceptionally authorized to use the Contingency Fund, and/or, in case there is no sufficient cash available in the fund, to pre-negotiate a credit line;*
- (ii) to allow the Court to effectively use either or both facilities only if and when the liquidity crisis becomes obviously unavoidable (for instance, when only one or two days of cash are left), this delay also needing to be very precisely defined in advance);*
- (iii) to provide for an immediate reporting of the situation to the States Parties for both previous decisions.*

256. The Committee took note of the endorsement of the Audit Committee in relation to this recommendation. Building on the views of the Audit Committee, the Committee shared the External Auditor's concern about the liquidity risk of the Court. The Committee made similar recommendations in the past and decided to continue monitoring the situation, reiterating its recommendations in paragraphs 179-181 and 193 of this report.

**Recommendation n°10 (priority 2)**

*Concerning the key performance indicators disclosed in the Budget Performance Report appendices, the External Auditor recommends that:*

- (i) in order to offer a more coherent and budget-focused annual budget performance report, the ICC no longer publishes the appendices currently devoted to Major Programmes' key performance indicators, most of which are not measurable and have no link with the budget performance, i.e. do not even offer appropriate cost/results measurable indications;*
- (ii) in order to avoid letting external stakeholders disclose simple, but misleading budgetary indicators based on public information (for instance by dividing the actual ICC budgetary expenses by the number of guilty verdicts, of judgments, of involved individuals, of situations, etc.) the ICC takes the opportunity of its present works on the Court's Strategic Plan 2019-2021 to select, if and when possible, some specific KPIs presenting a clear correlation with the use of budgetary resources to replace the present useless KPIs disclosed in the Budget Performance Reports, which are generally not directly related to the budget;*

*(iii) Once this task has been completed, each body selects a very limited number of the most significant measurable indicators related to the budget (between two and four, if any), in order to annex them to the budget performance report. The removal of the publication of current indicators should not take place until new relevant indicators are actually available.*

257. The Committee noted ongoing discussion on KPIs and new Strategic Plans. The Committee looked forward to reviewing this matter in the context of annual performance reports of the Strategic Plans containing all data and an analysis, as well as its review of the proposed annual programme budgets of the Court.

## V. Other matters

### A. Cases before the ILO-Administrative Tribunal and Appeals Board

#### 1. Litigations before the ILO-Administrative Tribunal

258. The Committee had before it the “Report of the Court on assessment of litigation risk” and considered additional information provided by the Court during the Committee’s session.

259. The Committee observed that the International Labour Organization Administrative Tribunal (ILOAT) has delivered the seven judgments in 2019: two were delivered in February; five in July. Noting that the ILOAT holds two sessions per year, no other judgements are forthcoming in 2019.

260. The financial compensation that resulted from the judgments totalled €40.5 thousand and was recorded in the 2018 financial statements against provisions, which were audited by the External Auditor.

261. The Committee noted with concern that, at the time of its thirty-third session<sup>96</sup> 38 cases were pending before the ILOAT that represents an increase by 23 cases compared to the situation in September 2018. However, the Committee also noted that 22 of these cases related to ReVision, have been joined into a single case by the ILOAT at the request of the Court.

#### 2. Cases before the internal Appeals Board

262. There were 11 cases pending before the internal mechanism at various stages of the internal proceedings.

263. The Committee noted that an expert had been temporarily hired in order to provide guidelines to management on the way forward to establish an alternative mechanism for dispute resolution at the Court, which could eventually reduce litigation before the ILOAT. The Committee welcome the effort made by the Court in order to mitigate the litigation risk.

#### 3. Provisions related to ILOAT cases and cases before the internal Appeals Board

264. The Committee observed that by the end of 2018, the provisions for the ILOAT cases amounted to €74 thousand and an amount of €5 thousand had been recorded as a contingent liability. Five judgements that were delivered by the ILOAT in July for which the Court had estimated provision of approximately €52 thousand and €20 thousand in contingent liability the Court was ordered to pay complainants only €14.5 thousand and the remaining balance of €43.4 thousand was recorded as miscellaneous income.

265. At time of the Committee’s thirty-third session, the remaining balance of provision was approximately €405 thousand in total,<sup>97</sup> of which €340 thousand was recorded as provision and €65 thousand remain contingent liability.

266. The Committee observed that the high number of litigation cases and their potential financial impact remained significant and thus decided to continue monitoring all cases pending before ILOAT and before the internal mechanism, any future amicable settlements and other relevant development concerning litigations and progress in the establishment of alternative dispute resolution mechanisms at the Court.

<sup>97</sup> The Committee noted that the figure in the financial statements audited by the External Auditor for 2018 amounted to €335 thousand as at 31 December 2018.

267. **The Committee recommended to be provided with follow-up report at its thirty-fourth session on the status of the cases before the ILOAT and before the internal Appeals Board.**

## **B. Briefing on the mission to the Country Office in Abidjan**

268. A delegation of two members of the Committee who participated in the mission to the Country Office in Abidjan (Côte d'Ivoire) from 1-2 July 2019 briefed the Committee on the conduct of the visit and its outcome. The Delegation met the Chief of the Country Office and the staff of the Country Office with a view to learning about the challenges they face in performing their duties. Moreover, the Committee met with representatives from civil society.

269. **Having taken note of the mission report on the implementation of the objectives of the visit to the Country Office, as well as the observations and four recommendations made by the Delegation related to the Country Office's premises, procurement activities and the management of vehicles, the Committee endorsed all recommendations.**

## **C. Mandate of Committee members**

270. The Terms of Reference for the Committee provide that its members are to be elected by the Assembly for terms of "three calendar years."<sup>98</sup> The first election of Committee members took place on 21 April 2003. The Assembly decided that the terms of office of those members would begin to run from the date of their election.<sup>99</sup> The same starting date of 21 April has been adopted by the Assembly for the terms of office of members elected at subsequent elections.

271. In recent years the starting date of 21 April has caused some logistical difficulties. In particular, it has limited the options for scheduling the spring session of the Committee in the years when newly elected members take up their terms of office. In order to avoid this limitation in the future, **the Committee recommended that the Assembly adopt a starting date of 1 January and an end date of 31 December for the terms of office of Committee members, with a phase-in procedure to avoid any overlap with the terms of the existing members of the Committee.** Accordingly the members to be elected at the eighteenth session of the Assembly could be elected for terms beginning on 21 April 2020 but ending on 31 December 2022, and the members to be elected at the nineteenth session of the Assembly could be elected for terms beginning on 21 April 2021 but ending on 31 December 2023.<sup>100</sup> For subsequent elections a three year term of office running from 1 January of the year after the election could be applied. Adopting this procedure would help to ensure the most efficient operation of the Committee in the future.

## **D. Future sessions of the Committee**

272. The Committee decided tentatively to hold its thirty-fourth session from 4-8 May 2020 and its thirty-fifth session from 14 to 25 September 2020 in The Hague.

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<sup>98</sup> *Official Records ... First session ... 2002* (Resolution ICC-ASP/1/Res.4), annex, para. 2, as amended. For the first election, the Terms of Reference provided that six of the 12 members were to be elected for two years, and the other six for three years. The President of the Assembly drew lots in accordance with paragraph 13 of resolution ICC-ASP/1/Res.5 to determine the cadence of term of office for the members elected.

<sup>99</sup> See *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, First session (First and second resumptions), New York, 3-7 February and 21-23 April 2003* (ICC-ASP/1/3/Add.1), part I, para. 49.

<sup>100</sup> These dates would not apply for the election to fill a vacancy on the Committee which will take place at the eighteenth session of the Assembly, as that member will be elected to serve the remainder of the term of his or her predecessor.

## Annex I: Status of contributions as at 31 August 2019 (in euros)

		Outstanding Contributions							
State Party	Working Capital Fund	General Fund				Other Funds <sup>1</sup>	Grand Total / All Funds	Outstanding Period	
		Prior Years		Year 2019					
		Host State Loan	Budget excl. HSL	Host State Loan	Budget excl. HSL				
1	Afghanistan	-	-	-	-	-	-	-	
2	Albania	-	-	-	-	-	-	-	
3	Andorra	-	-	-	-	-	-	-	
4	Antigua and Barbuda	-	186	16,579	186	5,348	22,299	2015-2019	
5	Argentina	-	-	2,014,164	-	2,421,357	4,435,521	2018-2019	
6	Australia	-	-	-	-	-	-	-	
7	Austria	-	-	-	-	-	-	-	
8	Bangladesh	-	-	-	-	-	-	-	
9	Barbados	-	-	-	-	-	-	-	
10	Belgium	-	-	-	-	-	-	-	
11	Belize	-	-	-	143	2,602	2,745	2019	
12	Benin	-	-	-	-	-	-	-	
13	Bolivia (Plurinational State of)	-	-	-	-	42,353	42,353	2019	
14	Bosnia and Herzegovina	-	-	-	-	-	-	-	
15	Botswana	-	-	-	-	-	-	-	
16	Brazil	-	416,882	9,435,839	416,882	7,801,074	18,070,677	2017-2019	
17	Bulgaria	-	-	-	-	-	-	-	
18	Burkina Faso	-	-	-	-	-	-	-	
19	Cabo Verde	-	143	3,722	143	2,602	6,610	2017-2019	
20	Cambodia	-	-	-	-	-	-	-	
21	Canada	-	-	-	-	-	-	-	
22	Central African Republic	8	343	7,969	143	2,602	11,065	2015-2019	
23	Chad	393	369	36,570	154	10,552	48,038	2015-2019	
24	Chile	-	-	-	-	-	-	-	
25	Colombia	-	-	-	-	63,737	63,737	2019	
26	Comoros	8	371	21,584	143	2,602	24,754	2007-2019	
27	Congo	335	1,832	75,936	706	15,901	94,783	2012-2019	
28	Cook Islands	-	-	-	-	-	-	-	
29	Costa Rica	-	-	-	-	56,047	56,047	2019	
30	Côte d'Ivoire	-	-	-	-	1,057	1,057	2019	
31	Croatia	-	-	-	-	-	-	-	
32	Cyprus	-	-	-	-	-	-	-	
33	Czechia	-	-	-	-	-	-	-	
34	Democratic Republic of the Congo	-	-	-	-	383	383	2019	
35	Denmark	-	-	-	-	-	-	-	
36	Djibouti	-	262	6,455	143	2,602	9,462	2016-2019	
37	Dominica	-	-	-	-	-	-	-	
38	Dominican Republic	-	11,706	254,991	6,392	140,214	413,303	2016-2019	
39	Ecuador	-	-	-	-	211,766	211,766	2019	

## Outstanding Contributions

	State Party	Working Capital Fund	General Fund				Other Funds <sup>1</sup>	Grand Total / All Funds	Outstanding Period
			Prior Years		Year 2019				
			Host State Loan	Budget excl. HSL	Host State Loan	Budget excl. HSL			
40	El Salvador	-	-	-	-	-	-	-	
41	Estonia	-	-	-	-	-	-	-	
42	Fiji	-	-	-	-	-	-	-	
43	Finland	-	-	-	-	-	-	-	
44	France	-	-	-	-	-	-	-	
45	Gabon	-	-	-	-	-	-	-	
46	Gambia	-	-	8	143	2,602	2,753	2018-2019	
47	Georgia	-	-	-	-	-	-	-	
48	Germany	-	-	-	-	-	-	-	
49	Ghana	-	-	1,213	1,986	39,751	42,950	2018-2019	
50	Greece	-	-	-	-	-	-	-	
51	Grenada	-	-	-	-	-	-	-	
52	Guatemala	-	-	-	3,509	95,258	98,767	2019	
53	Guinea	134	371	24,169	143	7,950	32,851	2011-2019	
54	Guyana	-	-	-	-	-	-	-	
55	Honduras	-	-	-	-	2,037	2,037	2019	
56	Hungary	-	-	-	-	-	-	-	
57	Iceland	-	-	-	-	-	-	-	
58	Ireland	-	-	-	-	-	-	-	
59	Italy	-	-	-	-	-	-	-	
60	Japan	-	-	-	-	-	-	-	
61	Jordan	-	-	-	-	55,507	55,507	2019	
62	Kenya	-	-	-	-	-	-	-	
63	Latvia	-	-	-	-	-	-	-	
64	Lesotho	-	-	-	-	-	-	-	
65	Liberia	-	262	4,997	143	2,602	8,004	2016-2019	
66	Liechtenstein	-	-	-	-	-	-	-	
67	Lithuania	-	-	-	-	-	-	-	
68	Luxembourg	-	-	-	-	-	-	-	
69	Madagascar	-	-	72	430	10,552	11,054	2018-2019	
70	Malawi	-	-	-	-	-	-	-	
71	Maldives	-	-	-	143	10,552	10,695	2019	
72	Mali	-	-	-	-	-	-	-	
73	Malta	-	-	-	-	-	-	-	
74	Marshall Islands	8	343	8,208	143	2,602	11,304	2015-2019	
75	Mauritius	-	-	-	-	-	-	-	
76	Mexico	-	-	-	-	3,418,897	3,418,897	2019	
77	Mongolia	-	-	-	-	-	-	-	
78	Montenegro	-	-	-	-	-	-	-	
79	Namibia	-	-	-	-	-	-	-	
80	Nauru	-	-	-	-	-	-	-	
81	Netherlands	-	-	-	-	-	-	-	
82	New Zealand	-	-	-	-	-	-	-	
83	Niger	30	744	36,218	287	5,348	42,719	2009-2019	
84	Nigeria	-	-	13,463	12,785	661,605	687,853	2018-2019	



Outstanding Contributions									
	State Party	Working Capital Fund	General Fund				Other Funds <sup>1</sup>	Grand Total / All Funds	Outstanding Period
			Prior Years		Year 2019				
			Host State Loan	Budget excl. HSL	Host State Loan	Budget excl. HSL			
85	North Macedonia	-	-	-	-	-	-	-	
86	Norway	-	-	-	-	-	-	-	
87	Panama	-	-	-	35,007	-	35,007	2019	
88	Paraguay	-	1,423	63,991	1,423	42,353	109,190	2017-2019	
89	Peru	-	-	-	215,431	-	215,431	2019	
90	Philippines	-	-	-	-	-	-	-	
91	Poland	-	-	-	-	-	-	-	
92	Portugal	-	-	-	-	-	-	-	
93	Republic of Korea	-	-	-	340,837	-	340,837	2019	
94	Republic of Moldova	-	-	-	-	-	-	-	
95	Romania	-	-	-	-	-	-	-	
96	Saint Kitts and Nevis	-	-	-	143	2,602	2,745	2019	
97	Saint Lucia	-	-	-	-	-	-	-	
98	Saint Vincent and the Grenadines	-	-	-	143	2,602	2,745	2019	
99	Samoa	-	-	-	-	-	-	-	
100	San Marino	-	-	-	-	-	-	-	
101	Senegal	-	850	12,553	850	14,455	28,708	2017-2019	
102	Serbia	-	-	-	-	-	-	-	
103	Seychelles	-	-	-	143	5,348	5,491	2019	
104	Sierra Leone	-	-	916	143	2,602	3,661	2018-2019	
105	Slovakia	-	-	-	-	-	-	-	
106	Slovenia	-	-	-	-	-	-	-	
107	South Africa	-	-	-	-	-	-	-	
108	Spain	-	-	-	-	-	-	-	
109	State of Palestine	-	-	-	-	-	-	-	
110	Suriname	-	441	14,672	441	13,299	28,853	2018-2019	
111	Sweden	-	-	-	-	-	-	-	
112	Switzerland	-	-	-	-	-	-	-	
113	Tajikistan	-	-	-	430	10,552	10,982	2019	
114	Timor-Leste	-	-	-	-	-	-	-	
115	Trinidad and Tobago	-	-	-	-	105,811	105,811	2019	
116	Tunisia	-	-	-	-	29,905	29,905	2019	
117	Uganda	-	-	9,115	850	14,455	24,420	2018-2019	
118	United Kingdom	-	-	-	-	-	-	-	
119	United Republic of Tanzania	-	-	2,608	893	14,455	17,956	2018-2019	
120	Uruguay	-	-	-	-	230,268	230,268	2019	
121	Vanuatu	-	-	-	143	2,602	2,745	2019	
122	Venezuela (Bolivarian Republic of)	-	231,031	6,527,027	89,087	1,926,418	8,773,563	2014-2019	
123	Zambia	37	2,035	42,204	850	14,455	59,581	2016-2019	
	<b>Total</b>	<b>953</b>	<b>669,594</b>	<b>8,635,243</b>	<b>540,286</b>	<b>18,121,519</b>	<b>295</b>	<b>37,967,890</b>	

1) Regards outstanding amounts of assessed contributions to i) Contingency Fund and ii) the permanent premises by new States Parties that joined after 2015.

2) The above table excludes the total outstanding balance of €3,588 from Burundi (withdrawn State) for Host State Loan, period 2021-2046.

## Annex II: Legal aid expenditures (in euros) for defence and victims, including the Contingency Fund (2015-2019)<sup>101</sup>

	Approved Budget 2015 incl. CF	Exp. 2015 incl. CF	IR 2015 incl. CF	Approved Budget 2016 incl. CF	Exp. 2016 incl. CF	IR 2016 incl. CF	Approved Budget 2017 incl. CF	Exp. 2017 incl. CF	IR 2017 incl. CF	Approved Budget 2018 incl. CF	Exp. 2018 incl. CF	IR 2018 incl. CF	Approved Budget 2019 incl. CF	Forecast exp. 2019 incl. CF	Forecast IR 2019 incl. CF <sup>102</sup>
Legal aid for defence	2,155,600	2,786,737	129.3%	4,339,900	4,770,824	109.9%	3,328,190	3,628,583	109.0%	2,883,000	3,628,307	125.9%	3,187,800	2,933,188	92.0%
Ad-hoc counsel	200,000	244,642	122.3%	181,500	179,179	98.7%	200,000	284,678	142.3%	500,000	352,975	70.6%	300,000	409,811	136.6%
CF defence <sup>103</sup>	1,551,100	1,847,290	119.1%	0	0	0.0%	926,200	925,221	99.9%	262,700	250,693	95.4%	822,200	822,200	100%
<i>Sub-total legal aid for defence</i>	<b>3,906,700</b>	<b>4,878,669</b>	<b>124.9%</b>	<b>4,521,400</b>	<b>4,950,003</b>	<b>109.5%</b>	<b>4,454,390</b>	<b>4,838,482</b>	<b>108.6%</b>	<b>3,645,700</b>	<b>4,231,975</b>	<b>116.1%</b>	<b>4,310,000</b>	<b>4,165,199</b>	<b>96.6%</b>
Legal aid for victims	1,862,100	1,233,556	66.2%	1,963,200	1,344,596	68.5%	1,002,800	942,750	94.0%	1,165,000	1,466,223	125.9%	1,101,500	1,121,561	101.8%
CF victims <sup>†</sup>	0	0	0.0%	0	0	0.0%	425,260	398,660	93.7%	0	0	0.0%	173,000	125,000	72.2%
<i>Sub-total legal aid for victims</i>	<b>1,862,100</b>	<b>1,233,556</b>	<b>66.2%</b>	<b>1,963,200</b>	<b>1,344,596</b>	<b>68.5%</b>	<b>1,428,060</b>	<b>1,341,410</b>	<b>93.9%</b>	<b>1,165,000</b>	<b>1,466,223</b>	<b>125.9%</b>	<b>1,274,500</b>	<b>1,246,561</b>	<b>97.8%</b>
<b>Total legal aid incl. CF</b>	<b>5,768,800</b>	<b>6,112,225</b>	<b>106.0%</b>	<b>6,484,600</b>	<b>6,294,599</b>	<b>97.1%</b>	<b>5,882,450</b>	<b>6,179,892</b>	<b>105.1%</b>	<b>4,810,700</b>	<b>5,698,198</b>	<b>118.4%</b>	<b>5,584,500</b>	<b>5,411,760</b>	<b>96.9%</b>

IR = Implementation rate.

<sup>101</sup> Based on information provided by the Court.

<sup>102</sup> Based on an updated forecast as at the end of August 2019.

<sup>103</sup> CF defence and victims for the years 2013, 2014 and 2018 are based on Revised CF Notifications.

### Annex III: Budgetary implications of the Committee's recommendations (in thousands of euros)

#### Overview of 2020 proposed budget and budget recommended by the CBF for 2020 vs. 2019 approved budget

Programme Budget 2020 (thousands of euro)	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judiciary	12,107.6	(12.8)	(0.1)	12,094.8	(13.3)	(26.1)	(0.2)	12,081.5
Office of the Prosecutor	46,802.5	1,133.8	2.4	47,936.3	(552.9)	580.9	1.2	47,383.4
Registry	76,651.2	(505.7)	(0.7)	76,145.5	(228.6)	(734.3)	(1.0)	75,916.9
Secretariat of the Assembly of States Parties	2,841.7	(4.7)	(0.2)	2,837.0	-	(4.7)	(0.2)	2,837.0
Premises	1,800.0	1,288.1	71.6	3,088.1	(313.1)	975.0	54.2	2,775.0
Secretariat of the Trust Fund for Victims	3,130.3	202.7	6.5	3,333.0	(106.9)	95.8	3.1	3,226.1
Independent Oversight Mechanism	531.1	252.7	47.6	783.8	(231.9)	20.8	3.9	551.9
Office of Internal Audit	685.6	35.6	5.2	721.2	-	35.6	5.2	721.2
<b>Subtotal</b>	<b>144,550.0</b>	<b>2,389.7</b>	<b>1.7</b>	<b>146,939.7</b>	<b>(1,446.7)</b>	<b>943.0</b>	<b>0.7</b>	<b>145,493.0</b>
Host State Loan	3,585.1	-	-	3,585.1	-	-	-	3,585.1
<b>Total ICC</b>	<b>148,135.1</b>	<b>2,389.7</b>	<b>1.6</b>	<b>150,524.8</b>	<b>(1,446.7)</b>	<b>943.0</b>	<b>0.6</b>	<b>149,078.1</b>

ICC	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
<i>Judges</i>	5,662.1	(145.2)	(2.6)	5,516.9	-	(145.2)	(2.6)	5,516.9
Professional staff	60,752.2	839.6	1.4	61,591.8	(188.1)	651.5	1.1	61,403.7
General Service staff	25,356.6	718.0	2.8	26,074.6	7.8	725.8	2.9	26,082.4
<i>Subtotal staff</i>	<i>86,108.8</i>	<i>1,557.6</i>	<i>1.8</i>	<i>87,666.4</i>	<i>(180.3)</i>	<i>1,377.3</i>	<i>1.6</i>	<i>87,486.1</i>
General temporary assistance	17,126.6	444.1	2.6	17,570.7	(376.4)	67.7	0.4	17,194.3
Temporary assistance for meetings	978.7	(702.3)	(71.8)	276.4	-	(702.3)	(71.8)	276.4
Overtime	299.3	(75.8)	(25.3)	223.5	-	(75.8)	(25.3)	223.5
<i>Subtotal other staff</i>	<i>18,404.6</i>	<i>(334.0)</i>	<i>(1.8)</i>	<i>18,070.6</i>	<i>(376.4)</i>	<i>(710.4)</i>	<i>(3.9)</i>	<i>17,694.2</i>
Travel	6,152.5	202.1	3.3	6,354.6	(189.0)	13.1	0.2	6,165.6
Hospitality	29.0	(1.0)	(3.4)	28.0	-	(1.0)	(3.4)	28.0
Contractual services	4,002.9	94.3	2.4	4,097.2	(54.5)	39.8	1.0	4,042.7
Training	1,000.7	57.7	5.8	1,058.4	(13.3)	44.4	4.4	1,045.1
Consultants	667.5	(106.7)	(16.0)	560.8	(153.1)	(259.8)	(38.9)	407.7
Counsel for defence	3,487.8	(240.3)	(6.9)	3,247.5	(80.0)	(320.3)	(9.2)	3,167.5
Counsel for victims	1,101.3	198.7	18.0	1,300.0	-	198.7	18.0	1,300.0
General operating expenses	14,857.3	1,545.7	10.4	16,403.0	(374.1)	1,171.6	7.9	16,028.9
Supplies and materials	1,175.5	78.2	6.7	1,253.7	(20.0)	58.2	5.0	1,233.7
Furniture and equipment	1,900.0	(517.4)	(27.2)	1,382.6	(6.0)	(523.4)	(27.5)	1,376.6
<i>Subtotal non-staff</i>	<i>34,374.5</i>	<i>1,311.3</i>	<i>3.8</i>	<i>35,685.8</i>	<i>(890.0)</i>	<i>421.3</i>	<i>1.2</i>	<i>34,795.8</i>
<b>Total</b>	<b>144,550.0</b>	<b>2,389.7</b>	<b>1.7</b>	<b>146,939.7</b>	<b>(1,446.7)</b>	<b>943.0</b>	<b>0.7</b>	<b>145,493.0</b>
Host State Loan	3,585.1	-	-	3,585.1	-	-	-	3,585.1
<b>Total Including Host State Loan</b>	<b>148,135.1</b>	<b>2,389.7</b>	<b>1.6</b>	<b>150,524.8</b>	<b>(1,446.7)</b>	<b>943.0</b>	<b>0.6</b>	<b>149,078.1</b>

Major Programme I Judiciary	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF <sup>1</sup> recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	5,662.1	(145.2)	(2.6)	5,516.9	-	(145.2)	(2.6)	5,516.9
Professional staff	4,399.2	59.4	1.4	4,458.6	-	59.4	1.4	4,458.6
General Service staff	846.7	36.6	4.3	883.3	-	36.6	4.3	883.3
<i>Subtotal staff</i>	<i>5,245.9</i>	<i>96.0</i>	<i>1.8</i>	<i>5,341.9</i>	<i>-</i>	<i>96.0</i>	<i>1.8</i>	<i>5,341.9</i>
General temporary assistance	1,070.8	7.4	0.7	1,078.2	-	7.4	0.7	1,078.2
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>1,070.8</i>	<i>7.4</i>	<i>0.7</i>	<i>1,078.2</i>	<i>-</i>	<i>7.4</i>	<i>0.7</i>	<i>1,078.2</i>
Travel	90.8	9.9	10.9	100.7	-	9.9	10.9	100.7
Hospitality	11.0	-	-	11.0	-	-	-	11.0
Contractual services	-	-	-	-	-	-	-	-
Training	22.0	19.1	86.8	41.1	(13.3)	5.8	26.4	27.8
Consultants	5.0	-	-	5.0	-	-	-	5.0
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>128.8</i>	<i>29.0</i>	<i>22.5</i>	<i>157.8</i>	<i>(13.3)</i>	<i>15.7</i>	<i>12.2</i>	<i>144.5</i>
<b>Total</b>	<b>12,107.6</b>	<b>(12.8)</b>	<b>(0.1)</b>	<b>12,094.8</b>	<b>(13.3)</b>	<b>(26.1)</b>	<b>(0.2)</b>	<b>12,081.5</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>12,107.6</b>	<b>(12.8)</b>	<b>(0.1)</b>	<b>12,094.8</b>	<b>(13.3)</b>	<b>(26.1)</b>	<b>(0.2)</b>	<b>12,081.5</b>

1100 The Presidency	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF <sup>1</sup> recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	28.0	-	-	28.0	-	-	-	28.0
Professional staff	823.8	11.6	1.4	835.4	-	11.6	1.4	835.4
General Service staff	292.3	12.6	4.3	304.9	-	12.6	4.3	304.9
<i>Subtotal staff</i>	<i>1,116.1</i>	<i>24.2</i>	<i>2.2</i>	<i>1,140.3</i>	<i>-</i>	<i>24.2</i>	<i>2.2</i>	<i>1,140.3</i>
General temporary assistance	-	-	-	-	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>
Travel	90.8	9.9	10.9	100.7	-	9.9	10.9	100.7
Hospitality	10.0	-	-	10.0	-	-	-	10.0
Contractual services	-	-	-	-	-	-	-	-
Training	6.0	1.1	18.3	7.1	(0.3)	0.8	13.3	6.8
Consultants	5.0	-	-	5.0	-	-	-	5.0
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>111.8</i>	<i>11.0</i>	<i>9.8</i>	<i>122.8</i>	<i>(0.3)</i>	<i>10.7</i>	<i>9.6</i>	<i>122.5</i>
<b>Total</b>	<b>1,255.9</b>	<b>35.2</b>	<b>2.8</b>	<b>1,291.1</b>	<b>(0.3)</b>	<b>34.9</b>	<b>2.8</b>	<b>1,290.8</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>1,255.9</b>	<b>35.2</b>	<b>2.8</b>	<b>1,291.1</b>	<b>(0.3)</b>	<b>34.9</b>	<b>2.8</b>	<b>1,290.8</b>

1200 Chambers	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	5,634.1	(145.2)	(2.6)	5,488.9	-	(145.2)	(2.6)	5,488.9
Professional staff	3,575.4	47.8	1.3	3,623.2	-	47.8	1.3	3,623.2
General Service staff	554.4	24.0	4.3	578.4	-	24.0	4.3	578.4
<i>Subtotal staff</i>	<i>4,129.8</i>	<i>71.8</i>	<i>1.7</i>	<i>4,201.6</i>	<i>-</i>	<i>71.8</i>	<i>1.7</i>	<i>4,201.6</i>
General temporary assistance	1,070.8	7.4	0.7	1,078.2	-	7.4	0.7	1,078.2
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>1,070.8</i>	<i>7.4</i>	<i>0.7</i>	<i>1,078.2</i>	<i>-</i>	<i>7.4</i>	<i>0.7</i>	<i>1,078.2</i>
Travel	-	-	-	-	-	-	-	-
Hospitality	1.0	-	-	1.0	-	-	-	1.0
Contractual services	-	-	-	-	-	-	-	-
Training	16.0	18.0	112.5	34.0	(13.0)	5.0	31.3	21.0
Consultants	-	-	-	-	-	-	-	-
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>17.0</i>	<i>18.0</i>	<i>105.9</i>	<i>35.0</i>	<i>(13.0)</i>	<i>5.0</i>	<i>29.4</i>	<i>22.0</i>
<b>Total</b>	<b>10,851.7</b>	<b>(48.0)</b>	<b>(0.4)</b>	<b>10,803.7</b>	<b>(13.0)</b>	<b>(61.0)</b>	<b>(0.6)</b>	<b>10,790.7</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>10,851.7</b>	<b>(48.0)</b>	<b>(0.4)</b>	<b>10,803.7</b>	<b>(13.0)</b>	<b>(61.0)</b>	<b>(0.6)</b>	<b>10,790.7</b>

Major Programme II Office of the Prosecutor	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	-	-	-	-	-	-	-	-
Professional staff	26,358.7	403.8	1.5	26,762.5	(41.0)	362.8	1.4	26,721.5
General Service staff	5,167.7	253.9	4.9	5,421.6	7.8	261.7	5.1	5,429.4
<i>Subtotal staff</i>	<i>31,526.4</i>	<i>657.7</i>	<i>2.1</i>	<i>32,184.1</i>	<i>(33.2)</i>	<i>624.5</i>	<i>2.0</i>	<i>32,150.9</i>
General temporary assistance	10,193.0	476.6	4.7	10,669.6	(308.8)	167.8	1.6	10,360.8
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>10,193.0</i>	<i>476.6</i>	<i>4.7</i>	<i>10,669.6</i>	<i>(308.8)</i>	<i>167.8</i>	<i>1.6</i>	<i>10,360.8</i>
Travel	3,228.6	(0.5)	(0.0)	3,228.1	(132.4)	(132.9)	(4.1)	3,095.7
Hospitality	5.0	-	-	5.0	-	-	-	5.0
Contractual services	579.5	-	-	579.5	(52.5)	(52.5)	(9.1)	527.0
Training	290.0	-	-	290.0	-	-	-	290.0
Consultants	70.0	-	-	70.0	(20.0)	(20.0)	(28.6)	50.0
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	640.0	-	-	640.0	-	-	-	640.0
Supplies and materials	90.0	-	-	90.0	-	-	-	90.0
Furniture and equipment	180.0	-	-	180.0	(6.0)	(6.0)	(3.3)	174.0
<i>Subtotal non-staff</i>	<i>5,083.1</i>	<i>(0.5)</i>	<i>(0.0)</i>	<i>5,082.6</i>	<i>(210.9)</i>	<i>(211.4)</i>	<i>(4.2)</i>	<i>4,871.7</i>
<b>Total</b>	<b>46,802.5</b>	<b>1,133.8</b>	<b>2.4</b>	<b>47,936.3</b>	<b>(552.9)</b>	<b>580.9</b>	<b>1.2</b>	<b>47,383.4</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>46,802.5</b>	<b>1,133.8</b>	<b>2.4</b>	<b>47,936.3</b>	<b>(552.9)</b>	<b>580.9</b>	<b>1.2</b>	<b>47,383.4</b>

2110 Immediate Office of the Prosecutor / Legal Advisory Section	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
<i>Judges</i>	-	-	-	-	-	-	-	-
Professional staff	1,426.1	37.4	2.6	1,463.5	(20.5)	16.9	1.2	1,443.0
General Service staff	283.0	12.2	4.3	295.2	-	12.2	4.3	295.2
<i>Subtotal staff</i>	<i>1,709.1</i>	<i>49.6</i>	<i>2.9</i>	<i>1,758.7</i>	<i>(20.5)</i>	<i>29.1</i>	<i>1.7</i>	<i>1,738.2</i>
General temporary assistance	119.8	2.3	1.9	122.1	-	2.3	1.9	122.1
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>119.8</i>	<i>2.3</i>	<i>1.9</i>	<i>122.1</i>	<i>-</i>	<i>2.3</i>	<i>1.9</i>	<i>122.1</i>
Travel	184.5	(3.4)	(1.8)	181.1	(1.7)	(5.1)	(2.8)	179.4
Hospitality	5.0	-	-	5.0	-	-	-	5.0
Contractual services	30.0	-	-	30.0	-	-	-	30.0
Training	290.0	-	-	290.0	-	-	-	290.0
Consultants	70.0	-	-	70.0	(20.0)	(20.0)	(28.6)	50.0
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>579.5</i>	<i>(3.4)</i>	<i>(0.6)</i>	<i>576.1</i>	<i>(21.7)</i>	<i>(25.1)</i>	<i>(4.3)</i>	<i>554.4</i>
<b>Total</b>	<b>2,408.4</b>	<b>48.5</b>	<b>2.0</b>	<b>2,456.9</b>	<b>(42.2)</b>	<b>6.3</b>	<b>0.3</b>	<b>2,414.7</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>2,408.4</b>	<b>48.5</b>	<b>2.0</b>	<b>2,456.9</b>	<b>(42.2)</b>	<b>6.3</b>	<b>0.3</b>	<b>2,414.7</b>

2120 Services Section	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
<i>Judges</i>	-	-	-	-	-	-	-	-
Professional staff	1,465.1	19.7	1.3	1,484.8	-	19.7	1.3	1,484.8
General Service staff	872.3	37.7	4.3	910.0	-	37.7	4.3	910.0
<i>Subtotal staff</i>	<i>2,337.4</i>	<i>57.4</i>	<i>2.5</i>	<i>2,394.8</i>	<i>-</i>	<i>57.4</i>	<i>2.5</i>	<i>2,394.8</i>
General temporary assistance	2,054.2	(5.3)	(0.3)	2,048.9	(24.1)	(29.4)	(1.4)	2,024.8
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>2,054.2</i>	<i>(5.3)</i>	<i>(0.3)</i>	<i>2,048.9</i>	<i>(24.1)</i>	<i>(29.4)</i>	<i>(1.4)</i>	<i>2,024.8</i>
Travel	414.6	-	-	414.6	(0.2)	(0.2)	(0.0)	414.4
Hospitality	-	-	-	-	-	-	-	-
Contractual services	549.5	-	-	549.5	(52.5)	(52.5)	(9.6)	497.0
Training	-	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-	-
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	10.0	(10.0)	(100.0)	-	-	(10.0)	(100.0)	-
Supplies and materials	30.0	-	-	30.0	-	-	-	30.0
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>1,004.1</i>	<i>(10.0)</i>	<i>(1.0)</i>	<i>994.1</i>	<i>(52.7)</i>	<i>(62.7)</i>	<i>(6.2)</i>	<i>941.4</i>
<b>Total</b>	<b>5,395.7</b>	<b>42.1</b>	<b>0.8</b>	<b>5,437.8</b>	<b>(76.8)</b>	<b>(34.7)</b>	<b>(0.6)</b>	<b>5,361.0</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>5,395.7</b>	<b>42.1</b>	<b>0.8</b>	<b>5,437.8</b>	<b>(76.8)</b>	<b>(34.7)</b>	<b>(0.6)</b>	<b>5,361.0</b>

<b>2160 Information, Knowledge and Evidence Management Section</b>	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
<i>Judges</i>	-	-	-	-	-	-	-	-
Professional staff	1,070.5	56.1	5.2	1,126.6	-	56.1	5.2	1,126.6
General Service staff	1,409.1	60.9	4.3	1,470.0	-	60.9	4.3	1,470.0
<i>Subtotal staff</i>	<i>2,479.6</i>	<i>117.0</i>	<i>4.7</i>	<i>2,596.6</i>	-	<i>117.0</i>	<i>4.7</i>	<i>2,596.6</i>
General temporary assistance	1,101.6	13.0	1.2	1,114.6	-	13.0	1.2	1,114.6
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>1,101.6</i>	<i>13.0</i>	<i>1.2</i>	<i>1,114.6</i>	-	<i>13.0</i>	<i>1.2</i>	<i>1,114.6</i>
Travel	7.0	10.3	147.1	17.3	-	10.3	147.1	17.3
Hospitality	-	-	-	-	-	-	-	-
Contractual services	-	-	-	-	-	-	-	-
Training	-	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-	-
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	-	10.0	-	10.0	-	10.0	-	10.0
Supplies and materials	60.0	-	-	60.0	-	-	-	60.0
Furniture and equipment	180.0	-	-	180.0	(6.0)	(6.0)	(3.3)	174.0
<i>Subtotal non-staff</i>	<i>247.0</i>	<i>20.3</i>	<i>8.2</i>	<i>267.3</i>	<i>(6.0)</i>	<i>14.3</i>	<i>5.8</i>	<i>261.3</i>
<b>Total</b>	<b>3,828.2</b>	<b>150.3</b>	<b>3.9</b>	<b>3,978.5</b>	<b>(6.0)</b>	<b>144.3</b>	<b>3.8</b>	<b>3,972.5</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>3,828.2</b>	<b>150.3</b>	<b>3.9</b>	<b>3,978.5</b>	<b>(6.0)</b>	<b>144.3</b>	<b>3.8</b>	<b>3,972.5</b>

<b>2200 Jurisdiction, Complementarity and Cooperation Division</b>	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
<i>Judges</i>	-	-	-	-	-	-	-	-
Professional staff	2,798.0	55.5	2.0	2,853.5	(20.5)	35.0	1.3	2,833.0
General Service staff	335.5	14.5	4.3	350.0	-	14.5	4.3	350.0
<i>Subtotal staff</i>	<i>3,133.5</i>	<i>70.0</i>	<i>2.2</i>	<i>3,203.5</i>	<i>(20.5)</i>	<i>49.5</i>	<i>1.6</i>	<i>3,183.0</i>
General temporary assistance	419.3	46.6	11.1	465.9	(38.5)	8.1	1.9	427.4
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>419.3</i>	<i>46.6</i>	<i>11.1</i>	<i>465.9</i>	<i>(38.5)</i>	<i>8.1</i>	<i>1.9</i>	<i>427.4</i>
Travel	441.9	(3.6)	(0.8)	438.3	(19.2)	(22.8)	(5.2)	419.1
Hospitality	-	-	-	-	-	-	-	-
Contractual services	-	-	-	-	-	-	-	-
Training	-	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-	-
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>441.9</i>	<i>(3.6)</i>	<i>(0.8)</i>	<i>438.3</i>	<i>(19.2)</i>	<i>(22.8)</i>	<i>(5.2)</i>	<i>419.1</i>
<b>Total</b>	<b>3,994.7</b>	<b>113.0</b>	<b>2.8</b>	<b>4,107.7</b>	<b>(78.2)</b>	<b>34.8</b>	<b>0.9</b>	<b>4,029.5</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>3,994.7</b>	<b>113.0</b>	<b>2.8</b>	<b>4,107.7</b>	<b>(78.2)</b>	<b>34.8</b>	<b>0.9</b>	<b>4,029.5</b>

2300 Investigation Division	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	-	-	-	-	-	-	-	-
Professional staff	10,644.4	140.0	1.3	10,784.4	-	140.0	1.3	10,784.4
General Service staff	1,731.0	105.4	6.1	1,836.4	7.8	113.2	6.5	1,844.2
<i>Subtotal staff</i>	<i>12,375.4</i>	<i>245.4</i>	<i>2.0</i>	<i>12,620.8</i>	<i>7.8</i>	<i>253.2</i>	<i>2.0</i>	<i>12,628.6</i>
General temporary assistance	4,709.0	337.5	7.2	5,046.5	(246.2)	91.3	1.9	4,800.3
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>4,709.0</i>	<i>337.5</i>	<i>7.2</i>	<i>5,046.5</i>	<i>(246.2)</i>	<i>91.3</i>	<i>1.9</i>	<i>4,800.3</i>
Travel	1,809.0	(0.8)	(0.0)	1,808.2	(84.2)	(85.0)	(4.7)	1,724.0
Hospitality	-	-	-	-	-	-	-	-
Contractual services	-	-	-	-	-	-	-	-
Training	-	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-	-
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	630.0	-	-	630.0	-	-	-	630.0
Supplies and materials	-	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>2,439.0</i>	<i>(0.8)</i>	<i>(0.0)</i>	<i>2,438.2</i>	<i>(84.2)</i>	<i>(85.0)</i>	<i>(3.5)</i>	<i>2,354.0</i>
<b>Total</b>	<b>19,523.4</b>	<b>582.1</b>	<b>3.0</b>	<b>20,105.5</b>	<b>(322.6)</b>	<b>259.5</b>	<b>1.3</b>	<b>19,782.9</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>19,523.4</b>	<b>582.1</b>	<b>3.0</b>	<b>20,105.5</b>	<b>(322.6)</b>	<b>259.5</b>	<b>1.3</b>	<b>19,782.9</b>

2400 Prosecution Division	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	-	-	-	-	-	-	-	-
Professional staff	8,954.6	95.1	1.1	9,049.7	-	95.1	1.1	9,049.7
General Service staff	536.8	23.2	4.3	560.0	-	23.2	4.3	560.0
<i>Subtotal staff</i>	<i>9,491.4</i>	<i>118.3</i>	<i>1.2</i>	<i>9,609.7</i>	<i>-</i>	<i>118.3</i>	<i>1.2</i>	<i>9,609.7</i>
General temporary assistance	1,789.1	82.5	4.6	1,871.6	-	82.5	4.6	1,871.6
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>1,789.1</i>	<i>82.5</i>	<i>4.6</i>	<i>1,871.6</i>	<i>-</i>	<i>82.5</i>	<i>4.6</i>	<i>1,871.6</i>
Travel	371.6	(3.0)	(0.8)	368.6	(27.1)	(30.1)	(8.1)	341.5
Hospitality	-	-	-	-	-	-	-	-
Contractual services	-	-	-	-	-	-	-	-
Training	-	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-	-
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>371.6</i>	<i>(3.0)</i>	<i>(0.8)</i>	<i>368.6</i>	<i>(27.1)</i>	<i>(30.1)</i>	<i>(8.1)</i>	<i>341.5</i>
<b>Total</b>	<b>11,652.1</b>	<b>197.8</b>	<b>1.7</b>	<b>11,849.9</b>	<b>(27.1)</b>	<b>170.7</b>	<b>1.5</b>	<b>11,822.8</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>11,652.1</b>	<b>197.8</b>	<b>1.7</b>	<b>11,849.9</b>	<b>(27.1)</b>	<b>170.7</b>	<b>1.5</b>	<b>11,822.8</b>



Major Programme III Registry	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	-	-	-	-	-	-	-	-
Professional staff	27,547.0	163.0	0.6	27,710.0	-	163.0	0.6	27,710.0
General Service staff	18,708.6	399.8	2.1	19,108.4	-	399.8	2.1	19,108.4
<i>Subtotal staff</i>	<i>46,255.6</i>	<i>562.8</i>	<i>1.2</i>	<i>46,818.4</i>	<i>-</i>	<i>562.8</i>	<i>1.2</i>	<i>46,818.4</i>
General temporary assistance	3,759.2	(113.8)	(3.0)	3,645.4	(67.6)	(181.4)	(4.8)	3,577.8
Temporary assistance for meetings	811.6	(622.3)	(76.7)	189.3	-	(622.3)	(76.7)	189.3
Overtime	261.3	(51.8)	(19.8)	209.5	-	(51.8)	(19.8)	209.5
<i>Subtotal other staff</i>	<i>4,832.1</i>	<i>(787.9)</i>	<i>(16.3)</i>	<i>4,044.2</i>	<i>(67.6)</i>	<i>(855.5)</i>	<i>(17.7)</i>	<i>3,976.6</i>
Travel	2,020.5	37.7	1.9	2,058.2	-	37.7	1.9	2,058.2
Hospitality	5.0	(1.0)	(20.0)	4.0	-	(1.0)	(20.0)	4.0
Contractual services	2,707.7	77.8	2.9	2,785.5	-	77.8	2.9	2,785.5
Training	610.0	32.8	5.4	642.8	-	32.8	5.4	642.8
Consultants	467.5	(206.7)	(44.2)	260.8	-	(206.7)	(44.2)	260.8
Counsel for defence	3,487.8	(240.3)	(6.9)	3,247.5	(80.0)	(320.3)	(9.2)	3,167.5
Counsel for victims	1,101.3	198.7	18.0	1,300.0	-	198.7	18.0	1,300.0
General operating expenses	12,385.9	259.6	2.1	12,645.5	(61.0)	198.6	1.6	12,584.5
Supplies and materials	1,067.8	78.2	7.3	1,146.0	(20.0)	58.2	5.5	1,126.0
Furniture and equipment	1,710.0	(517.4)	(30.3)	1,192.6	-	(517.4)	(30.3)	1,192.6
<i>Subtotal non-staff</i>	<i>25,563.5</i>	<i>(280.6)</i>	<i>(1.1)</i>	<i>25,282.9</i>	<i>(161.0)</i>	<i>(441.6)</i>	<i>(1.7)</i>	<i>25,121.9</i>
<b>Total</b>	<b>76,651.2</b>	<b>(505.7)</b>	<b>(0.7)</b>	<b>76,145.5</b>	<b>(228.6)</b>	<b>(734.3)</b>	<b>(1.0)</b>	<b>75,916.9</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>76,651.2</b>	<b>(505.7)</b>	<b>(0.7)</b>	<b>76,145.5</b>	<b>(228.6)</b>	<b>(734.3)</b>	<b>(1.0)</b>	<b>75,916.9</b>

3100 Office of the Registrar	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	-	-	-	-	-	-	-	-
Professional staff	1,475.3	24.7	1.7	1,500.0	-	24.7	1.7	1,500.0
General Service staff	145.5	6.3	4.3	151.8	-	6.3	4.3	151.8
<i>Subtotal staff</i>	<i>1,620.8</i>	<i>31.0</i>	<i>1.9</i>	<i>1,651.8</i>	<i>-</i>	<i>31.0</i>	<i>1.9</i>	<i>1,651.8</i>
General temporary assistance	-	-	-	-	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>
Travel	47.6	(13.4)	(28.2)	34.2	-	(13.4)	(28.2)	34.2
Hospitality	4.0	-	-	4.0	-	-	-	4.0
Contractual services	-	-	-	-	-	-	-	-
Training	8.0	-	-	8.0	-	-	-	8.0
Consultants	40.0	(40.0)	(100.0)	-	-	(40.0)	(100.0)	-
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>99.6</i>	<i>(53.4)</i>	<i>(53.6)</i>	<i>46.2</i>	<i>-</i>	<i>(53.4)</i>	<i>(53.6)</i>	<i>46.2</i>
<b>Total</b>	<b>1,720.4</b>	<b>(22.4)</b>	<b>(1.3)</b>	<b>1,698.0</b>	<b>-</b>	<b>(22.4)</b>	<b>(1.3)</b>	<b>1,698.0</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>1,720.4</b>	<b>(22.4)</b>	<b>(1.3)</b>	<b>1,698.0</b>	<b>-</b>	<b>(22.4)</b>	<b>(1.3)</b>	<b>1,698.0</b>

3200 Division of Management Services (DMS)	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	-	-	-	-	-	-	-	-
Professional staff	3,806.8	62.3	1.6	3,869.1	-	62.3	1.6	3,869.1
General Service staff	9,325.6	360.7	3.9	9,686.3	-	360.7	3.9	9,686.3
<i>Subtotal staff</i>	<i>13,132.4</i>	<i>423.0</i>	<i>3.2</i>	<i>13,555.4</i>	-	<i>423.0</i>	<i>3.2</i>	<i>13,555.4</i>
General temporary assistance	617.5	128.4	20.8	745.9	(38.1)	90.3	14.6	707.8
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	243.3	(48.8)	(20.1)	194.5	-	(48.8)	(20.1)	194.5
<i>Subtotal other staff</i>	<i>860.8</i>	<i>79.6</i>	<i>9.2</i>	<i>940.4</i>	<i>(38.1)</i>	<i>41.5</i>	<i>4.8</i>	<i>902.3</i>
Travel	192.2	16.0	8.3	208.2	-	16.0	8.3	208.2
Hospitality	-	-	-	-	-	-	-	-
Contractual services	515.7	(125.2)	(24.3)	390.5	-	(125.2)	(24.3)	390.5
Training	363.3	(1.9)	(0.5)	361.4	-	(1.9)	(0.5)	361.4
Consultants	42.0	(9.0)	(21.4)	33.0	-	(9.0)	(21.4)	33.0
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	3,071.4	6.9	0.2	3,078.3	-	6.9	0.2	3,078.3
Supplies and materials	291.7	-	-	291.7	-	-	-	291.7
Furniture and equipment	378.5	-	-	378.5	-	-	-	378.5
<i>Subtotal non-staff</i>	<i>4,854.8</i>	<i>(113.2)</i>	<i>(2.3)</i>	<i>4,741.6</i>	-	<i>(113.2)</i>	<i>(2.3)</i>	<i>4,741.6</i>
<b>Total</b>	<b>18,848.0</b>	<b>389.4</b>	<b>2.1</b>	<b>19,237.4</b>	<b>(38.1)</b>	<b>351.3</b>	<b>1.9</b>	<b>19,199.3</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>18,848.0</b>	<b>389.4</b>	<b>2.1</b>	<b>19,237.4</b>	<b>(38.1)</b>	<b>351.3</b>	<b>1.9</b>	<b>19,199.3</b>

3300 Division of Judicial Services (DJS)	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	-	-	-	-	-	-	-	-
Professional staff	11,932.9	(188.6)	(1.6)	11,744.3	-	(188.6)	(1.6)	11,744.3
General Service staff	5,047.0	(85.4)	(1.7)	4,961.6	-	(85.4)	(1.7)	4,961.6
<i>Subtotal staff</i>	<i>16,979.9</i>	<i>(274.0)</i>	<i>(1.6)</i>	<i>16,705.9</i>	-	<i>(274.0)</i>	<i>(1.6)</i>	<i>16,705.9</i>
General temporary assistance	1,434.1	(162.7)	(11.3)	1,271.4	-	(162.7)	(11.3)	1,271.4
Temporary assistance for meetings	705.2	(515.9)	(73.2)	189.3	-	(515.9)	(73.2)	189.3
Overtime	15.0	-	-	15.0	-	-	-	15.0
<i>Subtotal other staff</i>	<i>2,154.3</i>	<i>(678.6)</i>	<i>(31.5)</i>	<i>1,475.7</i>	-	<i>(678.6)</i>	<i>(31.5)</i>	<i>1,475.7</i>
Travel	365.5	(41.2)	(11.3)	324.3	-	(41.2)	(11.3)	324.3
Hospitality	-	-	-	-	-	-	-	-
Contractual services	1,022.7	214.0	20.9	1,236.7	-	214.0	20.9	1,236.7
Training	91.5	(0.4)	(0.4)	91.1	-	(0.4)	(0.4)	91.1
Consultants	385.5	(157.7)	(40.9)	227.8	-	(157.7)	(40.9)	227.8
Counsel for defence	3,487.8	(240.3)	(6.9)	3,247.5	(80.0)	(320.3)	(9.2)	3,167.5
Counsel for victims	1,101.3	198.7	18.0	1,300.0	-	198.7	18.0	1,300.0
General operating expenses	6,124.9	391.1	6.4	6,516.0	(61.0)	330.1	5.4	6,455.0
Supplies and materials	353.5	(15.0)	(4.2)	338.5	(20.0)	(35.0)	(9.9)	318.5
Furniture and equipment	1,306.0	(546.0)	(41.8)	760.0	-	(546.0)	(41.8)	760.0
<i>Subtotal non-staff</i>	<i>14,238.7</i>	<i>(196.8)</i>	<i>(1.4)</i>	<i>14,041.9</i>	<i>(161.0)</i>	<i>(357.8)</i>	<i>(2.5)</i>	<i>13,880.9</i>
<b>Total</b>	<b>33,372.9</b>	<b>(1,149.4)</b>	<b>(3.4)</b>	<b>32,223.5</b>	<b>(161.0)</b>	<b>(1,310.4)</b>	<b>(3.9)</b>	<b>32,062.5</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>33,372.9</b>	<b>(1,149.4)</b>	<b>(3.4)</b>	<b>32,223.5</b>	<b>(161.0)</b>	<b>(1,310.4)</b>	<b>(3.9)</b>	<b>32,062.5</b>

<b>3800 Division of External Operations (DEO)</b>	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
<i>Judges</i>	-	-	-	-	-	-	-	-
Professional staff	10,332.0	264.6	2.6	10,596.6	-	264.6	2.6	10,596.6
General Service staff	4,190.5	118.2	2.8	4,308.7	-	118.2	2.8	4,308.7
<i>Subtotal staff</i>	<i>14,522.5</i>	<i>382.8</i>	<i>2.6</i>	<i>14,905.3</i>	-	<i>382.8</i>	<i>2.6</i>	<i>14,905.3</i>
General temporary assistance	1,707.6	(79.5)	(4.7)	1,628.1	(29.5)	(109.0)	(6.4)	1,598.6
Temporary assistance for meetings	106.4	(106.4)	(100.0)	-	-	(106.4)	(100.0)	-
Overtime	3.0	(3.0)	(100.0)	-	-	(3.0)	(100.0)	-
<i>Subtotal other staff</i>	<i>1,817.0</i>	<i>(188.9)</i>	<i>(10.4)</i>	<i>1,628.1</i>	<i>(29.5)</i>	<i>(218.4)</i>	<i>(12.0)</i>	<i>1,598.6</i>
Travel	1,415.2	76.3	5.4	1,491.5	-	76.3	5.4	1,491.5
Hospitality	1.0	(1.0)	(100.0)	-	-	(1.0)	(100.0)	-
Contractual services	1,169.3	(11.0)	(0.9)	1,158.3	-	(11.0)	(0.9)	1,158.3
Training	147.2	35.1	23.8	182.3	-	35.1	23.8	182.3
Consultants	-	-	-	-	-	-	-	-
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	3,189.6	(138.4)	(4.3)	3,051.2	-	(138.4)	(4.3)	3,051.2
Supplies and materials	422.6	93.2	22.1	515.8	-	93.2	22.1	515.8
Furniture and equipment	25.5	28.6	112.2	54.1	-	28.6	112.2	54.1
<i>Subtotal non-staff</i>	<i>6,370.4</i>	<i>82.8</i>	<i>1.3</i>	<i>6,453.2</i>	-	<i>82.8</i>	<i>1.3</i>	<i>6,453.2</i>
<b>Total</b>	<b>22,709.9</b>	<b>276.7</b>	<b>1.2</b>	<b>22,986.6</b>	<b>(29.5)</b>	<b>247.2</b>	<b>1.1</b>	<b>22,957.1</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>22,709.9</b>	<b>276.7</b>	<b>1.2</b>	<b>22,986.6</b>	<b>(29.5)</b>	<b>247.2</b>	<b>1.1</b>	<b>22,957.1</b>

<b>Major Programme IV Secretariat of the Assembly of States Parties</b>	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
<i>Judges</i>	-	-	-	-	-	-	-	-
Professional staff	647.7	10.7	1.7	658.4	-	10.7	1.7	658.4
General Service staff	356.6	15.5	4.3	372.1	-	15.5	4.3	372.1
<i>Subtotal staff</i>	<i>1,004.3</i>	<i>26.2</i>	<i>2.6</i>	<i>1,030.5</i>	-	<i>26.2</i>	<i>2.6</i>	<i>1,030.5</i>
General temporary assistance	566.3	(84.2)	(14.9)	482.1	-	(84.2)	(14.9)	482.1
Temporary assistance for meetings	167.1	(80.0)	(47.9)	87.1	-	(80.0)	(47.9)	87.1
Overtime	38.0	(24.0)	(63.2)	14.0	-	(24.0)	(63.2)	14.0
<i>Subtotal other staff</i>	<i>771.4</i>	<i>(188.2)</i>	<i>(24.4)</i>	<i>583.2</i>	-	<i>(188.2)</i>	<i>(24.4)</i>	<i>583.2</i>
Travel	438.9	142.7	32.5	581.6	-	142.7	32.5	581.6
Hospitality	7.0	-	-	7.0	-	-	-	7.0
Contractual services	568.7	16.5	2.9	585.2	-	16.5	2.9	585.2
Training	7.3	0.1	1.4	7.4	-	0.1	1.4	7.4
Consultants	-	-	-	-	-	-	-	-
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	24.4	(2.0)	(8.2)	22.4	-	(2.0)	(8.2)	22.4
Supplies and materials	14.7	-	-	14.7	-	-	-	14.7
Furniture and equipment	5.0	-	-	5.0	-	-	-	5.0
<i>Subtotal non-staff</i>	<i>1,066.0</i>	<i>157.3</i>	<i>14.8</i>	<i>1,223.3</i>	-	<i>157.3</i>	<i>14.8</i>	<i>1,223.3</i>
<b>Total</b>	<b>2,841.7</b>	<b>(4.7)</b>	<b>(0.2)</b>	<b>2,837.0</b>	-	<b>(4.7)</b>	<b>(0.2)</b>	<b>2,837.0</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>2,841.7</b>	<b>(4.7)</b>	<b>(0.2)</b>	<b>2,837.0</b>	-	<b>(4.7)</b>	<b>(0.2)</b>	<b>2,837.0</b>

4100 ASP Conference	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	-	-	-	-	-	-	-	-
Professional staff	-	-	-	-	-	-	-	-
General Service staff	-	-	-	-	-	-	-	-
<i>Subtotal staff</i>	-	-	-	-	-	-	-	-
General temporary assistance	327.2	(90.9)	(27.8)	236.3	-	(90.9)	(27.8)	236.3
Temporary assistance for meetings	107.1	(80.0)	(74.7)	27.1	-	(80.0)	(74.7)	27.1
Overtime	20.0	(11.0)	(55.0)	9.0	-	(11.0)	(55.0)	9.0
<i>Subtotal other staff</i>	454.3	(181.9)	(40.0)	272.4	-	(181.9)	(40.0)	272.4
Travel	-	64.0	-	64.0	-	64.0	-	64.0
Hospitality	-	-	-	-	-	-	-	-
Contractual services	413.0	15.9	3.8	428.9	-	15.9	3.8	428.9
Training	-	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-	-
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	11.0	-	-	11.0	-	-	-	11.0
Supplies and materials	10.0	-	-	10.0	-	-	-	10.0
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	434.0	79.9	18.4	513.9	-	79.9	18.4	513.9
<b>Total</b>	<b>888.3</b>	<b>(102.0)</b>	<b>(11.5)</b>	<b>786.3</b>	<b>-</b>	<b>(102.0)</b>	<b>(11.5)</b>	<b>786.3</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>888.3</b>	<b>(102.0)</b>	<b>(11.5)</b>	<b>786.3</b>	<b>-</b>	<b>(102.0)</b>	<b>(11.5)</b>	<b>786.3</b>

4200 ASP Secretariat	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	-	-	-	-	-	-	-	-
Professional staff	498.1	7.8	1.6	505.9	-	7.8	1.6	505.9
General Service staff	276.7	12.1	4.4	288.8	-	12.1	4.4	288.8
<i>Subtotal staff</i>	774.8	19.9	2.6	794.7	-	19.9	2.6	794.7
General temporary assistance	-	-	-	-	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	18.0	(13.0)	(72.2)	5.0	-	(13.0)	(72.2)	5.0
<i>Subtotal other staff</i>	18.0	(13.0)	(72.2)	5.0	-	(13.0)	(72.2)	5.0
Travel	16.0	86.1	538.1	102.1	-	86.1	538.1	102.1
Hospitality	1.0	-	-	1.0	-	-	-	1.0
Contractual services	-	-	-	-	-	-	-	-
Training	2.9	-	-	2.9	-	-	-	2.9
Consultants	-	-	-	-	-	-	-	-
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-	-
Supplies and materials	4.7	-	-	4.7	-	-	-	4.7
Furniture and equipment	5.0	-	-	5.0	-	-	-	5.0
<i>Subtotal non-staff</i>	29.6	86.1	290.9	115.7	-	86.1	290.9	115.7
<b>Total</b>	<b>822.4</b>	<b>93.0</b>	<b>11.3</b>	<b>915.4</b>	<b>-</b>	<b>93.0</b>	<b>11.3</b>	<b>915.4</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>822.4</b>	<b>93.0</b>	<b>11.3</b>	<b>915.4</b>	<b>-</b>	<b>93.0</b>	<b>11.3</b>	<b>915.4</b>

4400 Office of the President of the Assembly	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	-	-	-	-	-	-	-	-
Professional staff	-	-	-	-	-	-	-	-
General Service staff	-	-	-	-	-	-	-	-
<i>Subtotal staff</i>	-	-	-	-	-	-	-	-
General temporary assistance	109.3	4.2	3.8	113.5	-	4.2	3.8	113.5
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	109.3	4.2	3.8	113.5	-	4.2	3.8	113.5
Travel	115.4	0.3	0.3	115.7	-	0.3	0.3	115.7
Hospitality	-	-	-	-	-	-	-	-
Contractual services	12.0	-	-	12.0	-	-	-	12.0
Training	-	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-	-
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	127.4	0.3	0.2	127.7	-	0.3	0.2	127.7
<b>Total</b>	<b>236.7</b>	<b>4.5</b>	<b>1.9</b>	<b>241.2</b>	<b>-</b>	<b>4.5</b>	<b>1.9</b>	<b>241.2</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>236.7</b>	<b>4.5</b>	<b>1.9</b>	<b>241.2</b>	<b>-</b>	<b>4.5</b>	<b>1.9</b>	<b>241.2</b>

4500 Committee on Budget and Finance	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	-	-	-	-	-	-	-	-
Professional staff	149.6	2.9	1.9	152.5	-	2.9	1.9	152.5
General Service staff	79.9	3.4	4.3	83.3	-	3.4	4.3	83.3
<i>Subtotal staff</i>	229.5	6.3	2.7	235.8	-	6.3	2.7	235.8
General temporary assistance	129.8	2.5	1.9	132.3	-	2.5	1.9	132.3
Temporary assistance for meetings	60.0	-	-	60.0	-	-	-	60.0
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	189.8	2.5	1.3	192.3	-	2.5	1.3	192.3
Travel	307.5	(7.7)	(2.5)	299.8	-	(7.7)	(2.5)	299.8
Hospitality	6.0	-	-	6.0	-	-	-	6.0
Contractual services	143.7	0.6	0.4	144.3	-	0.6	0.4	144.3
Training	4.4	0.1	2.3	4.5	-	0.1	2.3	4.5
Consultants	-	-	-	-	-	-	-	-
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	13.4	(2.0)	(14.9)	11.4	-	(2.0)	(14.9)	11.4
Supplies and materials	-	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	475.0	(9.0)	(1.9)	466.0	-	(9.0)	(1.9)	466.0
<b>Total</b>	<b>894.3</b>	<b>(0.2)</b>	<b>(0.0)</b>	<b>894.1</b>	<b>-</b>	<b>(0.2)</b>	<b>(0.0)</b>	<b>894.1</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>894.3</b>	<b>(0.2)</b>	<b>(0.0)</b>	<b>894.1</b>	<b>-</b>	<b>(0.2)</b>	<b>(0.0)</b>	<b>894.1</b>

Major Programme V Premises	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	-	-	-	-	-	-	-	-
Professional staff	-	-	-	-	-	-	-	-
General Service staff	-	-	-	-	-	-	-	-
<i>Subtotal staff</i>	-	-	-	-	-	-	-	-
General temporary assistance	-	-	-	-	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	-	-	-	-	-	-	-	-
Travel	-	-	-	-	-	-	-	-
Hospitality	-	-	-	-	-	-	-	-
Contractual services	-	-	-	-	-	-	-	-
Training	-	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-	-
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	1,800.0	1,288.1	71.6	3,088.1	(313.1)	975.0	54.2	2,775.0
Supplies and materials	-	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	1,800.0	1,288.1	71.6	3,088.1	(313.1)	975.0	54.2	2,775.0
<b>Total</b>	<b>1,800.0</b>	<b>1,288.1</b>	<b>71.6</b>	<b>3,088.1</b>	<b>(313.1)</b>	<b>975.0</b>	<b>54.2</b>	<b>2,775.0</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>1,800.0</b>	<b>1,288.1</b>	<b>71.6</b>	<b>3,088.1</b>	<b>(313.1)</b>	<b>975.0</b>	<b>54.2</b>	<b>2,775.0</b>

Major Programme VI Secretariat of the Trust Fund for Victims	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	-	-	-	-	-	-	-	-
Professional staff	935.6	41.1	4.4	976.7	-	41.1	4.4	976.7
General Service staff	131.2	5.8	4.4	137.0	-	5.8	4.4	137.0
<i>Subtotal staff</i>	1,066.8	46.9	4.4	1,113.7	-	46.9	4.4	1,113.7
General temporary assistance	1,417.5	155.8	11.0	1,573.3	-	155.8	11.0	1,573.3
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	1,417.5	155.8	11.0	1,573.3	-	155.8	11.0	1,573.3
Travel	352.8	-	-	352.8	(51.8)	(51.8)	(14.7)	301.0
Hospitality	1.0	-	-	1.0	-	-	-	1.0
Contractual services	147.0	-	-	147.0	(2.0)	(2.0)	(1.4)	145.0
Training	32.2	-	-	32.2	-	-	-	32.2
Consultants	105.0	-	-	105.0	(53.1)	(53.1)	(50.6)	51.9
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	5.0	-	-	5.0	-	-	-	5.0
Supplies and materials	3.0	-	-	3.0	-	-	-	3.0
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	646.0	-	-	646.0	(106.9)	(106.9)	(16.5)	539.1
<b>Total</b>	<b>3,130.3</b>	<b>202.7</b>	<b>6.5</b>	<b>3,333.0</b>	<b>(106.9)</b>	<b>95.8</b>	<b>3.1</b>	<b>3,226.1</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>3,130.3</b>	<b>202.7</b>	<b>6.5</b>	<b>3,333.0</b>	<b>(106.9)</b>	<b>95.8</b>	<b>3.1</b>	<b>3,226.1</b>

Major Programme VII-5 Independent Oversight Mechanism	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
<i>Judges</i>	-	-	-	-	-	-	-	-
Professional staff	409.1	152.8	37.4	561.9	(147.1)	5.7	1.4	414.8
General Service staff	72.9	3.2	4.4	76.1	-	3.2	4.4	76.1
<i>Subtotal staff</i>	<i>482.0</i>	<i>156.0</i>	<i>32.4</i>	<i>638.0</i>	<i>(147.1)</i>	<i>8.9</i>	<i>1.8</i>	<i>490.9</i>
General temporary assistance	-	-	-	-	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>
Travel	10.6	11.8	111.3	22.4	(4.8)	7.0	66.0	17.6
Hospitality	-	-	-	-	-	-	-	-
Contractual services	-	-	-	-	-	-	-	-
Training	11.5	4.9	42.6	16.4	-	4.9	42.6	16.4
Consultants	20.0	80.0	400.0	100.0	(80.0)	-	-	20.0
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	2.0	-	-	2.0	-	-	-	2.0
Supplies and materials	-	-	-	-	-	-	-	-
Furniture and equipment	5.0	-	-	5.0	-	-	-	5.0
<i>Subtotal non-staff</i>	<i>49.1</i>	<i>96.7</i>	<i>196.9</i>	<i>145.8</i>	<i>(84.8)</i>	<i>11.9</i>	<i>24.2</i>	<i>61.0</i>
<b>Total</b>	<b>531.1</b>	<b>252.7</b>	<b>47.6</b>	<b>783.8</b>	<b>(231.9)</b>	<b>20.8</b>	<b>3.9</b>	<b>551.9</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>531.1</b>	<b>252.7</b>	<b>47.6</b>	<b>783.8</b>	<b>(231.9)</b>	<b>20.8</b>	<b>3.9</b>	<b>551.9</b>

Major Programme VII-6 Office of Internal Audit	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
<i>Judges</i>	-	-	-	-	-	-	-	-
Professional staff	454.9	8.8	1.9	463.7	-	8.8	1.9	463.7
General Service staff	72.9	3.2	4.4	76.1	-	3.2	4.4	76.1
<i>Subtotal staff</i>	<i>527.8</i>	<i>12.0</i>	<i>2.3</i>	<i>539.8</i>	<i>-</i>	<i>12.0</i>	<i>2.3</i>	<i>539.8</i>
General temporary assistance	119.8	2.3	1.9	122.1	-	2.3	1.9	122.1
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>119.8</i>	<i>2.3</i>	<i>1.9</i>	<i>122.1</i>	<i>-</i>	<i>2.3</i>	<i>1.9</i>	<i>122.1</i>
Travel	10.3	0.5	4.9	10.8	-	0.5	4.9	10.8
Hospitality	-	-	-	-	-	-	-	-
Contractual services	-	-	-	-	-	-	-	-
Training	27.7	0.8	2.9	28.5	-	0.8	2.9	28.5
Consultants	-	20.0	-	20.0	-	20.0	-	20.0
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>38.0</i>	<i>21.3</i>	<i>56.1</i>	<i>59.3</i>	<i>-</i>	<i>21.3</i>	<i>56.1</i>	<i>59.3</i>
<b>Total</b>	<b>685.6</b>	<b>35.6</b>	<b>5.2</b>	<b>721.2</b>	<b>-</b>	<b>35.6</b>	<b>5.2</b>	<b>721.2</b>
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
<b>Total Including Host State Loan</b>	<b>685.6</b>	<b>35.6</b>	<b>5.2</b>	<b>721.2</b>	<b>-</b>	<b>35.6</b>	<b>5.2</b>	<b>721.2</b>

Major Programme VII-2 Host State Loan	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommendations	CBF Recommended Changes	Resource changes		Proposed 2020 Budget After CBF recommendations
		Amount	%			Amount	%	
Judges	-	-	-	-	-	-	-	-
Professional staff	-	-	-	-	-	-	-	-
General Service staff	-	-	-	-	-	-	-	-
<i>Subtotal staff</i>	-	-	-	-	-	-	-	-
General temporary assistance	-	-	-	-	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	-	-	-	-	-	-	-	-
Travel	-	-	-	-	-	-	-	-
Hospitality	-	-	-	-	-	-	-	-
Contractual services	-	-	-	-	-	-	-	-
Training	-	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-	-
Counsel for defence	-	-	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	-	-	-	-	-	-	-	-
<b>Total</b>	-	-	-	-	-	-	-	-
<i>Host State Loan</i>	3,585.1	-	-	3,585.1	-	-	-	3,585.1
<b>Total Including Host State Loan</b>	<b>3,585.1</b>	-	-	<b>3,585.1</b>	-	-	-	<b>3,585.1</b>



### Annex IV: Requests to access the Contingency Fund (as at 1 September 2019)

<i>Number</i>	<i>Date</i>	<i>Justification</i>	<i>Amount requested (€)</i>
1	08/04/2019	Unforeseen and unavoidable costs with regard to the case of <i>The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé</i> in the situation in Côte d'Ivoire.	327,400.00
2	24/07/2019	Unforeseen and unavoidable costs with regard to the case of <i>The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé</i> in the situation in Côte d'Ivoire	130,700.00
2	31/07/2019	Unforeseen and unavoidable costs with regard to <i>The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona</i> in the Situation in the Central African Republic II	1,989,200.00
<b><i>Total amount of notifications</i></b>			<b>2,447,300.00</b>

**Annex V: List of documents**

<i>CBF document symbol</i>	<i>Title</i>	<i>ASP document symbol (if converted)</i>
CBF/33/1	Provisional agenda	
CBF/33/2	Report of the Court on the possible extension of the Junior Professional Officer Programme beyond the second year	
CBF/33/3	Report of the Court on securing payment of the host State loan	
CBF/33/4	Report of the Trust Fund for Victims on the 15 per cent rate of administrative costs in services contracts with implementing partners	
CBF/33/6	Report of the Court on its guidelines for the receipt and expenditure of voluntary contributions and extra budgetary resources	
CBF/33/7	Trust Fund for Victims Progress Report on Private Fundraising	
CBF/33/8	Report of the Court on information on capital replacement mechanisms and best practices of other international organizations provided through participation in the Inter-Agency Network of Facilities Managers	
CBF/33/9	Trust Fund for Victims progress report on certification during the implementation of reparations awards	
CBF/33/10	Report of the Trust Fund for Victims on financial self-sustainability	
CBF/33/12	Report of the Court on Cost Ratios	
CBF/33/13	Strategic Plan of the Court (2019-2021)	
CBF/33/14	OTP Strategic Plan (2019-2021)	
CBF/33/15	Registry Strategic Plan (2019-2021)	
CBF/33/16	Key Performance Indicators Registry	
CBF/33/17	Report of the Court on its Five-Year IT/IM Strategy	
CBF/33/18	Draft legal aid policy of the International Criminal Court, Amendment proposal, version 2.5	
CBF/33/19	Report on Budget Performance of the International Criminal Court as at 30 June 2019	
CBF/33/20	Report on the implementation of the OTP Strategic Plan 2016-2018	
ICC-ASP/18/2/Rev.1	Final Audit Report on the Budget Process at the ICC	
ICC-ASP/18/10 ICC-ASP/18/INF.3	Proposed Programme Budget for 2020 of the International Criminal Court - Advance version and Executive Summary	
ICC-ASP/18/12	Financial statements of the International Criminal Court for the year ended 31 December 2018	
ICC-ASP/18/13	Financial statements of the Trust Fund for Victims for the year ended 31 December 2018	
ICC-ASP/18/14	Report to the Assembly of States Parties on the projects and the activities of the Board of Directors of the Trust Fund for Victims for the period 1 July 2018 to 30 June 2019	
CBF33/13P01	CBF - Mission report - CO Abidjan	
AC/10/5	Report of the Audit Committee on the work of its tenth session (final version)	

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