

**ASSEMBLY OF STATES PARTIES TO
THE ROME STATUTE OF THE
INTERNATIONAL CRIMINAL COURT**

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Note

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Part A

Proposed Programme Budget for 2020 of the International Criminal Court*

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List of abbreviations and acronyms

ASG	Assistant Secretary-General
ASP	Assembly of States Parties
AU	African Union
AULO	African Union Liaison Office
AV	Audio-visual
BCS	Budget Control System
BPC	Business Planning and Consolidation
BS	Budget Section
CAB	Classification Advisory Board
CAR	Central African Republic (Bangui)
CBF	Committee on Budget and Finance
CIV	Côte d'Ivoire (Abidjan)
CMS	Court Management Section
CO	Country Offices
CoCo	Coordination Council
CSS	Counsel Support Section
D	Director
DEO	Division of External Operations
DJS	Division of Judicial Services (formerly DCS: Division of Court Services)
DMS	Division of Management Services (formerly CASD: Common Administrative Services Division)
DRC	Democratic Republic of the Congo (Kinshasa and Bunia)
DRS	Digital Recording System
DS	Detention Section
DSA	Daily subsistence allowance
ECOS	eCourt operating system
EO	External Offices
EOSS	External Operations Support Section
FO	Field Office
FPC	Financial Planning and Control
FS	Finance Section
FSS	Forensic Science Section
FTE	Full-time equivalent
GCDN	Global Communications and Data Network
GEO	Georgia
GRGB	Geographical Representation and Gender Balance
GS	General Service
GS-OL	General Service (Other Level)
GS-PL	General Service (Principal Level)
GSS	General Services Section
GTA	General temporary assistance
HQ	Headquarters
HR	Human resources
HRS	Human Resources Section
IAS	Investigative Analysis Section
IBA	International Bar Association
ICC	International Criminal Court
ICCPP	International Criminal Court Protection Programme
ICS	International Cooperation Section
ICT	Information and communication technologies
ICTY	International Criminal Tribunal for the former Yugoslavia
IEU	Information and Evidence Unit
IGO	Intergovernmental organization

IKEMS	Information, Knowledge and Evidence Management Section
ILOAT	International Labour Organization Administrative Tribunal
IMSS	Information Management Services Section (formerly ICTS: Info. and Comm. Technologies Section)
INTERPOL	International Criminal Police Organization
IOM	Independent Oversight Mechanism
IOP	Immediate Office of the Prosecutor
IOR	Immediate Office of the Registrar
IPSAS	International Public Sector Accounting Standards
IRS	Initial Response System
IT	Information technologies
JCCD	Jurisdiction, Complementarity and Cooperation Division
KBU	Knowledge-Base Unit
KEN	Kenya (Nairobi)
LAS	Legal Advisory Section (in OTP)
LBY	Libya
LO	Legal Office (formerly LASS: Legal Advisory Services Section (Registry))
LRV	Legal Representative for Victims
LSS	Language Services Section (formerly STIC: Court Interpretation and Translation Section)
LSU	Language Services Unit
MIS	Management information system
MLI	Mali
MOSS	Minimum Operating Security Standards
NGO	Non-governmental organization
OD-DEO	Office of the Director of the Division of External Operations
OD-DJS	Office of the Director of the Division of Judicial Services
OD-DMS	Office of the Director of the Division of Management Services
OIA	Office of Internal Audit
OPCD	Office of Public Counsel for the Defence
OPCV	Office of Public Counsel for Victims
OTP	Office of the Prosecutor
P	Professional
PIOS	Public Information and Outreach Section (formerly PIDS: Public Information and Documentation Section)
RMT	Registry Management Team
RSM	Residual Security Measures
SAP	Enterprise Resource Planning System
SAS	Situation Analysis Section
SG	Strategic goal
SO	Strategic objective
SS	Services Section
SSAFE	Safe and Secure Approaches in Field Environments
SSS	Security and Safety Section
SUD	Darfur, Sudan
TFV	Trust Fund for Victims
UGA	Uganda (Kampala)
UNDSS	United Nations Department of Safety and Security
UNJSPF	United Nations Joint Staff Pension Fund
UNSMS	United Nations Security Management System
USG	Under-Secretary-General
VAMS	Victims Application Management System
VPRS	Victims Participation and Reparations Section
VTC	Video teleconferencing
VWS	Victims and Witnesses Section (formerly VWU: Victims and Witnesses Unit)
WCF	Working Capital Fund

Foreword by the Principals of the International Criminal Court

The Hague, Netherlands, 12 July 2019

We are pleased to present the Proposed Programme Budget for 2020 for the consideration of the Assembly of States Parties (“the Assembly”).

The organs of the International Criminal Court (“the Court”) have worked diligently to present a coherent, detailed and self-explanatory budget document, building on past efforts to improve the budget process and further strengthen the One-Court principle. The budgetary impact of the identified core priority activities has been duly considered throughout this process, which involved enhanced inter-organ consultations and interaction – including frequent and efficient meetings of the Coordination Council and the Budget Working Group – to establish Court-wide budgetary priorities and needs.

The coherence of the budget process and document has been further strengthened, this year, by means of the new strategic plans promulgated across the Court: the Court-wide Strategic Plan for 2019-2021 forms the cornerstone of the Court’s budget planning for 2020 and beyond. It is complemented by and aligned with distinct Strategic Plans for the same period for the Office of the Prosecutor and for the Registry. The Strategic Plan for the Trust Fund for Victims (2019-2021), which is in preparation, will also be aligned on the basis of the prevailing strategic goals. As confirmed in the Court-wide Strategic Plan, this approach will ensure that the best possible use is made of the Court’s resources. It will also ensure that on matters of common concern, such as human resources or ICT, a harmonized approach is adopted, taking into account the specificities of each organ.

We are resolved to increase the expeditiousness and efficiency of the Court’s core activities of preliminary examinations, investigations, trials and reparations within our respective mandates. In doing so, the Court must preserve the independence, fairness and highest legal standards and quality of its proceedings, protecting the safety and well-being of the persons involved, in particular victims and witnesses.

Taking into account its strategic goals, the Court is proposing a budget increase for 2020 of €2,389.7 thousand, or 1.6 per cent, over the approved budget for 2019. This represents a proposed budget amounting to €150,524.8 thousand to cater for, *inter alia*, preliminary examinations, investigations and prosecutions, trials, witness protection, language services, legal aid, genuine and effective reparations and assistance to victims, and management of its various facilities.

The Court’s judicious approach to budget planning and implementation, as well as its level of resources, impose a strict discipline on the work of the Court as it implements its new strategy. More flexibility, redeployment and efficiencies continue to be explored and developed, along with prioritization of activities. However, the quality of the Court’s work cannot be compromised. In the absence of sufficient resources, it is often the expeditiousness of investigations or proceedings, or quantity of activities that can be simultaneously undertaken, that are impacted.

The Court is committed to further reinforcing a culture and a practice of the highest integrity, responsiveness, appropriate collaboration within distinct mandates, continuous learning and improvement throughout the organization. The Court’s Strategic Plans for 2019-2021 represent a concrete expression of that commitment, building on what is already in place.

The Court stands ready to intensify discussions with States Parties on how best to ensure an optimum working relationship, taking into account the roles of all stakeholders and the investment in the Court with a view to further strengthening the Rome Statute system of international criminal justice.

We hope that the carefully composed, fit for purpose, Proposed Programme Budget for 2020 meets with your approval. We thank you for your consideration.

Yours faithfully,

[Signed]
Chile Eboe-Osuji
President

[Signed]
Fatou Bensouda
Prosecutor

[Signed]
Peter Lewis
Registrar

I. Overview of 2020 Proposed Programme Budget, budget priorities and operating parameters

A. Introduction

1. The International Criminal Court (“the Court”) was established by the Rome Statute – adopted 21 years ago – as the only independent, permanent international court with jurisdiction over the most serious crimes of international concern and the power to award reparations to victims. The Court’s jurisdiction is complementary to that of domestic criminal courts, meaning that it acts only when a State is unwilling or unable genuinely to exercise its primary jurisdiction over Rome Statute crimes.

2. In 2020, the Court is expected to operate in at least 11 “situations”, geographically designated as follows: Burundi, the Central African Republic (CAR) I and II, Côte d’Ivoire (CIV), Darfur (Sudan), the Democratic Republic of the Congo (DRC), Georgia, Kenya, Libya, Mali and Uganda. These situations are currently the subject of investigations or of cases at different stages of judicial proceedings (pre-trial, trial, appeals or reparations). In addition, the Office of the Prosecutor (OTP or “the Office”) is currently carrying out preliminary examinations of nine situations; some of these preliminary examinations may be concluded during the remainder of 2019 or in 2020.

3. Unlike domestic courts of law, the Court performs various functions and activities which in national systems are handled by separate offices, ministries or agencies. The functions and activities of the Court include conducting preliminary examinations, investigations, prosecutions and trials; providing protection for victims and witnesses; managing the courtrooms, which encompasses the provision of interpretation, translation, transcription and security services; overseeing participation, reparations and assistance for victims; guaranteeing legal aid and the rights of the Defence; providing general public information, ensuring the publicity of the proceedings, and outreach to victims and affected communities; running the Detention Centre; and managing all Court premises and operations at Headquarters and at the external offices, including the situation countries.

4. To enable the Court to implement its multifaceted mandate, a programme budget of €146,939.7 thousand is proposed for the year 2020. This represents an increase of €2,389.7 thousand, or 1.7 per cent, over the 2019 approved budget (€144,550.0 thousand). On the recommendation of the Committee on Budget and Finance (“the Committee”) at its twenty-fifth session,¹ the figures for the proposed regular budget are presented separately from interest on the Host State Loan for the Court’s permanent premises. As suggested by the Committee, this is to improve transparency and allow a comparative assessment of the resources needed for the Court’s activities in 2020. Including the interest and capital repayment under the Host State Loan in respect of the Permanent Premises Project of €150,524.8 thousand, the Court’s Proposed Programme Budget for 2020 amounts to €2,389.7 thousand, or an increase of 1.6 per cent.

5. It is the role of the Coordination Council (“CoCo”) to agree on the assumptions and strategic priorities underlying the budget proposal and to ensure consistency in the presentation of the investments and resource requirements of the organs of the Court. Each Major Programme within the Court is responsible for planning its expenditures and its portion of the larger Court budget, which is then presented to the States Parties for approval as a shared Court budget proposal.

6. The proposed budget for 2020 has been carefully assessed against the Court’s goals and stakeholder expectations regarding its overall performance and effective discharge of its mandate, the complexity of the Court’s operating environments (including matters of security, cooperation and political support) and the significant and increasing volume of demands for intervention by the Court. The proposed budget also factors in the priorities set by the CoCo in furtherance of the newly conceived Strategic Plans for the period 2019-2021.² The Court has taken into account the need to contain budgetary increases as

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fourteenth session, The Hague, 18-26 November 2015 (ICC-ASP/14/20)*, vol. II, part B.3, para. 12.

² See annex IV.

much as possible in view of financial constraints on the States Parties and to make sure that funds are requested only after all possible steps have been taken to finance increases through savings and efficiencies.³ The Court believes that the requested funds will contribute to tangible results and long-term efficiencies, mainly through more expeditious judicial proceedings, enhanced fair-trial safeguards; maintenance of the requisite quality and speed of preliminary examinations, investigations and prosecutions; enhanced impact on the ground; and a more secure information environment for the Court's operations.

7. Two factors extraneous to the implementation of the judicial and operational assumptions of the Court for 2020 led to a significant increase of €3.7 million in the Court's Proposed Programme Budget for 2020. These factors were the application of the United Nations Common System (UNCS) (€2.4 million) and necessary capital replacements for the maintenance of the Court's premises (€1.3 million), following the decisions of the Assembly of States Parties in this regard. The resulting increase was largely offset by Court-wide efforts to reduce costs through the redeployment, discontinuation and defunding of some posts. In fact, when not considering the impact of these two factors, the nominal increase of €2.4 million in the Court's proposed budget for 2020 represents a real reduction of approximately €1.3 million in the Court's required capacity to implement its mandate in line with the anticipated priorities, assumptions and parameters.

8. The proposed budget for staff costs is based on the application of the UNCS, which allows the Court to operate in all possible situation countries while providing the most efficient system of remuneration for its staff members, in particular with regard to its pension scheme.⁴ The revision of the UNCS system, as put in place by the United Nations General Assembly in 2017, has made its application even more cost-efficient, leading to some decreases in staff costs in the last few years. In 2019, however, the UNCS revised and increased the salaries for professional posts by around 1.8 per cent. Furthermore, the UNCS considered that the salary scale for general services had not been updated since 2013, and implemented an increase bringing up to date the salary scales to what was considered a more appropriate level for 2019/2020. As indicated, the revised requirements by the UNCS have an overall impact of €2.4 million in the proposed budget for 2020.

Table 1: Overview of the Proposed Programme Budget for 2020

<i>Programme Budget 2020</i>		<i>2019 Approved Budget (thousands of euros)</i>	<i>Resource Changes</i>		<i>2020 Proposed Budget (thousands of euros)</i>
			<i>Amount</i>	<i>%</i>	
MP I	Judiciary	12,107.6	(12.8)	(0.1)	12,094.8
MP II	Office of the Prosecutor	46,802.5	1,133.8	2.4	47,936.3
MP III	Registry	76,651.2	(505.7)	(0.7)	76,145.5
MP IV	Secretariat of the Assembly of States Parties	2,841.7	(4.7)	(0.2)	2,837.0
MP V	Premises	1,800.0	1,288.1	71.6	3,088.1
MP VI	Secretariat of the Trust Fund for Victims	3,130.3	202.7	6.5	3,333.0
MP VII-5	Independent Oversight Mechanism	531.1	252.7	47.6	783.8
MP VII-6	Office of Internal Audit	685.6	35.6	5.2	721.2
<i>Subtotal</i>		<i>144,550.0</i>	<i>2,389.7</i>	<i>1.7</i>	<i>146,939.7</i>
MP VII-2	Host State Loan	3,585.1	-	-	3,585.1
Total Court		148,135.1	2,389.7	1.6	150,524.8

³ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. I, part III, ICC-ASP/17/Res.4, para. K.1.

⁴ ICC-ASP/15/15, para. 225.

B. High-level Court-wide strategic budget priorities and main cost drivers for 2020

9. The Court's Principals, through the CoCo, have identified a number of strategic budget priorities for the Court's activities in 2020. It is important to note that these priorities and activities reflect what can reasonably be anticipated for 2020 at the time of writing of this document, and may subsequently be affected by the realities of the judicial and prosecutorial work of the Court.

10. In formulating these budget priorities and main cost drivers, the Court's Principals were mindful of the Court-wide Strategic Plan for 2019-2021 and the Strategic Goals stated therein. These Strategic Goals are the cornerstone of the Court's approach to the future and feature prominently in its budget planning for 2020 and beyond. The Court-wide Strategic Plan is complemented by distinct Strategic Plans for the same period for the OTP and the Registry, which are referenced, where appropriate, in the respective Major Programmes. The Strategic Plan for the Trust Fund for Victims (2019-2021) is being prepared along similar lines.

11. In service to the Court's mission,⁵ the Court's Principals are resolved, as stated in the Court-wide Strategic Plan, to increase the expeditiousness and efficiency of the Court's core activities (preliminary examinations, investigations, trials and reparations) while preserving the independence, fairness and quality of its proceedings, ensuring adherence to the highest legal standards and protecting the safety and well-being of individuals, in particular victims and witnesses. To cater for these activities, the Court will continue to manage its resources in an effective, coherent, transparent, responsible and adaptable manner. The Court's overriding objective is to achieve an effective, efficient and universal system of international criminal justice, under the Rome Statute, in which to conduct fair and expeditious investigations and trials when national authorities are unable or unwilling to do so. To this end, the Court has formulated its Strategic Goals in three main areas which encompass all Court activities and are reflected in the respective Strategic Plans of each organ. The three areas are:

- (a) Judicial and prosecutorial performance;
- (b) Cooperation and complementarity; and
- (c) Organizational performance.

12. In addition to providing a clear path forward for the Court in terms of mission, vision and specific goals, the Strategic Plan also provides a framework for implementation. It stresses the importance of performance measurement while insisting on the link between strategic planning, risk management and budgetary planning. After the update of the risk register in 2019 and the Court-wide risk assessment performed in connection with the Strategic Plan, the Court will continue to implement relevant mitigating measures to further develop its risk management framework and align the risk management cycle with strategic planning and budget cycles. The framework for the implementation of the Court-wide Strategic Plan is replicated in the OTP and Registry Strategic Plans, which will support the application of the One-Court principle in future performance measurement activities. This renewed focus on performance management will also drive the Court's organizational performance improvements and guide its future savings and efficiencies initiatives.

13. The Court has identified the following action priorities:

1. Conduct and support fair and expeditious judicial proceedings

14. The conduct of fair and expeditious pre-trial, trial and appeal proceedings before the Chambers remains an essential facet of the Court's mandate.

15. Final appeals on six judgments and decisions in four cases are conceivable in 2020. Accordingly, the Court will continue to be heavily engaged at the appellate level and could

⁵ To investigate and try the most serious crimes of concern to the international community as a court of last resort complementing national jurisdictions and with the aim of ending impunity and preventing such crimes.

hear appeals from cases that are currently before the Trial Chambers (*Bemba article 70* and possibly *Ntaganda, Ongwen and Gbagbo and Blé Goudé*).

16. At the judicial level, confirmations of charges proceedings are expected to take place throughout the rest of 2019 in *Al Hassan* and *Yekatom and Ngaïssona*, with decisions falling in late 2019. If the charges in those cases are confirmed, trial preparations could commence in 2019. There would then be two cases at the trial stage to be handled in 2020, in addition to the drafting of the judgment in *Ongwen*. Notably, up to 11 defence teams and up to 7 teams of legal representatives of victims will need to be financed by legal aid in 2020.

17. While trial hearings are not anticipated to take place in 2020, pending the decision of the confirmation of charges of the *Al Hassan* and the *Yekatom and Ngaïssona* cases, supporting all ongoing judicial proceedings at the different procedural stages will require the use of one courtroom, with one courtroom support team in the Registry.

18. As recommended by the Committee,⁶ and in line with the expected reduction in courtroom activities, the Registry's proposed budget for 2020 represents a decrease in its judicial support resource requirements. The reductions to the baseline concern, in particular, the second courtroom support team. The Registry has anticipated the reduced services requirement with initiatives in 2019 to take full advantage of flexible work assignments and ensure that non-essential support functions can be released, if need be, in 2020. The impact of these efforts is €2.0 million reduction in the Registry. These, together with other measures, have resulted in a nominal decrease of €0.5 million in the Registry's budget proposal, after UNCS increase⁷.

19. In comparison to most domestic proceedings, proceedings of the Court are exceptionally complex in terms of the cases presented and the procedural rules to be followed. The sheer volume of witnesses, evidence and languages involved, coupled with the need for security on the ground and cooperation from national jurisdictions, makes trials resource-intensive and often lengthy. Delays affecting part of one trial can have a multiplying effect on other aspects of the Court's operations and budget – such as detention or witness costs. Efficiency is therefore crucial, and the Court continues to work tirelessly to expedite proceedings, e.g. through the Chambers' standardized practice manuals and the OTP's continued resolve to focus on making its cases as trial-ready as possible before bringing them before the judges.

2. Conduct and support nine active investigations, including operations in the field

20. Article 53 of the Rome Statute mandates the Prosecutor to initiate investigations in situations where he or she determines that there is a reasonable basis on which to proceed. The jurisdiction of the Court covers the most serious crimes of concern to the international community, and its operations often take place in very challenging security and cooperation environments. In addition, in nearly all cases, local languages and other operating conditions vary. As a result, in comparison to investigations at the national level, the Court's investigations are extremely complex and resource-intensive. Even an investigation carried out under optimal resource, cooperation and security conditions may require three years before the case is ready to be brought to the Court. In most cases, conditions are not optimal, and results may be delayed.

21. Following a decision by the OTP's Executive Committee ("ExCom"), in line with the OTP's Strategic Plan and its Policy on Case Selection and Prioritization, the OTP will prioritize active investigations in the following situations in 2020:⁸ Burundi, CAR II, CIV II, Darfur (first quarter only), DRC (starting second quarter), Georgia, Libya (two investigations) and Mali. Such prioritization is required to ensure and, where possible, increase the speed, efficiency and effectiveness of operations, taking into account the

⁶ ICC-ASP/18/5, para. 57.

⁷ The United Nations Common System impact on the Registry budget is an increase of € 1.4 million.

⁸ The Office plans to allocate resources to each of its eight integrated teams in the most effective way possible according to specific needs and developments in each situation. This means that the size of teams working concurrently may differ. In addition, resources will be redeployed during the year. For example, the DRC team is expected to be staffed with resources coming from other integrated teams, in particular the team working on the situation in Darfur, which is expected to be wound up at the end of the first quarter of 2020.

limited resources available to the OTP and the need to avoid spreading those resources too thin. Nevertheless, all situations will continue to be monitored, e.g. for new leads or prospects of arrest, or to continue engaging with witnesses in cases pending arrests. The details of OTP planning are explained in the budget proposal for Major Programme II.

22. The proposed budget increase to cater for OTP activities is €1.1 million, of which new resources account for only €0.4 million.⁹ The OTP has carefully reviewed its staff needs in the light of its forecast activities and corresponding workload for 2020. On account of the limited resources approved for 2019 and the subsequent need for internal redeployment of resources among existing situations and cases, the pace of some investigative activities has been negatively affected. As the Office's ongoing investigative activities and workload are set to remain at a high level throughout 2020, there is little to no further flexibility for staff reallocation beyond what has already been factored into planning for 2020. For the mid- and long-term viability of its operations, it is critical that the OTP be able, at a minimum, to maintain its current level of staffing. By carefully reviewing its operations and capitalizing on the savings and efficiencies achieved in recent years, the OTP has managed to keep its resource needs for administrative and operational support (both staff and non-staff costs) at the same level as in the previous budget proposal.

23. Nine preliminary examinations (Bangladesh/Myanmar, Colombia, Guinea, Iraq, Nigeria, Palestine, Philippines, Ukraine and Venezuela) are currently under way. As several preliminary examinations are at the advanced stages of analysis, it is quite possible that new investigations may need to be opened during the remainder of 2019 or in 2020.¹⁰ In such a scenario, the OTP stands ready to reprioritize its activities in relation to one or more of the situations where an investigation is active, in the light of its case selection and prioritization policy, in order to maintain a level of eight concurrent investigations. While eight investigations is a very high level of activity, the Office must do its best to address those investigations, given the number of potential cases still requiring its attention.

24. The Court continues to rely on the Registry's support in administrative and operational matters both at Headquarters and in seven country offices, namely in the CAR (Bangui), CIV (Abidjan), the DRC (Kinshasa and Bunia), Georgia (Tbilisi), Mali (Bamako) and Uganda (Kampala). Mindful of their respective mandates and of the specific security and confidentiality aspects of their operations, the Registry and the OTP continue to optimize their cooperation and synergies both at Headquarters and in the country offices. Despite the increased requirements to cater for the activities and the challenging operational context in the Mali and the CAR situations, the Registry has managed to propose a decrease in resource requirements through the implementation of savings and efficiencies, and through other measures such as the internal redeployment of staff from one country office to another to cater for fluctuations in activity. This approach has enabled the Registry to redeploy staff resources from one country presence to another, in a manner consistent with shifting operational and security priorities concerning the situation countries. In this regard, important reductions have been achieved in the Registry's presence in the DRC, Uganda and Côte d'Ivoire, mainly through the redeployment of resources. This has made it possible to fund the required increased investments in country operations, in particular in Mali and the Central African Republic, where additional resources are needed in particular in the light of security conditions and increased operational demands.

25. Continued operations in all situations under investigation make it reasonable to expect that the number of persons under the Court's protective measures will remain high in 2020. On the basis of current figures and assumptions provided for the 2020 Proposed Programme Budget, around 35 witnesses and their dependants (approximately 480 individuals in total) can be projected to be under protection in 2020, including witnesses in the International Criminal Court Protection Programme, assisted moves, assessment and other types of support. VWS, while providing the highest level of protection and support to these individuals, will continue increasing its focus on the completion of reintegration strategies for the benefit of protected witnesses and victims whenever possible, allowing them to resume their lives with a satisfactory level of independence and self-sustainability. Furthermore, approximately 4,250 individuals are

⁹ The United Nations Common System impact of € 0.7 million accounts for the remainder of the total budget increase for the Office.

¹⁰ See <https://www.icc-cpi.int/Pages/item.aspx?name=pr1465>.

expected to apply for participation and/or reparations as victims in ongoing judicial proceedings. Last but not least, in order to run the Court's 11 ongoing investigations, support will continue to be required for more than 33 situation-related languages in 2020.

3. Continue implementing reparations awards in three cases

26. In 2020, the implementation of reparations by the Trust Fund for Victims in *Lubanga*, *Katanga* and *Al Mahdi* is expected to continue, requiring ongoing support from Registry. In *Lubanga*, it is anticipated that approximately 1,500 reparations beneficiaries will participate in programming during all four quarters of 2020. In *Al Mahdi*, it is anticipated that victim identification activities in the field will take place at the beginning of 2020 and that collective reparations programming will be ongoing for all four quarters. In *Katanga*, collective reparations programming will be ongoing throughout the year. All reparations implementation activities in 2020 will require significant investment in field activities and considerable support from the Registry's country offices and relevant sections. In addition, continued activity by the legal representatives of the victims is expected to be required during the first semester of 2020. Furthermore, following the conviction of Mr Bosco Ntaganda by Trial Chamber VI on 8 July 2019, reparation proceedings are expected to commence in the case.

4. Continue the implementation of the Court-wide information management strategy

27. In order to implement the fourth phase of the Court-wide Five-Year Information Technology / Information Management Strategy, endorsed by the Information Management Governance Board and the CoCo, a number of investments have been identified across the Court for 2020. The investments identified include the continued implementation of the minimal viable product for the Judicial Workflow Platform, projects to improve forensic data capture and management of evidence for the OTP, and further enhancements in information security. It should be noted that the total proposed Court-wide investment is forecast to be less than the 2019 approved funding. These investments are necessary to support the Court as effectively and efficiently as possible. To enable efficient delivery of the judicial, prosecutorial and investigative activities of the Court as a whole, it is necessary to maintain a certain level of investment, especially with regard to information security.

C. Macroanalysis

28. The following chart breaks down the Court's 2020 Proposed Programme Budget by activity. The operations of the Court under "Judicial, Prosecutorial and Investigative Activities" are the main drivers of the Court's 2020 Proposed Programme Budget, amounting to 78.9 per cent of the total budget. "Other Activities" is comprised of administrative functions (12.1 per cent), governance (5.1 per cent) and maintenance costs related to premises (3.9 per cent). Estimates related to the interest on the Host State Loan for the permanent premises are excluded from the macroanalysis.

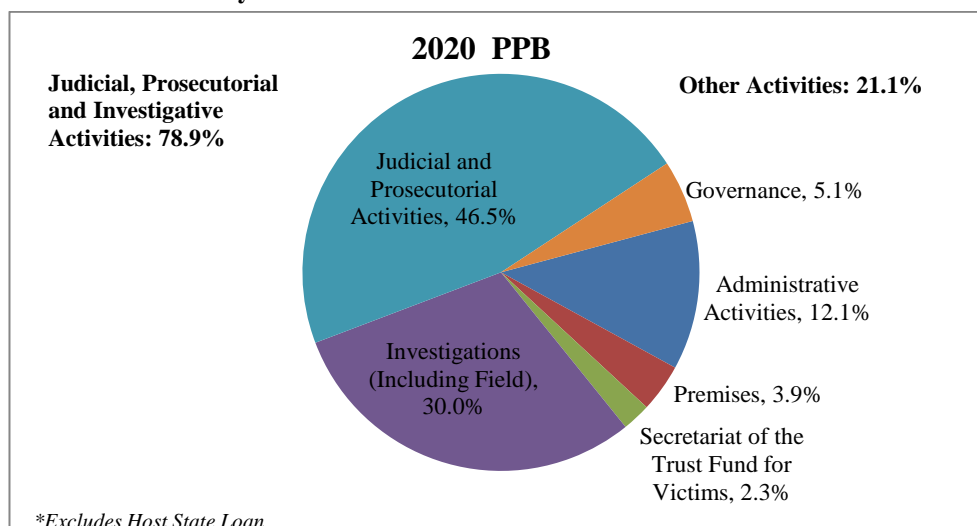
1. Judicial, Prosecutorial and Investigative Activities

29. Under this category, resources related to "Judicial and Prosecutorial Activities" (46.5 per cent) include, among other items, support to victims and witnesses, legal aid, information technology, language services and support for reparations activities provided by the Registry. These resources are required for the conduct and support of judicial proceedings. Activities under "Investigations (Including Field)" are estimated at 30.0 per cent and relate to the nine active investigations to be carried out by the OTP, including activities in the field. The remaining activities, under "Secretariat of the Trust Fund for Victims" (2.3 per cent), relate to the enhancement of that body's organizational capacity to ensure that it can implement its mandate and activities, including during the implementation stage of reparations proceedings.

2. Other Activities

30. The activities under this category include administrative functions, governance and maintenance costs related to the premises. The Secretariat of the Assembly of States Parties, the Independent Oversight Mechanism, the Office of Internal Audit and a small part of the Registry (e.g. the Court's Liaison Office to the United Nations in (New York)) are grouped under "Governance".

Chart 1: Macroanalysis



D. Savings and efficiencies

31. At its fifteenth session, in November 2016, the Assembly requested the Court to present a sustainable budget proposal in which proposed increases were requested only after all possible steps had been taken to finance such increases through savings and efficiencies.¹¹ In addition, the Assembly requested the Court to present an annex to the 2018 programme budget with detailed information about the savings and efficiencies achieved in 2017 and estimates for 2018.¹² Subsequently, savings and efficiencies were reported in the 2018 and 2019 programme budgets.¹³

32. At its seventeenth session, in December 2018, the Assembly requested that the Court set Court-wide annual efficiency targets and present an annex to the 2020 programme budget on the achievement of those efficiency targets, as well as detailed information clearly distinguishing, to the extent possible, between savings, efficiencies, non-recurrent cost reductions and additional cost reductions achieved in 2019 and estimates for 2020.¹⁴ Following this request, representatives from the Court met with the Committee at its thirty-second session in April 2019 for a workshop on savings and efficiencies to exchange views with the aim of enhancing the clarity, coherence and transparency of information, as noted by the Committee in its report on that session.¹⁵

33. As it moves forward, the Court's main goal will be to promote a culture of continuous improvement with a view to engaging staff in the identification and implementation of savings and efficiencies.

34. The following four categories to be employed in the savings and efficiencies report were discussed and defined in 2017 and continue to be used:

(a) *Savings* (two subcategories): (i) costs incurred in the previous/current financial period and no longer appearing in the next programme budget, resulting in a

¹¹ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. I, part III, ICC-ASP/15/Res.1, para. L.1.

¹² *Ibid.* para. L.2.

¹³ *Official Records ... Sixteenth session ... 2017* (ICC-ASP/16/20), vol. II, part A, paras. 38-51 and annex X; *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part A, paras. 35-41 and annex XI.

¹⁴ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. I, part III, ICC-ASP/17/Res.4, para. K.4.

¹⁵ ICC-ASP/18/5, para. 10.

reduction in the baseline; and (ii) increases in costs avoided through newly-introduced policies, procedures and/or negotiations with suppliers or service providers, resulting in the same baseline;

(b) *Efficiencies*: activities which limit or avoid requests for additional resources and/or provide increased productivity, resulting in the same baseline but avoiding any increase in costs;

(c) *Non-recurrent costs*: one-off decreases in resource requirements due to non-continuation of activities, resulting in a reduction in the baseline; and

(d) *Additional cost reductions*: workload-related changes resulting in a reduction in the baseline.

35. As per the request in the Assembly's resolution, the Court seeks to absorb increases in resource requirements for new activities by first redeploying the resources released by savings, non-recurrent costs and additional cost reductions.¹⁶

36. Table 2, below, summarizes all savings and efficiencies achieved in 2019 and in preparation for the 2020 Proposed Programme Budget, according to the agreed categories above. All initiatives are described in detail in annex XVI. The Court has achieved organization-wide savings and efficiencies in the amount of €1,714.9 thousand (1.2 per cent). This is calculated by, first, taking the sum-total of 2020 reductions in the baseline attributable to savings and 2020 costs avoided thanks to savings and efficiencies, and, second, dividing that sum by the 2019 programme budget (excluding the Host State Loan). In total, the Court's reduction to the baseline, including savings indicated earlier but also taking into account non-recurrent costs and additional cost reductions, amounts to €2,649.6 thousand. Annex X provides an overview of the different resource requirements leading to the proposed budget baseline, in the format requested by the Committee.¹⁷

Table 2: Total savings and efficiencies for 2020 (in thousands of euros)

<i>Major Programme</i>	<i>Category</i>	<i>2019 Savings</i>	<i>2019 Efficiencies</i>	<i>2020 Reduction in Baseline</i>	<i>2020 Costs</i>
					<i>Avoided (Baseline Maintained)</i>
MP I: Judiciary	Additional Cost Reductions	-	-	237.0	-
MP II: Office of the Prosecutor	Efficiencies	-	5.6	-	18.9
	Savings	11.5	0.3	11.5	485.7
MP III: Registry	Additional Cost Reductions	-	-	1,981.6	-
	Efficiencies	-	129.7	-	235.5
	Non-recurrent cost	-	-	120.0	-
	Savings	208.1	-	197.6	734.4
MP IV: Secretariat of the Assembly of States Parties	Additional Cost Reductions	-	-	2.0	-
	Non-recurrent cost	-	-	100.0	-
MP VI: Secretariat of the Trust Fund for Victims	Efficiencies	-	31.3	-	31.3
Grand Total		219.6	166.9	2,649.6	1,505.8

¹⁶ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. I, part III, ICC-ASP/15/Res.1, para. L.1.

¹⁷ ICC-ASP/18/5, para. 15.

Table 3: Total ICC: Proposed budget for 2020

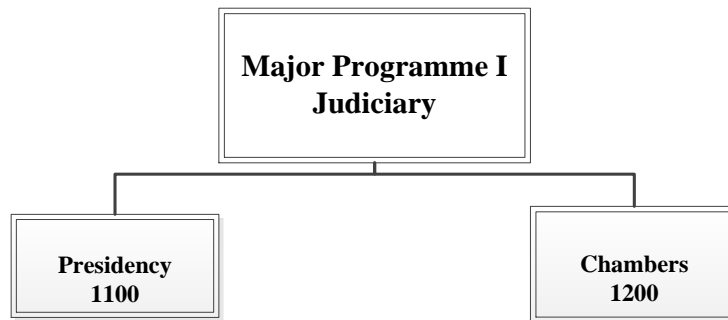
ICC	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Judges	5,328.1	89.3	5,417.4	5,662.1	(145.2)	(2.6)	5,516.9
Professional staff				60,752.2	839.6	1.4	61,591.8
General Service staff				25,356.6	718.0	2.8	26,074.6
<i>Subtotal staff</i>	<i>87,302.4</i>	<i>87.5</i>	<i>87,389.9</i>	<i>86,108.8</i>	<i>1,557.6</i>	<i>1.8</i>	<i>87,666.4</i>
General temporary assistance	12,677.7	348.0	13,025.7	17,126.6	444.1	2.6	17,570.7
Temporary assistance for meetings	510.8	3.3	514.2	978.7	(702.3)	(71.8)	276.4
Overtime	211.1	-	211.1	299.3	(75.8)	(25.3)	223.5
<i>Subtotal other staff</i>	<i>13,399.6</i>	<i>351.3</i>	<i>13,750.9</i>	<i>18,404.6</i>	<i>(334.0)</i>	<i>(1.8)</i>	<i>18,070.6</i>
Travel	5,319.3	452.1	5,771.5	6,152.5	202.1	3.3	6,354.6
Hospitality	34.7	-	34.7	29.0	(1.0)	(3.4)	28.0
Contractual services	3,257.9	734.2	3,992.1	4,002.9	94.3	2.4	4,097.2
Training	891.1	5.4	896.5	1,000.7	57.7	5.8	1,058.4
Consultants	729.0	-	729.0	667.5	(106.7)	(16.0)	560.8
Counsel for defence	3,981.3	250.7	4,232.0	3,487.8	(240.3)	(6.9)	3,247.5
Counsel for victims	1,466.2	-	1,466.2	1,101.3	198.7	18.0	1,300.0
General operating expenses	14,020.1	216.6	14,236.7	14,857.3	1,545.7	10.4	16,403.0
Supplies and materials	1,237.2	10.5	1,247.7	1,175.5	78.2	6.7	1,253.7
Furniture and equipment	2,160.7	115.0	2,275.7	1,900.0	(517.4)	(27.2)	1,382.6
<i>Subtotal non-staff</i>	<i>33,097.5</i>	<i>1,784.6</i>	<i>34,882.1</i>	<i>34,374.5</i>	<i>1,311.3</i>	<i>3.8</i>	<i>35,685.8</i>
Total	139,127.6	2,312.7	141,440.3	144,550.0	2,389.7	1.7	146,939.7
Host State Loan	3,585.1	-	3,585.1	3,585.1	-	-	3,585.1
Total Including Host State Loan	142,712.7	2,312.7	145,025.4	148,135.1	2,389.7	1.6	150,524.8

Table 4: Total ICC: Proposed staffing for 2020

ICC	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and above	GS-PL	GS-OL	Total	Total
													GS-Staff	Staff
Established Posts														
Approved 2019	1	2	-	9	46	89	186	174	38	545	19	409	428	973
New	-	-	-	-	-	1	-	1	-	2	-	-	-	2
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	2	(1)	(1)	8	(8)	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	1	2	-	9	48	89	185	183	30	547	19	409	428	975
GTA Positions (FTE)														
Approved 2019	-	-	-	-	0.05	7.30	45.12	51.79	15.00	119.26	8.09	66.87	74.96	194.22
Continued	-	-	-	-	0.05	6.84	45.34	53.25	13.50	118.98	4.50	58.08	62.58	181.57
New	-	-	-	-	0.42	1.00	1.00	0.42	-	2.83	6.47	3.01	9.47	12.31
Redeployed	-	-	-	-	-	-	(0.75)	(0.25)	-	(1.00)	-	(0.50)	(0.50)	(1.50)
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	0.47	7.84	45.59	53.42	13.50	120.82	10.97	60.59	71.56	192.37

II. Proposed Programme Budget for 2020

A. Major Programme I: Judiciary



Introduction

37. Major Programme I is composed of the Presidency and the Chambers.

38. The Presidency has three primary areas of responsibility: legal, external relations and administrative functions. In 2020, the Chambers will manage case work arising from developments which occurred in 2018 and 2019, including trial preparations (potentially), reparations proceedings and several final appeals (in addition to interlocutory appeals), and other situations and cases at the pre-trial level. The Judiciary will continue its efforts to improve the transparency of the International Criminal Court (“the Court”), strengthen the cooperation of States Parties and enhance the flexible and efficient use of available resources.

39. The budget for Major Programme I is based on the judicial activities required under the Court’s budget assumptions for 2020, which were determined in an inter-organ effort.

Table 5: Major Programme I: Proposed budget for 2020

Major Programme I Judiciary	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Judges	5,328.1	89.3	5,417.4	5,662.1	(145.2)	(2.6)	5,516.9
Professional staff				4,399.2	59.4	1.4	4,458.6
General Service staff				846.7	36.6	4.3	883.3
<i>Subtotal staff</i>	<i>5,525.6</i>	<i>-</i>	<i>5,525.6</i>	<i>5,245.9</i>	<i>96.0</i>	<i>1.8</i>	<i>5,341.9</i>
General temporary assistance	1,007.4	-	1,007.4	1,070.8	7.4	0.7	1,078.2
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>1,007.4</i>	<i>-</i>	<i>1,007.4</i>	<i>1,070.8</i>	<i>7.4</i>	<i>0.7</i>	<i>1,078.2</i>
Travel	156.7	-	156.7	90.8	9.9	10.9	100.7
Hospitality	14.1	-	14.1	11.0	-	-	11.0
Contractual services	-	-	-	-	-	-	-
Training	22.1	-	22.1	22.0	19.1	86.8	41.1
Consultants	5.0	-	5.0	5.0	-	-	5.0
General operating expenses	88.3	-	88.3	-	-	-	-
Supplies and materials	1.0	-	1.0	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>287.2</i>	<i>-</i>	<i>287.2</i>	<i>128.8</i>	<i>29.0</i>	<i>22.5</i>	<i>157.8</i>
Total	12,148.4	89.3	12,237.7	12,107.6	(12.8)	(0.1)	12,094.8

Table 6: Major Programme I: Proposed staffing for 2020

I	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	-	3	3	21	12	-	39	1	11	12	51
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	3	3	21	12	-	39	1	11	12	51
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	4.00	6.00	-	10.00	-	-	-	10.00
Continued	-	-	-	-	-	-	4.00	6.00	-	10.00	-	-	-	10.00
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	4.00	6.00	-	10.00	-	-	-	10.00

1. Programme 1100: The Presidency

Introduction

40. The Presidency's strategic priorities, according to its three primary areas of responsibility, are as follows:

(a) Legal: to carry out its legal and judicial functions under the Rome Statute, pursuant to its responsibility for the proper administration of the Court. This includes the approval of Court-wide administrative issuances; judicial review of certain decisions of the Registrar; timely assignment of situations and constitution of Chambers;¹⁸ procedural and substantive coordination of judges' plenary sessions, retreats and meetings; and international cooperation, in particular with regard to enforcement responsibilities under Part 10 of the Rome Statute.¹⁹

(b) External relations: to maintain and increase international support for and cooperation with the Court;²⁰ to encourage full implementation and global ratification of the Rome Statute; and to coordinate planning of the Court's external relations activities.

(c) Administrative: to contribute actively to the governance of the Court, under the Presidency's own strategic leadership; and to interact with various oversight bodies on matters related to oversight of the administration of the Court by the Assembly of States Parties ("the Assembly"), as provided by the Rome Statute.

Presidency objectives

41. The Presidency's objectives are:

1. Within its areas of responsibility, to contribute to ensuring the efficient conduct of pre-trial, trial and appeal proceedings.
2. To engage in effective Court-wide international cooperation and to discharge all its responsibilities related to the enforcement of sentences of imprisonment and fines, as provided under Part 10 of the Rome Statute.
3. To advance the "Lessons Learned" review of judicial processes – focusing on procedures in the trial preparation and hearing stages, victim processes and the conclusion of trials and appeals – and consulting States Parties, participants and other stakeholders, as appropriate.
4. Together with the other organs, to further improve dialogue between the Court, the Assembly and its sub-bodies.
5. To build trust in the Court among States, international and regional organizations, NGOs and other key partners and stakeholders; to encourage effective cooperation with the Court; to use all opportunities to highlight and underscore to non-States Parties the benefits of joining the Court; and to conclude relevant agreements with States.
6. To ensure effective resource management, including by identifying and implementing further efficiency measures and improving the management of staff performance; and to operate in line with appropriate performance indicators for judicial processes and relevant judicial support.

¹⁸ Pursuant to Strategic Goal 1 of the Court's Strategic Plan for 2019-2021: "Increase the expeditiousness and efficiency of the Court's core activities (preliminary examinations, investigations, trials and reparations) while preserving the independence, fairness and quality of its proceedings, ensuring adherence to the highest legal standards and protecting the safety and well-being of individuals, in particular victims and witnesses."

¹⁹ Pursuant to Strategic Goal 4 of the Court's Strategic Plan for 2019-2021: "Further foster political support and develop the modalities of cooperation and operational support for all parties as regards preliminary examinations, investigations, protection of witnesses, implementation of arrest warrants and judicial proceedings."

²⁰ In line with Goal 5 of the Court's Strategic Plan for 2019-2021: "Discuss and devise with States and other stakeholders new strategies to increase the ability of the Rome Statute System to address the shared responsibility to close the impunity gap, including through encouraging domestic implementation of the Rome Statute and other measures of complementarity by States Parties (including providing support and assistance to victims), as well as developing a strategy for the completion of situations under investigation."

7. To further improve the Court's budget processes in a Court-wide effort.
8. To ensure effective risk management.
9. To fully integrate the relevant strategic goals from the Court's Strategic Plan for 2019-2021 into the functioning of the Presidency, most notably goals 1, 4 and 5 on cooperation and complementarity and goals 6 to 9 on organizational performance.

Judicial Priorities – Cooperation and Transparency

42. The Presidency will continue working to enhance and encourage the cooperation of States Parties. Robust and effective State support is essential to the effective discharge of the Court's mandate. States give weight and effect to the Court's work by implementing its decisions (for example, executing warrants of arrest), providing financial and logistical support and enforcing sentences.

43. The Presidency will spearhead efforts, rooted in the Court's standards of ethical conduct, to promote a culture of fiscal responsibility, transparency and accountability that inspires trust in the Judiciary and in the Court as a whole, both internally and externally. These efforts will aim to provide States Parties, the public and other key partners and stakeholders with the full picture of how the Court operates, subject to the necessary confidentiality attaching to judicial and prosecutorial work, matters of prosecutorial independence and certain major programmes in the Court's budget.

Budget resources

€1,291.1 thousand

44. The requested amount has increased by €35.2 thousand (2.8 per cent).

Presidency allowances

€28.0 thousand

45. The Proposed Programme Budget for 2020 includes €28.0 thousand to cover the special allowance of the President²¹ and that of the First or Second Vice-President when acting as President.²² The regular salaries of the Presidency's three members are included in Sub-Programme 1200.

Staff resources

€1,140.3 thousand

46. The amount requested for established posts has increased by €24.2 thousand (2.2 per cent). The Presidency comprises 11 established posts. No new posts are proposed.

Established posts: Professional and General Service

€1,140.3 thousand

47. The Presidency is entrusted with three main functions: legal/judicial review, external relations and administration.

48. The Presidency support staff is led by a Chef de Cabinet (P-5), who is responsible for staff management, strategic planning and guidance, and for representing the Presidency at working, strategic and senior levels at inter-organ and external meetings.

49. The current structure includes the Head of the Legal and Enforcement Unit (P-4), one Legal Officer (P-3) and one Associate Legal Adviser (P-2) in the Legal and Enforcement Unit, responsible for coordinating and providing substantive legal support to the Presidency. The external relations functions of the Presidency are currently performed by one External Relations Adviser (P-3), assisted by one Administrative Assistant (External Relations) (GS-OL). The administrative functions of the Presidency are performed by one Special Assistant to the President (P-3) and one Associate Administrative Officer (P-2). The remaining Presidency staff is composed of one Personal Assistant to the President (GS-PL), one Administrative Coordinator to the Judiciary (GS-OL) and one Administrative Assistant (GS-OL) assigned to the Chef de Cabinet, who provide wide-ranging administrative and logistical support.

²¹ *Official Records ... Second session ... 2003* (ICC-ASP/2/10), part III.A.I.B.

²² *Ibid.*, part III.A.I.C.

Non-staff resources**€122.8 thousand**

50. Non-staff resources are required for travel, hospitality, training and consultants. The proposed amount has increased by €11.0 thousand (9.8 per cent) owing to the increased travel and training planned for 2020.

*Travel**€100.7 thousand*

51. The requested amount has increased by €9.9 thousand (10.9 per cent) owing to a forecast increase in travel by members of the Presidency and accompanying staff. In 2020, all three members of the Presidency will be working to build confidence in the Court. This will require them to travel to engage with States Parties, civil society, professional associations and other stakeholders.

52. The Presidency's travel funds are required for all official travel by judges and by staff of the Presidency and Chambers, including travel by the President, the Vice-Presidents and other judges to represent the Court at important external events. These funds also cover two judicial retreats, the costs associated with the opening of the judicial year and a limited amount of necessary travel by Presidency and Chambers staff to support the Presidency's external role or to provide expert contributions to external events where funding from the organizers is unavailable. These costs are recurrent.

*Hospitality**€10.0 thousand*

53. The requested amount remains unchanged and is required for goodwill and hospitality costs associated with visits of Heads of State or Government, ministers and other senior representatives of States (including ambassadors) and intergovernmental organizations to the President or the Vice-Presidents. The hospitality budget is also used to cover the Judiciary's contributions to Court events, such as Diplomatic Briefings, the NGO Roundtable and welcome and signing ceremonies, which are jointly funded by all organs. These costs are recurrent.

*Training**€7.1 thousand*

54. The requested amount has increased by €1.1 thousand (18.3 per cent). The Presidency continues to require this budget item in 2020, mainly to provide its staff with specific training relevant to their legal and external relations functions and in the areas of management and, to a lesser extent, language skills. These costs are recurrent.

*Consultants**€5.0 thousand*

55. The requested amount remains unchanged from the amount approved for 2019. These costs are recurrent.

Table 7: Programme 1100: Proposed budget for 2020

1100 The Presidency	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Judges	2.9	-	2.9	28.0	-	-	28.0
Professional staff				823.8	11.6	1.4	835.4
General Service staff				292.3	12.6	4.3	304.9
<i>Subtotal staff</i>	<i>971.6</i>	<i>-</i>	<i>971.6</i>	<i>1,116.1</i>	<i>24.2</i>	<i>2.2</i>	<i>1,140.3</i>
General temporary assistance	(37.3)	-	(37.3)	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>(37.3)</i>	<i>-</i>	<i>(37.3)</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>
Travel	152.1	-	152.1	90.8	9.9	10.9	100.7
Hospitality	13.5	-	13.5	10.0	-	-	10.0
Contractual services	-	-	-	-	-	-	-
Training	5.9	-	5.9	6.0	1.1	18.3	7.1
Consultants	5.0	-	5.0	5.0	-	-	5.0
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>176.5</i>	<i>-</i>	<i>176.5</i>	<i>111.8</i>	<i>11.0</i>	<i>9.8</i>	<i>122.8</i>
Total	1,113.7	-	1,113.7	1,255.9	35.2	2.8	1,291.1

Table 8: Programme 1100: Proposed staffing for 2020

1100	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	-	1	1	3	2	-	7	1	3	4	11
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	1	1	3	2	-	7	1	3	4	11
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	-	-	-	-	-	-	-	-

2. Programme 1200: Chambers

Introduction

56. Pursuant to articles 34(b) and 36(1) of the Rome Statute, the Chambers are composed of 18 judges and are organized into three divisions: Pre-Trial, Trial and Appeals. In consultation with the judges, the Presidency decides on the assignment of judges to judicial divisions²³ and assigns situations and cases to the Pre-Trial and Trial Chambers. The Appeals Division deals with interlocutory and final appeals against decisions taken in the other divisions. Within the confines of the Rome Statute, a flexible approach to workload allocation among the judges is adopted to allow for the most effective use of resources and to avoid requests for new resources even if the workload in some Chambers increases. Depending on the workload in the relevant divisions, pre-trial judges may be reassigned to trial and reparations work, and both pre-trial and trial judges may be reassigned to specific appeals when there is a conflict of interest or when other circumstances require the temporary replacement of an appeals judge.

57. The Chambers form the judicial organ of the Court. As mandated by the Rome Statute, the main role of the Chambers is to ensure that the proceedings are “fair and expeditious” and “conducted with full respect for the rights of the accused and due regard for the protection of victims and witnesses”.²⁴

Chambers’ objectives

1. To ensure the efficient conduct of pre-trial, trial and appeal proceedings.
2. To continue to reduce the length of proceedings by implementing the numerous reforms undertaken in recent years, such as the continuing “Lessons Learnt” review of judicial processes, with a focus on procedures in the trial preparation/hearing stages and, subsequently, on the conclusion of trials and appeals. This includes updating the Chambers Practice Manual.
3. To continue operating in line with the performance indicators developed for judicial processes.
4. To continue developing and implementing victim application and representation systems in consultation with the Registry.
5. To ensure effective management of staff and non-staff resources.
6. To further improve the management of staff performance through the new Court-wide performance appraisal system.
7. To fully integrate the relevant strategic goals from the Court’s Strategic Plan for 2019-2021 into the functioning of the Chambers, most notably goals 1 to 3 on judicial and prosecutorial performance and goals 6 to 9 on organizational performance.

Chambers’ priorities – Improving practice to enhance efficiency

58. Pursuant to Strategic Goal 1 of the Court’s Strategic Plan for 2019-2021, the Chambers have been and will continue to be closely engaged in practice improvements to enhance the efficiency of judicial proceedings. Now that several cycles of cases have concluded, the focus is on consolidating judicial practice – not only in the pre-trial, trial and appeals phases, but also in the reparations phase, which is essential to the discharge of the Court’s mandate and to Strategic Goal 2 of the Court’s Strategic Plan for 2019-2021.²⁵ Significant practical experience from the reparations proceedings in *Katanga*, *Lubanga* and *Al Mahdi* has yielded new best practices. The judges are carrying on important work to

²³ Rule 4 *bis* of the Rules of Procedure and Evidence.

²⁴ Article 64(2) of the Statute.

²⁵ Strategic Goal 2: “Further develop the Court’s approach towards victims in all phases of the judicial proceedings, including reparations, the latter in cooperation with the Trust Fund for Victims.”

amend and improve practice while already implementing the best practices identified collaboratively at judicial retreats.

Case Law Database

59. The Case Law Database (CLD) project is an ongoing, essential undertaking to create a searchable database of the Court's case law. The completed CLD will index all judicial decisions of the Court in an easily searchable format. In addition to the CLD's full-text search capability, specific holdings will be extracted from decisions and associated with searchable keywords and other metadata. The CLD will also trace the evolution of the Court's case law and the relationships between judicial decisions. It is expected that the first version of the CLD will be launched in the course of 2019.

60. The Chambers will continue working on the CLD, ensuring that it remains up to date and that its functionality is further refined. This work will be done with existing resources.

Judges' costs

€5,488.9 thousand

61. The Proposed Programme Budget for 2020 provides for the remuneration of 18 full-time judges.

62. The remuneration and allowances of judges are detailed in full in annex VI(a). In the Proposed Programme Budget for 2017,²⁶ a request was made to update the judges' salaries to align them with increases in the cost of living in The Hague and with the salaries of the judges of the International Court of Justice and other international courts and tribunals, on the basis of both article 49 of the Rome Statute and ICC-ASP/3/Res.3.²⁷ After consideration of this matter at the fifteenth session of the Assembly, the decision was taken to request the Bureau "to consider a revision of the judges' remuneration [...] and to report to the Assembly at its sixteenth session".²⁸ The Bureau subsequently decided that the facilitation on this issue would be led by a designated facilitator. At its seventeenth session, the Assembly "[requested] the Registry to commission, in coordination with the Working Group on the Revision of the Judges' Remuneration, an expert in international remuneration systems to undertake a study on the judges' remuneration, including the salary structure and benefits package, and to consider the possible terms of reference for a mechanism to review the remuneration of judges, taking into account the cost implications and the suggestions put forward in the report of the Working Group on the Revision of the Judges' Remuneration".²⁹ The Assembly has determined that it will need to approve the terms of reference for the mechanism, which are to be recommended to it by the Working Group and considered at its eighteenth session in December 2019.

63. As the facilitation process remains ongoing and its outcome will not be known before the presentation of the Proposed Programme Budget for 2020, an amount has been entered in annex VI(a) without prejudice to the ongoing facilitation and subject to a determination, by the States Parties, of the appropriate level of any increase in remuneration.

Forecast judicial activities

64. While the overall workload falling to the Chambers in 2020 is forecast to remain similar in size to the Chambers' workload in 2019, it is predicted that most of the new workload may be concentrated in the pre-trial, trial preparation and appeals phases of proceedings. The Pre-Trial Division is currently seized of 17 situations. Furthermore, 16 warrants of arrest issued for 15 persons remain unexecuted. Two cases, involving a total of three suspects, are currently pending before Pre-Trial Chambers I and II, at the confirmation of charges stage. These proceedings will likely conclude before the end of 2019; should the charges be confirmed, trial preparations before the Trial Chambers could

²⁶ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part A, paras. 163-168.

²⁷ *Official Records ... Third session ... 2004* (ICC-ASP/3/25), part III, ICC-ASP/3/Res.3, annex, section XIII.

²⁸ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. I, part III, ICC-ASP/15/Res.1, section O.

²⁹ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), resolution ICC-ASP/17/Res.1, para. 3.

commence in 2019. Moreover, issues requiring the intervention of the Pre-Trial Chambers arise regularly in the other situations and cases before the Court. In the Trial Division, one case is expected to continue into 2020, at the trial deliberations stage. Reparations proceedings will also be pending before the Trial Chambers in up to four cases, and additional cases may reach the Trial Division. Appeals against one or more final decisions of the Trial Chambers are likely to continue into 2020. Throughout the year, interlocutory appeals from ongoing pre-trial and trial proceedings will also come before the Appeals Chamber, making its 2020 workload likely to equal, if not exceed, its 2019 workload, and probably requiring several complex matters to proceed simultaneously.

Activity assumptions

Pre-Trial Division

65. The Pre-Trial Division handles all applications made in the course of preliminary examinations or regarding the initiation of an investigation or the preservation of evidence during an investigation. It also deals with the entire first phase of judicial proceedings, up to and including the decision whether to confirm the charges and send a case to trial.

66. Six judges are currently assigned to the Pre-Trial Division. Four of the six pre-trial judges are at the same time temporarily attached to the Trial Division and involved in trial hearings and reparations matters. Pre-trial judges, like trial judges, have in the past also been temporarily attached to the Appeals Division to hear interlocutory appeals. In line with the Chambers' flexible approach to staffing, a number of legal staff assigned to the Pre-Trial Division have also been simultaneously assigned to cases in other divisions and Chambers. This approach has so far made it possible to cope with the current workload.

67. The Pre-Trial Chambers are currently actively seized of 17 situations, namely: Uganda; the Democratic Republic of the Congo; Darfur/Sudan; the Central African Republic I; Kenya; Libya; Côte d'Ivoire; Mali; the Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia; the Central African Republic II; Georgia; Gabon; Burundi; Afghanistan; Palestine, Venezuela and Bangladesh/Myanmar. Activity is expected to continue, in particular in the situations in Darfur/Sudan, Libya, Mali, Central African Republic II, Georgia and Burundi. The *Al Hassan* case in the situation in Mali is currently pending at the confirmation of charges stage before Pre-Trial Chamber I and is likely to remain before that Chamber until the second half of 2019. The *Yekatom and Ngaïssona* case in the situation in the Central African Republic II is pending at the confirmation stage before Pre-Trial Chamber II and is also likely to remain before that Chamber until the second half of 2019. Subject to confirmation of the charges, the *Al Hassan* and *Yekatom and Ngaïssona* trial preparation and the opening of hearings may take place in 2020. These trials would generate a considerable workload, given the volume of evidence expected to be presented and, generally, the complexity of the cases.

68. The nature of proceedings before the Pre-Trial Chambers is such that some major filings and developments, such as applications for warrants of arrest, initial appearances and applications for the initiation of investigations on the basis of preliminary examinations conducted by the Office of the Prosecutor, cannot be predicted. The situations that come before the Pre-Trial Chambers in 2019 may result in further applications to the Pre-Trial Chambers by parties and participants to the various proceedings ongoing in 2020. Moreover, any of the 15 persons for whom warrants of arrest have been issued by Pre-Trial Chambers may be arrested and surrendered to the Court on short notice, as has happened on a number of occasions in recent years, e.g. in the cases of *Al Hassan* and *Yekatom and Ngaïssona*. Ultimately, therefore, the Pre-Trial Division can only draw on the experience of previous years to arrive at its assumptions for 2020.

Trial Division

69. The Trial Division is composed of the Trial Chambers, whose mandate is to conduct trials following the confirmation of charges by the Pre-Trial Chambers. This mandate continues until the conclusion of the reparations phase. The Trial Chambers are required to ensure, in accordance with article 64 of the Rome Statute, that a trial is fair and expeditious

and is conducted with full respect for the rights of the accused and due regard for the protection of victims and witnesses.

70. The Trial Division is currently composed of six judges, assigned in various combinations to eight Trial Chambers. An additional four judges assigned to the Pre-Trial Division have been temporarily attached to the Trial Division for the duration of the specific cases before them. Trial judges are also temporarily attached to the Appeals Division to hear interlocutory and final appeals.

71. The Trial Division has six active proceedings before six Chambers: trial proceedings in *Ntaganda*, *Gbagbo and Blé Goudé* and *Ongwen*; and reparations proceedings in *Lubanga*, *Katanga* and *Al Mahdi*.

72. On 8 July 2019, Trial Chamber VI handed down its judgment in *Ntaganda* pursuant to article 74, thereby convicting the accused. The judgment pursuant to article 76 of the Rome Statute (“the Statute”) is expected to be issued by the end of 2019. Deliberations in the *Ongwen* trial will continue into 2020 and will be followed by a judgment pursuant to article 74 of the Statute and, if the accused is convicted, a judgment pursuant to article 76 of the Statute. In *Gbagbo and Blé Goudé*, the Trial Chamber’s written reasons for its decision acquitting the accused are pending.

73. Reparations proceedings will also be ongoing in 2020. The conviction in *Ntaganda* entails that reparation proceedings in that case will extend through all of 2020. In *Katanga*, *Lubanga* and *Al Mahdi*, the monitoring and supervision of the implementation phase, after the issuance of reparations orders, is also expected to continue throughout 2020.

74. As a result of the above, several cases may be ongoing before the Trial Chambers at the same time.

Appeals Division

75. The Appeals Division is composed of five judges, one of whom is the President of the Court. The principal statutory function of the Appeals Chamber is to hear final appeals against decisions of acquittal or conviction and sentence, and against decisions relating to reparations, and interlocutory appeals against some decisions of the Pre-Trial and Trial Chambers rendered in the course of proceedings. Final appeals involve a substantial workload, since the entirety of the trial proceedings, including the evidence admitted, may have to be reviewed, and additional evidence may have to be assessed. At the same time, some interlocutory appeals may raise complex and important issues, and their outcome may have a significant impact on the Court as a whole.³⁰ The Appeals Chamber may also be seized of other matters, such as requests for reduction of sentence.

76. Following the decision of conviction by Trial Chamber VI in *Ntaganda*, a decision on sentence will be issued later in 2019. Any appeals therefrom are likely to continue into 2020, as are any appeals against the final decision of Trial Chamber I in *Gbagbo and Blé Goudé*. As each of these cases represents years of pre-trial and trial proceedings and the respective decisions of the Trial Chambers deal with vast quantities of evidence, any appeals are likely to be complex and entail a heavy workload in 2020.

77. The Appeals Chamber is also expected to hear several interlocutory appeals from cases now before the Pre-Trial and Trial Chambers. Given the above, and in view of current trends, the various final and interlocutory appeals expected in 2020 are forecast to give rise to an increase in workload versus 2019, and several complex matters are expected to be before the Appeals Chamber at the same time.

Budget resources

€ 10,803.7 thousand

78. The requested amount has decreased by €48.0 thousand (0.4 per cent).

³⁰ See, for example, *The Prosecutor v. Saif Al-Islam Gaddafi and Abdullah Al-Senussi*, “Judgment on the appeal of Libya against the decision of Pre-Trial Chamber I of 31 May 2013 entitled ‘Decision on the admissibility of the case against Saif Al-Islam Gaddafi’”, 21 May 2014, ICC-01/11-01/11-547-Red.

Staff resources (total for three divisions)**€5,279.8 thousand**

79. The amount requested has increased by €79.2 thousand (1.5 per cent). The amount requested for established posts has increased by €71.8 thousand (1.7 per cent). The amount requested for general temporary assistance (GTA) positions has increased by €7.4 thousand (0.7 per cent).

80. Mindful of Strategic Goal 9 of the Court's Strategic Plan for 2019-2021,³¹ the Judiciary is continuing its efforts to improve the efficiency and expeditiousness of judicial proceedings, in part through increased operational flexibility in its staffing structure, which reflects the Court's commitment to the disciplined use of resources. Under this policy of operational flexibility, legal support staff are assigned on a needs basis, taking into account the workload of each team, Chamber and division, and the required expertise. This approach allows for better responsiveness to changing needs and workloads, enhancing the Judiciary's overall effectiveness. It also expands the skills and experience of Chambers staff and has a positive impact on the general dynamic of the Judiciary. To the extent possible, operational staff shortages are addressed with available resources by flexible deployment between the divisions and simultaneous assignment to cases or applications at the pre-trial, trial or appeal stages.

81. The ongoing flexible assignment of established and GTA staff is expected to continue leading to more synergy between judicial operating requirements and the Chambers' pool of knowledge and expertise, and will be essential to ensuring that the changing profile of the Chambers' workload (i.e. higher levels of pre-trial and appeals activity) can be handled with existing resource levels. Accordingly, for 2020, the staff resource requirements for Chambers remain at the same level as approved for 2019. It is stressed, however, that this requirement is based on the present staffing level, composed of the fully operational, well-trained and experienced staff currently on board. Any reduction in this staffing level will cause disruption to workflows and operational delays, and will prevent the expeditious completion of tasks.

82. The staffing structure of the Chambers comprises 40 established posts and 10 GTA positions, and remains unchanged from 2019. Staff resources are presented jointly for all three divisions, on the basis of the principle of flexible staff assignment.

*Established posts: Professional and General Service**€4,201.6 thousand*

83. The workload of established staff will remain at approximately the same level, especially in the light of the complexity of pending cases. Extensive additional support will be required to conduct activities at the pre-trial level and for multiple interlocutory and final appeals.

84. The Chambers are served by 40 established posts. The Head of Chambers' Staff (P-5) is responsible for strategic planning and work processes in the Chambers. The incumbent oversees and leads coordination and communication between divisions, and provides support to the judges and overall managerial leadership to legal and administrative staff of the Chambers. The Head of Chambers' Staff is assisted by one Senior Legal Adviser (P-5) and two Legal Advisers (P-4), who offer essential division-specific expertise, provide guidance to the pre-trial, trial and appeals staff and coordinate their work on cases. The Chambers are further staffed by: 18 Legal Officers (P-3), who provide high-level legal advice to the judges to whom they are assigned and coordinate the legal support teams of their respective Chambers, as necessary; 10 Associate Legal Officers (P-2), who assist with analysis of submissions, preparation of decisions and judgments, and the day-to-day logistics of courtroom activities; and 8 Administrative Assistants (GS-OL), who provide wide-ranging administrative and logistical support to the judges and staff.

³¹ Strategic Goal 9: "Manage resources in an effective, coherent, transparent, responsible and adaptable manner and further develop the sustainability and resilience of the Court against identified risks."

General temporary assistance

€1,078.2 thousand

85. The work of the divisions remains critically dependent on the availability of sufficient GTA support at the P-3 and P-2 levels. The continuation of previously approved GTA resources is therefore essential for the efficient functioning of the Chambers. It is recalled that, for the Approved Programme Budget for 2019, GTA support was reduced by 24 months of GTA funds for Associate Legal Officers (P-2). In the light of the expected workload, it is noted that further reductions would have a significant negative impact on workflow and would lead to operational delays. All GTA positions are considered multi-year, since they are used as a pool of resources and allocated on a needs basis. This requirement is reviewed annually. Accordingly, the same level of GTA resources is requested as was approved in the 2019 programme budget, as follows:

(a) Four *Legal Officers (P-3)*, funded for a total of 48 months. *Continued. Multi-year.* As in previous years, more experienced legal staff at P-3 level continue to be needed to coordinate and supervise teams and to assist with specific assignments in cases, such as in-depth legal research and analysis, preparation of draft decisions on issues emerging during the proceedings and provision of in-court support; and

(b) Six *Associate Legal Officers (P-2)*, funded for a total of 72 months. *Continued. Multi-year.* These staff provide necessary legal support for the judicial work of the Chambers. The requested GTA P-2 positions are required, *inter alia*, to provide the following specific support: analysis and summarization of large volumes of evidence and submissions; in-court note-taking and summarization of hearings; liaison with the Registry, parties and participants where needed; analysis of applications for reparations; and performance of any other relevant tasks necessary to ensure the proper functioning of the divisions.

Non-staff resources

€35.0 thousand

86. Non-staff resources are required for hospitality and training. In accordance with the recommendations of the Committee on Budget and Finance, as endorsed by the Assembly, the provision for judges' travel has been included in the budget of the Presidency.³² The requested amount has increased by €18.0 thousand (105.9 per cent) to cover required staff training and to provide for judges' training costs.

Hospitality

€1.0 thousand

87. The requested amount remains unchanged and is necessary to cover hospitality costs associated with visits to judges by diplomatic and other high-level visitors, such as renowned legal scholars and figures of the international legal community. These costs are recurrent.

Training

€34.0 thousand

88. The requested amount has increased by €18.0 thousand (112.5 per cent). Funding is composed of €22.0 thousand for staff training and an additional €12.0 thousand for judges' training. The amount for staff training is required for the development of professional skills, including legal writing and linguistic capacity-building, specialized training on new developments in international humanitarian law, international criminal law, human rights law and evidence (e.g. digital forensics), and further development of coordination, communication, managerial and leadership skills. The amount earmarked for judges' training will be used to fund language immersion programmes for the judges. These costs are recurrent.

³² *Official Records ... Ninth session ... 2010* (ICC-ASP/9/20), vol. I, part II.E. and vol. II, part B.2.II.D.1, para. 83.

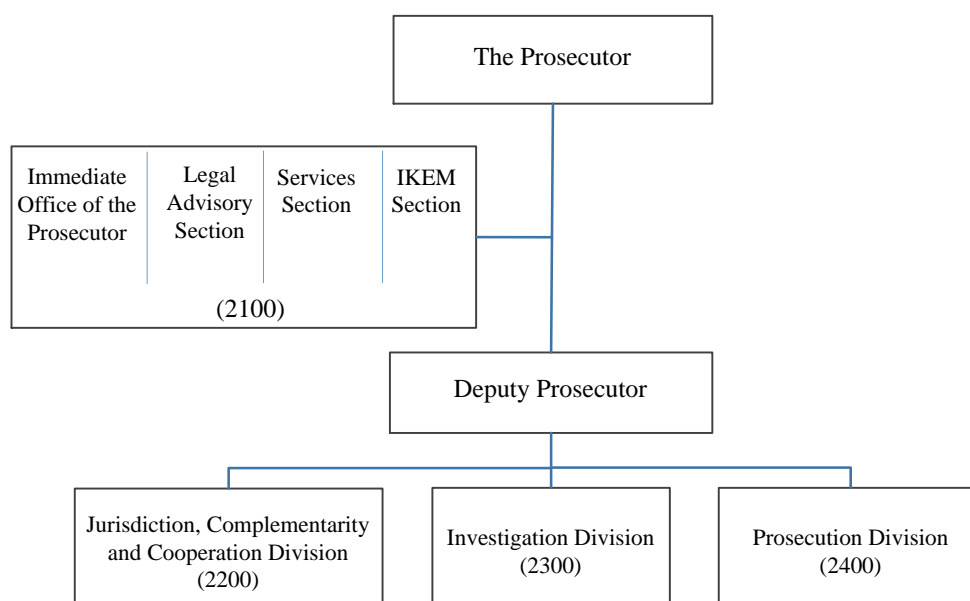
Table 9: Programme 1200: Proposed budget for 2020

1200 Chambers	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Judges	5,325.2	89.3	5,414.5	5,634.1	(145.2)	(2.6)	5,488.9
Professional staff				3,575.4	47.8	1.3	3,623.2
General Service staff				554.4	24.0	4.3	578.4
<i>Subtotal staff</i>	<i>4,330.9</i>	<i>-</i>	<i>4,330.9</i>	<i>4,129.8</i>	<i>71.8</i>	<i>1.7</i>	<i>4,201.6</i>
General temporary assistance	1,044.8	-	1,044.8	1,070.8	7.4	0.7	1,078.2
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>1,044.8</i>	<i>-</i>	<i>1,044.8</i>	<i>1,070.8</i>	<i>7.4</i>	<i>0.7</i>	<i>1,078.2</i>
Travel	-	-	-	-	-	-	-
Hospitality	-	-	-	1.0	-	-	1.0
Contractual services	-	-	-	-	-	-	-
Training	16.2	-	16.2	16.0	18.0	112.5	34.0
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>16.2</i>	<i>-</i>	<i>16.2</i>	<i>17.0</i>	<i>18.0</i>	<i>105.9</i>	<i>35.0</i>
Total	10,717.1	89.3	10,806.4	10,851.7	(48.0)	(0.4)	10,803.7

Table 10: Programme 1200: Proposed staffing for 2020

1200	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	-	2	2	18	10	-	32	-	8	8	40
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	2	2	18	10	-	32	-	8	8	40
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	4.00	6.00	-	10.00	-	-	-	10.00
Continued	-	-	-	-	-	-	4.00	6.00	-	10.00	-	-	-	10.00
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	4.00	6.00	-	10.00	-	-	-	10.00

B. Major Programme II: Office of the Prosecutor



Introduction

89. The mission of the Office of the Prosecutor (OTP, “the Office”) embraces the effective and efficient conduct of preliminary examinations, investigation and prosecution of perpetrators of genocide, crimes against humanity, war crimes and the crime of aggression, in accordance with its mandate under the Rome Statute. The Office will pursue this mission independently, impartially and objectively, consistent with its core values of *Dedication, Integrity and Respect*.

90. The proposed budget of the OTP for 2020 is based on three main interlinked sources:

- (a) the Court-wide Strategic Plan for 2019-2021;
- (b) the OTP Strategic Plan for 2019-2021 and related policies; and
- (c) a careful and realistic assessment of the resources that will be needed by the OTP in 2020 to properly discharge its mandate under the Rome Statute. The Office espouses and practices a strict, judicious and responsible approach to budget planning and fiscal management.

91. The Strategic Plan of the International Criminal Court (“the Court”) provides the overarching strategic view and guidelines for all the organs and programmes of the Court. The OTP plan – as well as the Registry’s – fits into the agreed common strategy contained in the Court-wide plan. All three draft strategic plans were presented to representatives of States Parties at the meeting of The Hague Working Group on 14 May 2019. Following the presentation, key stakeholders were asked to provide comments before the plans were finalized and, in the case of the OTP, for independent consideration by the Office.

92. The OTP Strategic Plan for 2019-2021 takes stock of the Office’s experience in the previous three years of activities and sets the path for achieving the goals on which the OTP will focus in the coming months and years. Under the leadership of the Prosecutor, who assumed office in 2012, the OTP has undertaken a number of managerial, strategic and policy initiatives intended to enhance effectiveness and efficiency in the exercise of its mandate and, in so doing, further strengthen public confidence in the OTP. Many of these initiatives have been regularly reported on and have resulted in internal institutional and operational enhancements. The 2019-2021 Strategic Plan is a further contribution by the Prosecutor and her Office towards that aim, in the same spirit and driven by a candid commitment to continuous improvement and excellence, and to make adjustments where needed. Given the importance that the Office places on the contribution of its stakeholders,

States and NGOs have been asked to provide their comments for the Office's independent consideration before the plan is finalized and adopted.

93. The OTP has identified six strategic goals in its 2019-2021 plan. These six goals³³ can be grouped under three main areas:

- (a) Improving performance in relation to the Office's core activities;
- (b) Enhancing sound management practices; and
- (c) Contributing to the effective functioning of the Rome Statute system.

94. These key areas contain the strategic goals identified as the most urgent and important to address in the next strategic period.

95. The OTP – with its independent mandate to initiate investigations and present cases before the Chambers – is the driving force behind the Court's judicial activities. While the outcomes of proceedings depend on various factors, effective performance by the OTP is key to enhancing the Court's credibility and strengthening public confidence in its ability to deliver justice for the world's most serious crimes.

96. The OTP is actively engaged in ensuring that its operations are conducted in accordance with the highest standards and that its activities are compliant with the legal framework of the Rome Statute while being informed by professionalism, transparency, fairness, efficiency and effectiveness. The OTP is also a learning organization where both successes and shortcomings are fully assessed and lessons are regularly learned and applied to ensure continuous improvement.

97. Results are measured on a regular basis via a set of performance indicators that were introduced in the 2012-2015 Strategic Plan and subsequently fine-tuned over the 2016-2018 period. Eleven indicators³⁴ – grouped into four main categories – will continue to be monitored through a dashboard, which serves as an internal management tool, to evaluate the Office's performance against the 2019-2021 Strategic Plan.

OTP activities in 2020 – preliminary examinations, investigations and prosecutions

98. The activities planned for 2020 build upon the combined results and experience of implementing the previous OTP strategic plans and on the goals of the 2019-2021 plan.

99. Consistent with its mission and strategic goals, the Office – while continuing to systematically identify efficiency gains and cost savings – focuses on optimizing preliminary examinations, further prioritizing investigations and prosecutions, developing a clear completion strategy for situations under investigation, developing narrower cases where appropriate, preparing and advocating for more expeditious court proceedings, and optimizing cooperation with partners.

100. The Office is committed to improving its governance by continuing to develop its practices in the fields of performance and risk management, further investing in leadership development and optimizing its decision-making structure and processes, always ensuring due oversight and informed decision making.

³³ The strategic goals in the 2019-2021 Strategic Plan are as follows: *Strategic Goal 1*: Achieve a high rate of success in court; *Strategic Goal 2*: Increase the speed, efficiency and effectiveness of preliminary examinations, investigations and prosecutions; *Strategic Goal 3*: Develop with States enhanced strategies and methodologies to increase the arrest rate of persons subject to outstanding warrants of arrest issued by the Court. ; *Strategic Goal 4*: Refine and reinforce its approach to victims, in particular for victims of sexual and gender-based crimes (SGBC) and crimes against or affecting children; *Strategic Goal 5*: Increase the Office's ability to manage its resources in an effective, responsible and accountable manner; *Strategic Goal 6*: Strengthen the ability of the Office and of its partners to close the impunity gap. The links between these goals and the goals of the Court's Strategic Plan can be found in Annex IV(e) of this document as well as in the OTP Strategic Plan 2019-2021.

³⁴ *Prosecutorial Results*: Persons presented/convicted; *Operational Excellence*: Compliance with quality standards; Efficiency gains and savings; Speed of core activities; Productivity of the Office. *Management Excellence*: Staff performance and development; Staff well-being; Gender and geographical balance; Budget implementation and compliance. *Innovation and Learning*: Lessons learned conducted; Research and evaluation agenda implemented.

101. Finally, the Office will continue to develop its ability to communicate more effectively, both internally and externally: timely and clear communications is crucial to maximize transparency and ensure that stakeholders and the public have an accurate and up-to-date picture of the Office's actions and decisions, including the progress of its investigations and prosecutions, where appropriate.

Situations under preliminary examination

102. The OTP conducts preliminary examinations of all situations that come to its attention so as to determine, on the basis of the legal criteria established by the Rome Statute ("the Statute") and the information available, whether those situations warrant investigation. The OTP is currently conducting preliminary examinations in nine situations: Bangladesh/Myanmar, Colombia, Guinea, Iraq/UK, Nigeria, Palestine, the Philippines, Ukraine and Venezuela. On 4 July 2019, the Prosecutor – having determined on the basis of the preliminary examination that there is a reasonable basis to believe that crimes against humanity under the jurisdiction of the Court have been committed³⁵ – requested, pursuant to article 15(3) of the Rome Statute, authorization from the Pre-Trial Chamber to proceed with an investigation into the situation in Bangladesh/Myanmar in the period since 9 October 2016. Some of the Office's preliminary examinations may be concluded during the remainder of 2019 and in 2020.

103. The criteria set out in article 53(1)(a)(b)(c) of the Statute provide the legal framework for a preliminary examination. In order to determine whether there is a reasonable basis to proceed with an investigation into the situation, the Prosecutor must consider jurisdiction, admissibility and the interests of justice.

104. The preliminary examination process is conducted on the basis of the facts and information available, mostly in open sources such as public documents, reports, videos and other materials of reliable provenance. The Office also conducts missions, as required, to meet relevant stakeholders on all sides – from government officials to civil society representatives – for the purpose of gathering information, engaging with State authorities on complementarity issues, and explaining the nature and scope of the preliminary examination process, which is not to be confused with a full-fledged investigation.

105. All of the information gathered is subjected to a fully independent, impartial and thorough analysis. The Office's findings are preliminary in nature and may be reconsidered in the light of new facts or evidence. The goal of this process is to reach a fully informed determination of whether there is a reasonable basis to proceed with an investigation. The Statute provides no timeline for such a determination. The Office ensures that no preliminary examination takes longer than is required to reach a fully informed decision following a comprehensive and independent assessment of the statutory criteria.

106. Preliminary examinations are not only crucial to deciding whether to open a new investigation; they also serve to lay a firm foundation for cooperation when – and if – such an investigation is opened. Preliminary examinations can also have a preventive effect and may foster domestic efforts to investigate and prosecute, thereby potentially obviating the need for new investigations by the Office. Lastly, the analytical work conducted at the preliminary examination phase feeds into the analysis at the investigations phase, should the Prosecutor decide to open an investigation into a situation. In view of the increasingly high volume of information received for processing in some of the most recent preliminary examinations, the Office has had to consider ways to improve and strengthen its information management at the preliminary examination phase, which has required the

³⁵ The information available provides a reasonable basis to believe that, in the context of the 2017 wave of violence, the following crimes were committed, in part on the territory of Myanmar and in part on the territory of Bangladesh: (a) deportation under article 7(1) (d) of the Statute (although the coercive acts forcing the Rohingya population to flee took place on the territory of Myanmar, the victims crossed a border – an essential element of the crime of deportation – by entering onto the territory of Bangladesh); (b) other inhumane acts under article 7(1)(k) of the Statute, namely the infliction of great suffering or serious injury by means of intentional and severe violations of the customary international law right of displaced persons to return safely and humanely to the State of origin with which they have a sufficiently close connection; and (c) persecution on ethnic and/or religious grounds under article 7(1)(h) of the Statute by means of deportation and intentional and severe deprivation of the customary international law right to return. This is without prejudice to other possible crimes within the jurisdiction of the Court which may be identified during the course of any authorized investigation.

dedication of specific resources. Furthermore, in line with its strategic plan, the latest preliminary examination by the Office into the situation of Bangladesh/Myanmar demonstrates the application of a new and more streamlined approach into preliminary examinations by introducing members of the Prosecution Division and Investigation Division into the preliminary analysis phase usually carried out by the analysts only, in order to endure a smooth transition into the investigation stage, should that be authorized

Situations under investigation and cases before the Court

107. In 2020, the OTP will continue to operate in relation to at least 11 situations that are open: Burundi, the Central African Republic (CAR I and II), Côte d'Ivoire, Darfur (Sudan), the Democratic Republic of the Congo (DRC), Georgia, Kenya, Libya, Mali and Uganda. In relation to the situation of the Islamic Republic of Afghanistan, on 12 April 2019, Pre-Trial Chamber II rejected the Prosecutor's request for authorization to initiate an investigation. In the independent and impartial exercise of her mandate under the Rome Statute, following a thorough analysis of the Chamber's decision, the Prosecutor decided to seek leave to appeal that decision on 10 June 2019.

108. The OTP Executive Committee ("ExCom") gives extensive consideration to various factors when planning for activities in each fiscal year and preparing for the corresponding programme budget request. In line with OTP strategy, cases that are being prepared for trial or have reached the trial stage are always the Office's top priority. At the same time, investigations are normally the most resource-intensive activity conducted by the Office, and timing is essential for optimal results. As the Court often operates in highly volatile political and security environments, priority attention and resources are also devoted to active investigations so as to capitalize on as many opportunities as possible.

109. The 2020 proposed budget provides for some essential increases to finalize important investigative activities and operations, while also catering for prosecutorial, and appellate activities related to ongoing proceedings.

110. After thorough consideration, in line with its Strategic Plan and its Policy on Case Selection and Prioritization, in 2020 the OTP will prioritize nine active investigations (eight simultaneously) in the following situations: Burundi, CAR II, Côte d'Ivoire, Darfur (first quarter only), DRC (starting second quarter), Georgia, Libya (two investigations) and Mali. The forecast of active investigations in 2020 is presented as accurately as possible, as of the preparation of the proposed programme budget. Owing to the inherently dynamic nature of the OTP's mandate and activities, it is possible that additional investigations may be opened during the remainder of 2019 or in 2020, taking into account, in particular, the progress of the OTP's preliminary examinations. In such scenario, the OTP stands ready to reprioritize its activities in relation to one or more of the situations with active investigations in the light of its case selection and prioritization policy, to maintain them at a level of eight simultaneous investigations where possible. While eight investigations entail a very high level of activity, the Office must do its best in addressing them given the number of potential cases still requiring its attention and response.

Situation in the Republic of Burundi

111. On 9 November 2017, Pre-Trial Chamber III authorized the Prosecutor to open an investigation into crimes against humanity within the jurisdiction of the Court, allegedly committed in Burundi or by nationals of Burundi outside Burundi, from 26 April 2015 to 26 October 2017, the day before Burundi's withdrawal from the Rome Statute became effective on 27 October 2017. The Prosecutor was also authorized to extend her investigation to crimes which were committed before 26 April 2015 or continued after 26 October 2017, as long as the investigation or prosecution relates to the crimes allegedly committed during the time Burundi was a State Party to the Rome Statute.

112. While Burundi's withdrawal from the Court was regrettable, the Pre-Trial Chamber did confirm Burundi's obligation to cooperate with the Court under Part 9 of the Rome Statute despite its withdrawal. The Office has also made efforts to build and maintain cooperation networks to mitigate some practical investigative challenges.

113. Resources in relation to, *inter alia*, investigations, cooperation and situation-specific languages will continue to be required in 2020. The limited additional resources in the 2019 approved budget, and the subsequent need to internally redeploy resources amongst existing situations and cases, have had a negative impact on the pace of activities in the Burundi situation. Thus, it is expected that this situation will need to remain under active investigation throughout 2020.

Situation in the Central African Republic (I and II.a and II.b)

114. The Central African Republic has twice referred a situation on its territory to the Court. Investigations with respect to CAR I focused on atrocities committed in the CAR in 2002 and 2003. Investigations in the CAR II situation focus on crimes allegedly committed during renewed violence in the country from 2012 onwards by various groups, including elements known by or operating under the names Séléka and anti-Balaka, and government entities.

115. The investigations are currently ongoing. Two teams of investigators focus on the crimes allegedly committed by the different parties to the conflict, including by (groups linked to) the Séléka (CAR II.a) and (groups linked to) the anti-Balaka (CAR II.b).

116. Following extensive investigative and cooperation efforts, the CAR II.b investigations led to the arrests of two suspects in 2018. Pursuant to a warrant of arrest issued by Pre-Trial Chamber II on 11 November 2018, Mr Alfred Yekatom was handed over to the Court by the CAR authorities on 17 November 2018. On 7 December 2018, Pre-Trial Chamber II also issued a warrant of arrest for Mr Patrice-Edouard Ngaïssona, who was arrested by the French authorities on 12 December 2018 and transferred to the Court on 23 January 2019. On 20 February 2019, Pre-Trial Chamber II decided to join the two cases, scheduling the hearing on the confirmation of the charges for 18 June 2019. Depending on its outcome, trial proceedings could take place in 2020, with a continued high level of dedicated resources in the Integrated Team.

117. Other investigative activities in CAR II will continue in 2020, in particular to finalize the present focus of the OTP investigations. In parallel, the OTP will continue to engage with CAR authorities and with the Special Criminal Court, including to consider completion strategies.

118. While a good cooperation environment has helped the OTP to make substantive progress in its investigations, the security environment has been and remains extremely unstable causing challenges for OTP activities and requiring increased security measures and logistical support for the Court's operations.

Situation in Côte d'Ivoire

119. Post-election violence erupted in Côte d'Ivoire in 2010-2011 after results in the presidential election, involving Laurent Gbagbo and Alassane Ouattara, were contested. Atrocities purportedly committed during the ensuing violence included murder, rape, other inhumane acts, attempted murder and persecution. The OTP's investigations have focused on crimes allegedly committed by both the pro-Gbagbo (CIV I) and pro-Ouattara forces (CIV II).

120. Resulting from the CIV I investigation, the joint case of *The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé* concluded its trial phase on 15 January 2019 when Trial Chamber I acquitted Mr Gbagbo and Mr Blé Goudé of all charges brought against them following a submission of no case to answer. Subsequently, the OTP indicated it will make a decision on whether to appeal once a written and reasoned decision by the Trial Chamber has been issued, and requested a conditional release of Mr Gbagbo and Mr Blé Goudé, which was granted on 1 February 2019 by the Appeals Chamber. At the time of budget preparation, the Trial Chamber's written decision has not yet been issued. In the event of an appeal by the OTP, the *Gbagbo and Blé Goudé* case will continue to be litigated. The warrant of arrest for Simone Gbagbo remains to be executed.

121. Throughout 2020, the OTP will actively continue its CIV II investigation, in which progress has been achieved in the past period following a delayed start owing to a lack of sufficient resources.

Situation in Darfur

122. Sudan is not a State Party to the Rome Statute. The United Nations Security Council referred the situation in Darfur to the Prosecutor on 31 March 2005, pursuant to its resolution 1593 and article 13(b) of the Statute.

123. On 6 June 2005, the OTP opened an investigation into the situation in Darfur in relation to crimes within the Court's jurisdiction, committed since 1 July 2002. The OTP's investigation has focused on allegations of genocide, war crimes and crimes against humanity committed in Darfur. Alleged crimes falling under the Court's jurisdiction reportedly continue to be committed in Darfur.

124. In this situation, several warrants of arrest remain outstanding – some since 2007. These remain either at the pre-trial stage, pending the suspects' arrest and surrender to the Court, or – in the case of Abdallah Banda Abakaer Nourain – at the trial stage, pending the accused's arrest before the presentation of evidence can commence. Former President Omar Al Bashir faces five counts of crimes against humanity, two counts of war crimes and three counts of genocide allegedly committed against the Fur, Masalit and Zaghawa ethnic groups in Darfur from 2003 to 2008. Ahmad Muhammad Harun is facing 20 counts of crimes against humanity and 22 counts of war crimes, and Ali Muhammad Abd Al Rahman ("Ali Kushayb") is facing 22 counts of crimes against humanity and 28 counts of war crimes. Abdel Raheem Muhammad Hussein is facing seven counts of crimes against humanity and six counts of war crimes allegedly committed in Darfur between August 2003 and March 2004. Abdallah Banda Abakaer Nourain is facing three charges of war crimes allegedly committed in an attack carried out on 29 September 2007 against the African Union Peacekeeping Mission in Sudan, at the Haskanita Military Group Site in the Umm Kadada locality in north Darfur.

125. The OTP will continue to pursue, until the first quarter of 2020, all available opportunities to strengthen and corroborate the existing cases in this situation. The OTP continues to call on States Parties to ensure the execution of the warrants of arrest in this situation.

Situation in Georgia

126. On 27 January 2016, following a preliminary examination of the situation prevailing in Georgia since 2008 and in the absence of effective proceedings at the national level, Pre-Trial Chamber I granted the Prosecutor authorization to commence an investigation into the situation in Georgia in relation to crimes falling within the Court's jurisdiction allegedly committed in and around South Ossetia between 1 July and 10 October 2008.

127. The OTP will continue actively investigating in the Georgia situation throughout 2020 with a dedicated Integrated Team and within the available resources. Given the complex cooperation and security environment, one of the main challenges in the Georgia situation continues to be the need for enhanced secure communications for any staff deployed to the field, as well as overall information security.

Situation in Libya (two investigations)

128. Through resolution 1970 of 26 February 2011, the United Nations Security Council referred the situation in Libya as of 15 February 2011 to the Prosecutor. Libya is not a State Party to the Rome Statute. On 3 March 2011, the OTP opened an investigation into the situation in Libya in relation to alleged crimes within the jurisdiction of the Court allegedly committed since 15 February 2011.

129. Several warrants of arrest remain to be executed for suspects in the situation in Libya: Saif Al-Islam Gaddafi, Al-Tuhamy Mohamed Khaled and Mahmoud Mustafa Busayf Al-Werfalli.

130. Despite the challenging security and political situation in Libya, the OTP has continued to make progress in the existing and potential cases, and continues to collect, receive and process evidence concerning alleged crimes. In 2020, the OTP will continue to focus on two active lines of investigation: one concerning war crimes allegedly committed by Al-Werfalli *et al.*, and another relating to potential crimes against humanity or war crimes, within the Court's jurisdiction, allegedly committed against refugees and migrants transiting through Libya. The latter line of investigation has been conducted largely in line with the OTP's Strategic Goal 9.³⁶ In this context, the OTP will continue to cooperate with Libya and other States, as well as national and international organizations, to enhance the coordination of investigative and prosecutorial strategies aimed at closing the impunity gap for Rome Statute and transnational crimes, as well as organized criminal activity. Where appropriate, the OTP has shared and will continue to share information with relevant partners and law enforcement authorities in accordance with the relevant provisions of the Rome Statute.

Situation in the Democratic Republic of the Congo

131. On 3 March 2004, the Government of the DRC referred to the Court the situation prevailing on its territory since 1 July 2002. The DRC situation has, to date, produced six cases, with six suspects facing numerous charges including the crimes against humanity of murder, rape and sexual slavery; and the war crimes of murder, directing attacks against a civilian population, rape and sexual slavery, pillaging, and conscripting, enlisting and using child soldiers. Three important proceedings are expected to take place throughout 2020: the reparations proceedings and the implementation of reparations awards in the *Lubanga* and *Katanga* cases, and the drafting of judgments pursuant to article 74 and, if appropriate, article 76, in the *Ntaganda* case. In relation to the proceedings in the *Ntaganda* case, closing hearings took place in August 2018. Trial Chamber VI gave its decision on 8 July 2019, finding Mr Ntaganda guilty, beyond reasonable doubt, of 18 counts of war crimes and crimes against humanity. The warrant of arrest for Sylvestre Mudacumura remains to be executed.

132. The OTP has continued to receive information on the situation in the DRC, including crimes allegedly committed in the Kasai region and elsewhere. It will continue to closely follow these developments and assess the measures taken at the domestic level to address them. Additionally, in line with its case selection and prioritization policy, the OTP will conduct, from the second quarter of 2020, an active investigation in relation to potential cases it has identified. Simultaneously, the OTP is also engaging with the DRC authorities in line with its Strategic Goal 6 to close the impunity gap.

Situation in Kenya

133. Following a preliminary examination, Pre-Trial Chamber II authorized the OTP on 31 March 2010 to open an investigation *proprio motu* into the situation in the Republic of Kenya involving crimes against humanity within the jurisdiction of the Court allegedly committed between 2005 and 2009. The OTP's investigation focused on crimes against humanity allegedly committed in the context of post-election violence in Kenya in 2007-2008. The investigation produced evidence on which charges were brought by the OTP for the crimes against humanity of murder, deportation or forcible transfer of population, persecution, rape and other inhumane acts.

134. On 23 January 2012, Pre-Trial Chamber II confirmed the charges against William Samoei Ruto, Joshua Arap Sang, Francis Kirimi Muthaura and Uhuru Muigai Kenyatta.

135. On 5 December 2014, the Prosecutor withdrew the charges against Mr Kenyatta. The Prosecutor stated that, given the state of the evidence in the case, she had no alternative but to withdraw the charges against him at that time. The Prosecutor's decision to withdraw the charges was taken without prejudice to the possibility of bringing a new case, should additional evidence become available.

³⁶ This goal is now included in Strategic Goal 6 in the 2019-2021 Strategic Plan.

136. On 5 April 2016, Trial Chamber V(A) vacated the charges against William Samoei Ruto and Joshua Arap Sang, without prejudice to the possibility of prosecution in the future, either before the Court or under domestic jurisdiction.

137. Warrants of arrest have been issued for three Kenyan nationals for alleged offences against the administration of justice (article 70), namely corruptly influencing or attempting to corruptly influence Court witnesses. A warrant of arrest for Walter Osapiri Barasa was issued on 2 August 2013. Warrants for the arrest of Messrs Paul Gicheru and Philip Kipkoech Bett were issued on 10 March 2015. The case remains at the pre-trial stage with limited OTP resources still required.

Situation in Mali

138. On 13 July 2012, the Government of Mali referred to the Court the situation prevailing on its territory since January 2012. After conducting a preliminary examination of the situation, the OTP opened an investigation on 16 January 2013 into alleged crimes committed on the territory of Mali since January 2012.

139. On 18 September 2015, Pre-Trial Chamber I issued a warrant of arrest for Ahmad Al Faqi Al Mahdi for the war crime of intentionally directing attacks against historic monuments and buildings dedicated to religion. On 24 March 2016, Pre-Trial Chamber I confirmed the charges against Ahmad Al Faqi Al Mahdi and committed him to trial. The accused admitted guilt pursuant to article 65. The judgment and sentence were issued on 27 September 2016.

140. In response to the continued strong demand for the OTP's intervention, and in the light of unforeseen investigative opportunities and the gravity of the crimes allegedly committed, the OTP continued to investigate – albeit with a reduced team – a wider range of war crimes and crimes against humanity in Mali, with the aim of gathering evidence which could lead to additional cases.

141. This resulted, as a first outcome on 31 March 2018, in the arrest and surrender to the Court of Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud. The confirmation of charges hearing, initially scheduled for 24 September 2018, opened on 8 July 2019. Depending on its outcome, trial proceedings could take place in 2020. Trial proceedings will require high level of dedicated resources in the Integrated Team, including trial lawyers and other members of the Prosecution Division, constant support from investigators and analysts, and cooperation efforts.

142. In parallel, throughout 2020, the team will continue investigations into the situation and pursue identifying additional cases on the basis of the evidence gathered.

Situation in Uganda

143. On 16 December 2003, the Government of Uganda referred to the Court the situation prevailing on its territory since 1 July 2002 concerning the Lord's Resistance Army (LRA).

144. On 29 July 2004, the OTP opened an extended investigation into the situation concerning northern Uganda, with a focus on alleged war crimes and crimes against humanity, irrespective of the perpetrator. On 8 July 2005, Pre-Trial Chamber II issued warrants of arrest under seal for top LRA commanders, namely, Joseph Kony, Vincent Otti, Raska Lukwiya, Okot Odhiambo and Dominic Ongwen, on charges of crimes against humanity and war crimes. The Chamber terminated proceedings against Raska Lukwiya and Okot Odhiambo following their deaths. The warrants of arrest for Mr Kony and Mr Otti remain unexecuted.

145. On 16 January 2015, Dominic Ongwen was surrendered to the Court. On 23 March 2016, Pre-Trial Chamber II confirmed 70 charges against Dominic Ongwen and committed him to trial. The confirmed charges encompass crimes against humanity and war crimes allegedly committed in northern Uganda between 1 July 2002 and 31 December 2005, including sexual and gender-based crimes directly and indirectly committed by Dominic Ongwen, forced marriage, enslavement and the conscription and use of child soldiers.

146. In 2018, the trial entered the defence phase, which is still ongoing at the time of writing this document. The OTP will continue to require a dedicated trial support team for the duration of the trial hearings and any further proceedings during 2020.

Strategic and budgetary considerations related to the OTP's core activities: preliminary examinations, investigations and prosecutions

147. The number of cases, investigations and preliminary examinations included in the budget assumptions is a translation of the ever-increasing demand on the Office to exercise jurisdiction in numerous situations around the globe where the most serious crimes of concern to the international community are being committed. Addressing those crimes, where the Court's jurisdiction allows it and where there are no national proceedings under way, is the very purpose for which the Court and the independent OTP were established. Nonetheless, the OTP notes that 2020 is set to be yet another challenging year, not least in terms of resources. While the Office will continue to set priorities by balancing operational demands against the resources made available by the States Parties, a budget that is not commensurate with its carefully planned and essential resource needs will have a negative impact on the progress of its activities, without which no cases can be tried at the Court. Ultimately, insufficient resources are bound to lead to reputational risk for the OTP, the Court and the Rome Statute as a whole.

148. As has always been the practice, staff resources at the Office are allocated and redeployed flexibly between cases to maximize their effective use and the quality of outcomes while ensuring the completion of ongoing work. For example, some of the staff resources that were allocated to the *Ntaganda* trial in 2018 were redeployed to other situations in 2019. Whenever staff members have fungible skills (that is, expertise that can be used in more than one case, such as analysis, investigative and prosecutorial skills), they can be effectively and efficiently redeployed to new situations and cases.

149. However, some new situations require specific skills, necessitating the recruitment of new staff to enable the relevant teams to conduct operations. For instance, new situation languages require the recruitment of new translators, transcribers and field interpreters. In other circumstances, the intensification of an investigation or prosecution may require additional resources to strengthen the existing teams, in particular where all ongoing situations are faced with increased workloads simultaneously. Similarly, financial investigations require investigators with specific expertise that cannot be found among the existing resources. If new staff cannot be recruited, those activities may grind to a halt, resulting in lost investigative opportunities or delayed results.

150. On the other hand, the Office always strictly scrutinizes and evaluates the possibility of reducing financial impact by identifying savings and efficiencies before requesting any increase.

151. Because of the nature of its mandate and operations, most of the resources used by the Office are staff related. Owing to the evolving nature of its operations, the Office performs an evaluation of its existing roles and positions on a regular basis. Before requesting a new post, existing profiles are reviewed. Wherever possible, new positions are offset by discontinuing other profiles. In the 2020 proposed budget, total staff costs account for 89.4 per cent of the funds requested by the Office.³⁷

152. As the Court-wide savings and efficiencies exercise has been performed for some years already, the possibility of achieving substantial additional material savings is in general limited.³⁸ The OTP has in any event reviewed certain processes for 2019, enabling it to perform more efficiently while maintaining the required level of quality in its results. These efficiencies are generally quantified in terms of existing staff time freed up, enabling

³⁷ The 2019 OTP Total Approved Budget 2019 was €46,802.5 thousand and total staff costs were €41,719.4 thousand, or 89.1 per cent.

³⁸ The output (savings and efficiencies) eventually follows the law of diminishing returns as, over time, the number of processes that have not yet been improved diminishes.

current resources to absorb the largest possible share of the extra work arising from increased activity.³⁹

153. The total savings and efficiencies included in the 2020 budget proposal are €516.1 thousand. Of this amount, savings reducing the baseline represent 2.2 per cent, cost avoided 94.1 per cent and efficiencies 3.7 per cent.

154. Identifying areas where the Office can make efficiency gains is an ongoing exercise. Since 2012, results have been documented and communicated to the Committee on Budget and Finance (“the Committee”) and the States Parties. Savings and efficiency gains have been integrated into the OTP’s approved budget. The table below shows the OTP results since 2012.

	2012	2013	2014	2015	2016	2017	2018
Budget (€ '000)	27,723.70	28,265.70	33,220.00	39,612.60	43,233.70	44,974.20	45,991.80
Savings and Efficiencies (€ '000)	183.96	848.18	442.67	366.1	375.52	367.7	240.6
Savings + Efficiencies over Budget	0.7%	3.0%	1.3%	0.9%	0.9%	0.8%	0.5%

155. Following workshop sessions dedicated to improving the budget process and the format of the budget package, the Court and the Committee have agreed – despite a certain level of unpredictability inherent in the nature of the operations of the OTP and the Court in general – to strive to increase the accuracy of requests for funds at budget item level. As it was done for previous submissions, the 2020 proposal is based on both estimates for 2020 activities and trends in the implementation of specific budget items in past years, which are available to the Office’s management.⁴⁰

156. The proposed budget for OTP travel in 2020 is an example of how the Office is seeking to align its proposed budget with the actual costs incurred in past years. The savings achieved in accommodations and other mission-related costs has been factored into the funds requests. Thus, mindful of the need to maintain its capacity to conduct missions to support and progress with investigative and prosecutorial activities,⁴¹ but benefitting from the efficiencies measures implemented, the Office has been able to propose keeping the value of the funds allocated to travel at the same level as in the 2019 approved budget.

157. The Office’s budget is the product of a process of careful scrutiny which provides a realistic assessment of the OTP’s resource needs to meet the demands placed on it in 2020, in accordance with its mandate.

³⁹ The Court has presented its methodology to the Committee and the following categories have been agreed upon: 1. *Savings* (two categories): (i) costs incurred in the previous/current financial period and no longer appearing in the next programme budget, resulting in a reduction in the baseline; and (ii) increases in costs avoided through newly introduced policies, procedures and/or negotiations with suppliers or service providers, resulting in the same baseline. 2. *Efficiencies*: activities which limit or avoid requests for additional resources and/or provide increased productivity, resulting in the same baseline but avoiding any increase in costs. 3. *Non-recurrent costs*: one-off decreases in resource requirements attributable to non-continuation of activities, resulting in a reduction in the baseline. 4. *Additional cost reductions*: workload-related changes resulting in a reduction in the baseline.

⁴⁰ Using the data prepared by the Financial Planning and Control Unit (FPCU), the Senior Manager provides monthly updates on the OTP budget implementation per budget item and sub-programme, and advises the Prosecutor and senior management on financial matters related to the activities being conducted. Time series of funds requested, approved and spent per year and per budget item are also available on the FPCU intranet page: <http://otp.icc.int/sites/ss/gau/pages/Budget%20and%20Expenditure%20Monitoring.aspx>. Thanks to the project by FPCU with the assistance by the Registry’s SAP and Budget teams, the data on budget lines’ implementation are now updated as of midnight of the previous working day.

⁴¹ The Office conducts missions in several countries where witnesses and victims are located and evidence can be collected with respect to the investigative and prosecutorial activities it manages. Since 2012, the Office has strived to be “as trial-ready as possible” by the time it seeks a confirmation of charges before a Pre-Trial Chamber. The process of collecting and analysing solid evidence is therefore a key factor in the OTP’s strategy, making operational missions fundamental to the implementation of that strategy.

<i>Parameter</i>	<i>2019</i>	<i>2020</i>
Number of situations	11	11 ⁴²
Number of active investigations	8	9 ⁴³
Unsealed warrants of arrest pending execution	16	16 ⁴⁴
Number of preliminary examinations	9	9 ⁴⁵
Number of (pre-)trial teams (OTP)	3	2 ⁴⁶
Number of final appeals	5	1 ⁴⁷

158. The Office continues to take measures, to the extent possible within its mandate, to promote complementarity and thereby reduce the need for its direct intervention. In this regard, preliminary examinations remain essential to promoting national proceedings, where appropriate.

159. On the basis of planned required activities for 2020, and in furtherance of its Strategic Plan 2019-2021, the OTP proposed budget has increased by €1,133.8 thousand (2.4 per cent), from €46,802.5 thousand to €47,936.3 thousand. According to the United Nations reference tables, the 2019 Cost of Living Adjustment (COLA)⁴⁸ in the Netherlands to be used for adjustment calculations is 2.0 per cent. The proposed increase is therefore only 0.4 percentage points over the inflation rate, making the OTP proposed budget for 2020 substantially a zero real growth compared to 2019. The table below summarizes the increase per major budget item:

<i>Major Programme II</i>	<i>2019</i>	<i>Resource Changes</i>		<i>2020</i>
<i>Office of the Prosecutor</i>	<i>(€ '000)</i>	<i>Amount</i>	<i>%</i>	<i>(€ '000)</i>
Staff costs	31,526.4	657.7	2.1%	32,184.1
Other staff costs	10,193.0	476.6	4.7%	10,669.6
Non-staff costs	5,083.1	(0.5)	(0.0)%	5,082.6
Total	46,802.5	1,133.8	2.4%	47,936.3

160. The increase in the budget proposal includes the impact of the implementation of the 2020 United Nations Common System (UNCS) equal to €722.1 thousand. The UNCS adjustments for established and GTA posts account for €541.7 thousand and €180.4 thousand, respectively. These adjustments include the changes in local salaries and/or changes in post duty station.

161. The increase in other staff costs – other than the UNCS adjustment – is attributable to the impact of a few new GTA staff requested to strengthen the operations of the Office and to the effect of the posts approved in the previous budget proposals for less than 12 months. As per Office's practice, careful scrutiny has been applied to the consideration and submission of these requests. Each position has been evaluated in detail against the strategic and operational needs of the Office, taking into account its strategic goals and core mandated activities. In an extra effort to limit the financial impact of the needed restoration of capacity for the GTA positions that are occupied and have continuously been approved

⁴² Burundi, CAR II, CIV, DRC, Darfur, Georgia, Kenya, Libya, Mali, Uganda.

⁴³ Nine active investigations, but Darfur and DRC account for 12 months in total.

⁴⁴ CIV I *bis*(1); Darfur I (2), II, IV and V (2), III (1); DRC IV (1); Kenya art. 70(3); Libya I (1), Libya II (1); Libya III (2); Uganda (2).

⁴⁵ Colombia, Guinea, Iraq/UK, Myanmar/Bangladesh, Nigeria, Palestine, Philippines, Ukraine, and Venezuela.

⁴⁶ CAR II.b (*Yekatom and Ngaïssona*), and Mali II (*Al Hassan*).

⁴⁷ The nature of the appeals process is such that, until a judgment is issued by a Trial Chamber, it cannot be said that a final appeal is certain. However, it is highly likely that a judgment of a Trial Chamber (be it a conviction or an acquittal) will result in at least one appeal from one or more of the parties. Accordingly, on the basis of a strict certainty criterion, this figure would at present be 0 but would be extremely likely to increase as trial judgments are handed down in 2019.

⁴⁸ The Cost of Living Adjustment (COLA) is calculated by the United Nations Joint Staff Pension Fund on the basis of the consumer price index movements in the United States and other countries.

in previous budgets for less than 12 months, the proposed contracts' duration is still shorter than a full year. Details and justification for each position are provided in the narratives of the specific programmes.

162. The marginal increase arising from the reclassification of posts submitted with this budget proposal has been fully compensated within the existing staff funds, thus making the reclassifications completely budget neutral.

163. Increases are requested to provide better support to Integrated Teams and OTP operations in general, and to address the need for specific skills to support preliminary examinations, investigative and prosecutorial activities and allow cases to advance to the next phase without further delay.

164. In the light of the lag time that characterizes recruitment processes at the Court, the OTP proposed budget adopts a recruitment time factor of six months⁴⁹ for any new positions – not carried forward from 2019 – financed through either GTA or established funds for 2020.

165. Thanks to the careful evaluation and scrutiny of resource requests, and to the efficiencies achieved in the management of funds (through, *inter alia*, more efficient mission planning and use of alternative accommodation solutions in the field), no increase is requested for non-staff costs.

⁴⁹ The Office has taken a more conservative approach to further limit the financial impact of its requests, and has increased the delay factor from four (in 2019) to six months (2020 PPB).

Table 11: Major Programme II: Proposed budget for 2020

Major Programme II Office of the Prosecutor	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				26,358.7	403.8	1.5	26,762.5
General Service staff				5,167.7	253.9	4.9	5,421.6
<i>Subtotal staff</i>	<i>31,310.8</i>	<i>11.4</i>	<i>31,322.1</i>	<i>31,526.4</i>	<i>657.7</i>	<i>2.1</i>	<i>32,184.1</i>
General temporary assistance	7,992.6	299.2	8,291.8	10,193.0	476.6	4.7	10,669.6
Temporary assistance for meetings	6.8	-	6.8	-	-	-	-
Overtime	0.8	-	0.8	-	-	-	-
<i>Subtotal other staff</i>	<i>8,000.3</i>	<i>299.2</i>	<i>8,299.5</i>	<i>10,193.0</i>	<i>476.6</i>	<i>4.7</i>	<i>10,669.6</i>
Travel	2,775.7	131.8	2,907.6	3,228.6	(0.5)	(0.0)	3,228.1
Hospitality	6.7	-	6.7	5.0	-	-	5.0
Contractual services	231.7	-	231.7	579.5	-	-	579.5
Training	250.4	-	250.4	290.0	-	-	290.0
Consultants	42.4	-	42.4	70.0	-	-	70.0
General operating expenses	838.0	33.5	871.5	640.0	-	-	640.0
Supplies and materials	82.7	0.5	83.2	90.0	-	-	90.0
Furniture and equipment	196.5	15.4	211.8	180.0	-	-	180.0
<i>Subtotal non-staff</i>	<i>4,424.1</i>	<i>181.2</i>	<i>4,605.3</i>	<i>5,083.1</i>	<i>(0.5)</i>	<i>(0.0)</i>	<i>5,082.6</i>
Total	43,735.2	491.8	44,226.9	46,802.5	1,133.8	2.4	47,936.3

Table 12: Major Programme II: Proposed staffing for 2020

II	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	1	1	-	3	18	36	77	71	33	240	1	79	80	320
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	2	(2)	-	8	(8)	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	1	1	-	3	20	34	77	79	25	240	1	79	80	320
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	5.75	33.03	22.92	10.00	71.70	2.58	28.43	31.02	102.72
Continued	-	-	-	-	-	5.75	33.76	23.25	10.00	72.76	2.50	29.00	31.50	104.26
New	-	-	-	-	0.42	1.00	-	0.42	-	1.83	-	0.51	0.51	2.34
Redeployed	-	-	-	-	-	-	(0.75)	(0.25)	-	(1.00)	-	(0.50)	(0.50)	(1.50)
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	0.42	6.75	33.01	23.42	10.00	73.59	2.50	29.01	31.51	105.10

1. Programme 2100: Immediate Office of the Prosecutor

Introduction

166. Programme 2100 comprises all staff functions that support and provide advice to the Prosecutor and the entire Office. For budgeting purposes, information has always been presented under two sub-programmes. Following the creation of the Information, Knowledge and Evidence Management Section, a third sub-programme has been added, under (c), below:

(a) Sub-programme 2110: Immediate Office of the Prosecutor and Legal Advisory Section;

(b) Sub-programme 2120: Services Section, comprising two specialized units that provide critical support functions in the areas of language expertise and budget, financial and administrative management; and

(c) Sub-programme 2160: Information, Knowledge and Evidence Management Section, comprising two units that provide support functions in the areas of physical and electronic evidence handling, and technical assistance for the Office of the Prosecutor in connection with information management and disclosure processes.

167. Following the terminology adopted in the inter-organ project for savings and efficiencies, most of the efficiencies achieved fall into the category of “review and standardization of policies, operations and procedures”. This has led to greater productivity with the same resources and allowed the increased workload to be absorbed with limited need to request additional resources in the Proposed Programme Budget for 2020 for the processes concerned.

168. Wherever possible, however, actual savings have been identified. These savings are being used to reduce the financial impact of increases in non-staff costs linked to the operations of Programme 2100 (e.g. travel).

(a) **Sub-programme 2110: Immediate Office of the Prosecutor and Legal Advisory Section**

169. The Immediate Office of the Prosecutor (IOP) provides assistance and advice to the Prosecutor in the day-to-day fulfilment of her functions *in toto* and in the overall management and quality control of the Office's work. IOP processes, prepares and reviews for the Prosecutor's final approval all correspondence, speeches, reports, specific category of Office filings and other documents; facilitates ExCom's agenda, meetings and decision making and related records and archiving, as well as communication with the divisions, sections and Integrated Teams; manages inter-organ matters and Court-wide initiatives on behalf of the Prosecutor; supports the Office's participation in inter-organ activities; manages and supports the public information activities of the Office to ensure effective and strategic information dissemination and public relations; manages the human resources needs of the Office in a continuum of services with the Human Resources Section (HRS) of the Registry to ensure a well-qualified and motivated workforce; manages all OTP human resources staff requests requiring the Prosecutor's approval pursuant to the Staff Rules and Regulations and closely coordinates and liaises with HRS on human resources policy formulation and implementation; and provides general support to the Prosecutor and ExCom.

170. IOP provides critical services to the Prosecutor and the Office with relatively marginal resources. IOP contributes to the Office's overall aims of being an effective and efficient organ which upholds the highest standards of the profession by participating in the implementation of best practices and performing a number of critical support, review and advisory functions, such as assisting the Prosecutor in making fully informed decisions in the exercise of her mandate and administrative decision-making authority. IOP also works closely with the Legal Advisory Section of the Office (LAS) in the development and maintenance of the Office's professional and ethical standards and their application in the day-to-day functioning of the Office. IOP ensures that recruitment processes foster the objective of a balanced gender and geographical representation at all post levels in the Office, in furtherance of its internal performance targets, Strategic Goal 5 of the OTP Strategic Plan 2019-2021 and the Court's Strategic Goal 8. IOP also works with the Services Section to support the Prosecutor's management of the Office budget by implementing synergies and ensuring coordination on a wide-range of inter-organ institutional matters, and harmonization of practices in relation to human resources and public information as appropriate. IOP further contributes to projects and initiatives aimed at streamlining processes and to the overall oversight and quality control of the Office through the assistance it provides to the Prosecutor and the Office.

171. The Legal Advisory Section, working with other parts of the Office as necessary, responds to requests for legal advice from the Prosecutor and the Office's Divisions, Sections and teams. These requests concern the Office's investigations and prosecutions, core operations, the general functioning of the OTP as an independent organ and other internal matters. LAS leads the development – and coordinates the implementation, in accordance with Strategic Goal 4 of the OTP Strategic Plan for 2019-2021 – of OTP policies on key issues identified by the Prosecutor, including the Sexual and Gender-Based Crimes Policy and the Policy on Children, which have been successfully adopted. A new policy on cultural heritage is currently being developed. LAS also represents the Office in the development and revision of Court-wide policies and administrative issuances, and other regulatory instruments.

172. LAS also facilitates the development and maintenance of the Office's professional and ethical standards, coordinating the development of the Office's internal regulatory framework, thus contributing to Strategic Goal 5. LAS is therefore responsible for coordinating the revision of the OTP's Regulations and Operations Manual and updating the OTP Code of Conduct, as necessary.

173. Furthermore, LAS has developed an electronic system to assist in identifying and recording lessons learned so as to enhance the quality and efficiency of operations, as also addressed in Strategic Goal 5. To implement that same goal, it also develops, provides and coordinates training programmes for OTP staff on the Office's Code of Conduct and Core Values. LAS manages the maintenance of online legal tools, commentaries and databases for the Office. It also provides related training as needed. LAS is additionally responsible

for the development of a legal-academic network for the Office, which includes organizing a series of guest lectures by external experts.

174. The Section is also responsible for OTP input into the development of a Court-wide case law database and the preparation and dissemination of the OTP Weekly Court Reports, which contributes to Strategic Goal 5. In that same context, LAS is responsible for advising the Prosecutor on staff-related labour matters, including individual cases involving litigation which require the application of the Staff Regulations and Rules as well as Administrative Instructions, in consultation with OTP-HR as needed, and the Immediate Office.

Budget resources **€2,456.9 thousand**

175. The approved amount has increased by €48.5 thousand (2.0 per cent), which is mainly attributable to the effect of the new UNCS.

Staff resources **€1,880.8 thousand**

176. The requested amount for established posts has increased by €49.6 thousand (2.9 per cent). There are no changes in the number of established or GTA posts in Sub-programme 2110. IOP and LAS comprise 16 established posts and 1 GTA position.

Established posts: Professional and General Service *€1,758.7 thousand*

177. The Prosecutor (USG) is supported by Sub-programme 2110 through the IOP and LAS.

178. IOP, headed by the Chef de Cabinet (P-5), whose post has been resubmitted for reclassification, has the following posts:

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Chef de Cabinet ⁵⁰	P-5	1
HR Liaison and Coordination Officer	P-3	1
Public Information Officer	P-3	2
Special Assistant to the Prosecutor	P-2	2
Personal Assistant to the Prosecutor	GS-PL	1
Administrative Assistant	GS-OL	1
Public Information Assistant	GS-OL	1
Staff Assistant	GS-OL	1
Total		10

179. LAS, headed by a Senior Legal Adviser (P-5), has the following posts:

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Senior Legal Adviser	P-5	1
Legal Adviser	P-4	1
Associate Legal Adviser	P-2	2
Associate Programme Officer	P-2	1
Total		5

General temporary assistance *€122.1 thousand*

180. One GTA position (1.0 FTE) is requested to meet crucial resource needs for 2020 to address demands placed on IOP. This resource was approved in previous budget submissions and is hence a multi-year request:

⁵⁰ Position resubmitted for reclassification.

<i>Title</i>	<i>Grade</i>	<i>Number</i>	<i>Months</i>	<i>FTE</i>	
Special Assistant to the Prosecutor	P-3	1	12	1.00	Continued

Non-staff resources**€576.1 thousand**

181. The requested amount is marginally lower than in the 2019 budget (0.6 per cent). Non-staff resources are requested for travel, hospitality, contractual services, training and consultants. The requested resource is recurrent unless otherwise indicated.

*Travel**€181.1 thousand*

182. The requested amount has decreased by €3.4 thousand (1.8 per cent). The amount is intended to cover projected missions of the Prosecutor and her staff.

183. In order to foster political support and enhance cooperation at the highest levels among States Parties, non-States Parties, international organizations, other cooperation partners and affected communities – in furtherance of the Office’s investigations and efforts to arrest and prosecute individuals sought by the Court, thereby maximizing the impact of the Rome Statute – it is necessary for the Prosecutor to undertake missions abroad. In many instances, personal high-level engagement directly by the Prosecutor has yielded positive results in further advancing investigations and prosecutions, and generally building critical diplomatic and political support, by helping to address concerns and questions at the highest levels of decision-making. The Prosecutor occasionally participates in other international events – although these are kept to a minimum – where strategic benefits for the Office are identified and, with a view to limiting the travel budget, where costs are covered by the organizers independently of the Office. The travel budget also covers limited missions by representatives of LAS, the Public Information Unit and OTP-HR, and travel by external special advisers to the Prosecutor appointed under article 42(9) of the Rome Statute who, by virtue of their mandate, are occasionally required to travel to the seat of the Court.

*Hospitality**€5.0 thousand*

184. The requested amount is the same as in the 2019 approved budget.

185. These limited resources are for hospitality to cater for international delegations, diplomats and high-level dignitaries visiting the OTP. In past years, the Court has agreed to share among its organs most of the costs of catering for visiting high-level diplomats and delegations received by more than one Principal. The shared portion accounts for about €4.0 thousand (80 per cent of the total amount requested). The relocation of the Court to its permanent premises – also intended to be used to further develop the Court’s outreach to the public – will also contribute to the number of high-level visitors the Office can reasonably expect to receive in 2020.

*Contractual services**€30.0 thousand*

186. The requested amount is unchanged. The Office needs these resources to support independent public information missions in its countries of operation, for the rental of appropriate facilities for press conferences and for the production and distribution of informational material.

*Training**€290.0 thousand*

187. The requested amount is unchanged. The training budget for the entire OTP remains centralized in IOP. Training is vital to creating a cohesive shared working culture within the OTP and enhancing the quality of the Office’s deliverables, its overall performance and its efficiency. The Office must also provide adequate training to any additional staff recruited, while enhancing the skills of existing staff by providing continuing training and education as required.

188. Moreover, as in many national systems, certain categories of professionals within the Office are required to attend specific training to maintain their qualification or to obtain certification to the requisite standards.

189. Funds will be used to deliver a training schedule in accordance with carefully planned and scrutinized OTP-specific training priorities.

190. It bears noting that, thanks to an eLearning platform developed by the Business Solutions Development Unit, the Office will be able to offer additional training sessions to its staff without incurring trainers' fees. The eLearning platform is based on infrastructure and architecture provided by the Registry's Information Management Services Section (IMSS). The Office is also coordinating this project with the Registry's Human Resources Section with the aim of developing joint courses, wherever possible, exploiting both the flexibility of delivery and the low cost per trainee made possible by the platform.

191. The Office will continue to work with the other organs, organizations and national authorities to ensure maximum cost-effectiveness, for example, by looking for synergies and opportunities to engage in joint training, sharing annual advocacy and appellate training costs with the ad hoc tribunals or engaging reputable organizations that are willing to offer services on a *pro bono* basis.

Consultants

€70.0 thousand

192. The requested amount is unchanged compared to the previous year. The amount equates to approximately five work-months at P-5 level, although the actual level of the consultants will be determined on the basis of the work required and individual experience. The budget remains centralized in IOP to ensure coordination across operational divisions.

193. In accordance with article 42(9) of the Rome Statute, the Prosecutor continues to engage the services of (external) special advisers and consultancy on issues such as sexual and gender-based crimes, crimes against children and crimes against cultural heritage. While these experts generally contribute their services on a *pro bono* consultancy basis, their appointments entail travel and DSA expenses which will be absorbed within the travel budget. All efforts are nevertheless made to keep such costs to a minimum through planning and scrutiny of such costs.

Table 13: Programme 2110: Proposed budget for 2020

2110 Immediate Office of the Prosecutor / Legal Advisory Section	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				1,426.1	37.4	2.6	1,463.5
General Service staff				283.0	12.2	4.3	295.2
<i>Subtotal staff</i>	<i>1,789.4</i>	<i>-</i>	<i>1,789.4</i>	<i>1,709.1</i>	<i>49.6</i>	<i>2.9</i>	<i>1,758.7</i>
General temporary assistance	24.3	-	24.3	119.8	2.3	1.9	122.1
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>24.3</i>	<i>-</i>	<i>24.3</i>	<i>119.8</i>	<i>2.3</i>	<i>1.9</i>	<i>122.1</i>
Travel	117.1	-	117.1	184.5	(3.4)	(1.8)	181.1
Hospitality	6.7	-	6.7	5.0	-	-	5.0
Contractual services	32.4	-	32.4	30.0	-	-	30.0
Training	11.5	-	11.5	290.0	-	-	290.0
Consultants	31.6	-	31.6	70.0	-	-	70.0
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>199.4</i>	<i>-</i>	<i>199.4</i>	<i>579.5</i>	<i>(3.4)</i>	<i>(0.6)</i>	<i>576.1</i>
Total	2,013.1	-	2,013.1	2,408.4	48.5	2.0	2,456.9

Table 14: Programme 2110: Proposed staffing for 2020

2110	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	1	-	-	-	1	2	3	5	-	12	1	3	4	16
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	1	(1)	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	1	-	-	-	2	1	3	5	-	12	1	3	4	16
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	1.00	-	-	1.00	-	-	-	1.00
Continued	-	-	-	-	-	-	1.00	-	-	1.00	-	-	-	1.00
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	1.00	-	-	1.00	-	-	-	1.00

(b) Sub-programme 2120: Services Section

194. The Section's main objective is to facilitate the full implementation of legislative mandates and compliance with the Court's policies and procedures with respect to: (a) the management of financial resources of Major Programme II ensuring the prudent stewardship of funds; and (b) the management of the linguistic support required for the effective delivery of the programme of work and staff of the Office as foreseen in the budget assumptions.

195. In performing its activities in a professional, effective, efficient and accountable manner, the Section contributes to the achievement of the Office's Strategic Goal 2 and Strategic Goal 5, and of the Court's, Strategic Goal 6, Strategic Goal 7, Strategic Goal 8 and Strategic Goal 9.⁵¹

196. The Section is made up of two units: the Financial Planning and Control Unit (FPCU) and the Language Services Unit (LSU). The units perform activities which are not, and cannot be, carried out by Sections or units in other parts of the Court, and which are essential to supporting OTP operations.

197. The Section adopts a flexible approach and ensures effective coordination with the Registry to allow the seamless provision of common services, within a continuum of activities aimed at meeting client needs with minimum resources.

198. The Section provides the operational divisions with the necessary support services to fulfil their mandates. These include, in particular:

(a) coordination and preparation of the budget of Major Programme II, through collection, evaluation and consolidation of the resources requests from the Office's Divisions and Sections based on the agreed budget assumptions;

(b) finalization of the budget of Major Programme II, through collection, evaluation and consolidation of the services requests placed to the Registry's service providers by the Office's Divisions and Sections based on the agreed budget assumptions;

(c) preparation of standard and ad hoc reports, documents and files for management and oversight bodies (Assembly, its Bureau and its working groups, the Committee, the Audit Committee, External Auditors), the Court's internal governing bodies (Coordination Council, inter-organ committees, Office of Internal Audit) and the Office's internal clients (Executive Committee, senior management, etc.);

(d) management of OTP funds, including approval and certification of expenditures, preparation of detailed estimates of the financial impact of activities performed by the Office, and expenditure reporting and forecasting;

(e) management of OTP requests for provision of goods and services that require support by the Procurement Unit and other Registry entities;

(f) management of the administrative and financial aspects of all OTP staff positions, including GTA, short-term appointment (STA) and individual contractors;

(g) careful administration of funds dedicated to field operations and witness-related activities, and official travel;

(h) expert advice and technical assistance to divisions and sections in the Office on the application of the Financial Regulations and Rules, procedures and policies;

⁵¹ *OTP Strategic Goal 2*: to increase the speed, efficiency and effectiveness of preliminary examinations, investigations and prosecutions. *OTP Strategic Goal 5*: to increase the Office's ability to manage its resources in an effective, responsible and accountable manner. *ICC Strategic Goal 1*: Increase the speed and efficiency of the Court's core activities of preliminary examinations, investigations and trials, while preserving the independence and fairness of its proceedings and protecting the safety and well-being of the persons involved, in particular victims and witnesses. *ICC Strategic Goal 6*: Ensure professionalism, dedication and integrity in all of the Court's operations. *ICC Strategic Goal 7*: Create and ensure a safe and secure working environment in which staff wellbeing and excellence is at the centre. *ICC Strategic Goal 8*: Achieve a more equitable GRGB, particularly at higher level posts. *ICC Strategic Goal 9*: Manage resources in an effective, coherent, transparent, responsible and flexible manner and further develop the sustainability and resilience of the Court against identified risks.

(i) effective monitoring and control of the use of resources in compliance with the Court's Financial Regulations and Rules, aiming at the most effective stewardship of the funds granted to the Office;

(j) policy guidance on request, management and analysis of extra-budgetary resources for unforeseen and/or unbudgeted activities;

(k) organization and conduct of annual training workshops on financial matters and on IPSAS developments for field offices' administration staff;

(l) expert advice on accounting and financial matters and related systems to OTP divisions and sections, including offices away from Headquarters;

(m) expert advice, acting as focal point for the Office, in close interaction with the relevant Sections and units in the other organs of the Court on:

(i) review and evaluation of current policies and procedures concerning administrative, financial, interpretation, transcription and translation matters; and

(ii) preparation of proposals for updates and improvements in policies and procedures concerning administrative, interpretation, transcription and translation matters;

(n) assessment of interpretation, transcription and translation needs to support investigative and prosecutorial activities of the Office;

(o) organization and conduct of joint practitioner/service-provider workshops to maximize procedural outcomes; and

(p) provision of timely and high-quality:

(i) field, event, and telephone interpretation;

(ii) transcription and quality control of audio and video evidence;

(iii) translation and revision of OTP evidence and core Office policy and outreach documentation;

(iv) quality review of material either outsourced to vetted, external language professionals or in languages of lesser diffusion where formal technical expertise is scant; and

(v) summary translation, redaction, editing, subtitling, language identification and other support activities for projects requiring language expertise within the Office.

199. The Section also represents the OTP in financial, budgetary and resource-related matters before the Assembly, its Bureau and working groups, the Committee, the External Auditors, the Audit Committee, the Office of Internal Audit and other stakeholders such as NGOs and international organizations. Lastly, the Senior Manager of the Section represents the Office on Court-wide initiatives and projects in this field.

Budget resources

€5,437.8 thousand

200. The requested resources have increased by €42.1 thousand (0.8 per cent). This is the net effect of the implementation of the new UNCS rates (substantially compensating in the established and GTA positions) and of the reallocation of General Operating Expenses.

201. Thanks to continuing efforts to streamline processes and workflows, FPCU has been able to manage the additional workload and achieve substantial efficiencies within the same basic structure. FPCU expects to achieve some minor additional efficiencies and maintain those identified and implemented in previous years mainly attributable to the continuous review and standardization of policies and procedures in a number of areas. This equates to an amount of around €25.1 thousand in 2019 and 2020, and includes:

(a) providing checklists for travel claims to improve accuracy and expediting processing time;

(b) automating the process for printing pre-registration numbers to reduce the time taken to reconcile country offices' accounts and operations reports;

(c) working with the SAP team and Budget/Registry to standardize the budget implementation dashboard based on the template and data format developed by FPCU, thus reducing the time needed to prepare management reports and increasing accuracy and consistency of information across the Court; and

(d) improving the FPCU Online Request System that supports paperless processing and reduces the need for time-consuming email exchanges. In addition, the system provides easy access to the status of requests and statistics on the process.

These efficiencies have resulted in the absorption of higher work volumes (see table below), improved monitoring and control of activities, increased transparency and higher quality in the provision of services.

	2015	2018	Change	
Regular Budget (€ million)	39.6	46.0	6.4	16.1%
Number of Situations	8	11	3	37.5%
Active Investigations	5	7	2	40.0%
Approved Established Posts	218	319	101	46.3%
Approved GTA Positions	99	103	4	4.0%
Approved Posts Total	317	422	105	33.1%
Number of FPCU Staff	7	6	-1	-14.3%

202. So far, FPCU has been able to provide high-quality support to meet increasingly complex needs arising from the Office's operational activities without requesting additional resources. However, the increasing complexity of operations (e.g. need to devise and implement efficient and effective solutions to increase security of staff deployed in missions by reducing the footprint of the Office's operations while ensuring full compliance with the regulatory framework of the Court) and the increase in the volume of transactions to be managed are stretching the capacity of the resources available to FPCU to a point where there is the risk that it can no longer properly perform its critical functions.⁵²

203. In 2015, FPCU conducted an assessment of the resource needs for the main functions its staff perform. On the basis of the workload, the unit required 6.94 FTEs. In 2015 the Office's approved budget was €39.6 million. The Office was operating in eight (8) situations with five (5) ongoing active investigations, and had 317 positions (established plus GTA). FPCU had seven (7) approved posts.

204. The same assessment conducted for the activities performed in 2018 shows that there should be 7.52 FTEs to deal with the workload allocated to FPCU. Indeed, the Office's approved budget is €45.99 million (+16.1%). The Office operated in eleven (11) situations with seven (7) ongoing active investigations,⁵³ and 422 positions (established plus GTA). The number of approved posts in FPCU has, instead, decreased to six (6).

Function	FTE workload			
	2015	2018	Change	
Budget Preparation and Implementation	1.84	1.90	0.06	3.3%
Field Operations	2.27	2.34	0.07	3.1%
Travel Control and Certification	0.97	0.81	-0.16	-16.5%
Procurement and PRC	0.21	0.58	0.37	176.2%

⁵² This risk has been identified in the Risk Assessment exercise performed with the facilitation of the Office of Internal Audit and is included in the Section's Risk Register.

⁵³ This includes the Burundi situation opened after budget approval.

<i>Function</i>	<i>FTE workload</i>			
	<i>2015</i>	<i>2018</i>	<i>Change</i>	
HR Administration	0.18	0.37	0.19	105.6%
Individual Contractors	0.26	0.30	0.04	15.4%
SAP Support to OTP users	0.19	0.22	0.03	15.8%
OTP Internship Programme	0.22	0.09	-0.13	-59.1%
OTP Trust Funds	0.02	0.11	0.09	450.0%
General Secretarial Support	0.20	0.00	-0.20	-100.0%
Projects/Product development	0.13	0.37	0.24	184.6%
Management	0.45	0.43	-0.02	-4.4%
Total	6.94	7.52	0.58	8.4%

205. FPCU plays a fundamental role not only in processing transactions (whose volume grows yearly), but also – and above all – in ensuring that the key functions of monitoring and controlling proper budget implementation are performed to a high standard. Regular meetings (Activity Planning Meetings) with representatives of the Divisions and of the OTP-HR Liaison Office are organized by FPCU to monitor the implementation of the budget and proactively arrange for the most efficient and effective utilization of the funds and – when necessary – for the redeployment of resources to respond to changing needs in OTP operations.

206. In addition, FPCU provides the Senior Manager and the Executive Committee with analysis, evaluation of trends and the potential financial impact of Office operations during budget implementation, so that the Prosecutor may be promptly and transparently advised on ways to achieve the OTP's goals in full compliance with the Court's financial and governance framework.

207. FPCU also supports the Senior Manager in engagements with internal and external stakeholders by providing data, reports and analysis on the financial aspects of OTP activities.

208. FPCU consolidates requests for equipment and software from business users in an OTP procurement plan, verifies budgetary compliance and coordinates with the Procurement Unit in the Registry to ensure timely and effective delivery of goods and services.

209. FPCU is engaged in the continuous improvement of the quality of its processes and in the timeliness and accuracy of the information it provides to the Office to assist management in the decision-making process. With the technical assistance of the Registry's SAP team, FPCU has further improved the dashboard it developed to monitor the implementation of the various budget lines. Data will be available with updates as of the midnight of the previous day, instead of at the end of each month.⁵⁴ The model will be extended to the rest of the Court after a pilot period. This improved dashboard will enhance transparency in the utilization of funds and provide a common view of the budget implementation across the Court.

210. FPCU is also looking into possible standardization and automatization of additional reports used within the OTP. The Business Solutions Development Unit has been asked to evaluate software alternatives that can lead to the provision of data analytics applications to support FPCU and reduce manual intervention in processing the available information. The potential savings and efficiencies will be calculated once a solution has been agreed upon and the extent of its applicability has been assessed.

211. LSU supports IOP with its language needs related to, among others, filings and communications, and also continues to advise and operate closely with the Integrated

⁵⁴ See footnote 40 above. This is one of the analysis tools that the Section has developed to monitor the implementation of budget lines and to provide advice to the Prosecutor to ensure sound management of the resources allocated by the Assembly to achieve the goals of the OTP.

Teams from the moment a preliminary examination is opened until, typically, the Defence case is closed. In doing so, it ensures continuity of service (including with more challenging languages) and even application of good linguistic policy and practice across the various teams, while respecting the oftentimes strict but varying physical and information security constraints imposed.

212. At this time, LSU has now provided language services in over 70 working, official, cooperation or situation languages. Naturally, some languages (i.e. English, French and Arabic) have witnessed meaningful growth over recent years, while other languages have phased in and out with the ebb and flow of the different situations and specific lines of investigation pursued by the Office. LSU endeavours to measure judiciously the effort needed to source, test and recruit language professionals and to maximize the various contractual options available in order to determine the specific resources and timing by which it needs to deliver services efficaciously and strike the optimal balance between financial prudence and judicial preparedness.

213. Conscious of the budget assumptions, the information security environment and the need for financially sound practices, LSU therefore anticipates requiring the following FTE to deliver translation services in 2020:

<i>Languages</i>	<i>Translation</i>	<i>Editing, Proofreading, Quality Reviewing</i>	<i>Field Interpretation (Missions)</i>	<i>Telephone Interpretation</i>	Total FTE	<i>Anticipated Translation Volume (per page)</i>	<i>Translation Capacity (per page)</i>	<i>Excess / Shortfall (per page)</i>
English - French	5.475	0.4	0.1	0.025	6	8,150	6,023	(2,127.5)
Arabic - English or French	2.875	-	0.1	0.025	3	4,250	3,163	(1,087.5)
BDI / DRC languages	1.85	0.2	0.15	0.05	2.25	2,350	2,035	(315.0)
CAR II languages	0.4	-	0.05	0.05	0.5	350	440	90.0
CIV languages	0.2	-	-	-	0.2	200	220	20.0
DAR / LBY / MLI languages	0.05	-	-	-	0.05	50	55	5.0
GEO languages	1.525	0.35	0.1	0.025	2	1,600	1,678	77.5
Total FTE	12.375	0.95	0.5	0.175	14	16,950	11,935	(3,415.0)

214. A Reviser (Arabic) post is requested to meet the increasing and ever- challenging workload between Arabic and both of the working languages, requiring a diverse linguistic and cultural understanding of the multi-dialectal Arabic landscape covered by the CAR II, Darfur, Mali, and Libya situations and the Palestine preliminary examination being looked into by the OTP. The increasing workload is more eloquently exemplified than by the *Al-Hassan* case where the evidence requiring translation exceeded 5,000 source pages and the Document Containing the Charges ran to 500 pages (rather than the standard 30 pages). The core function of the post would be to enforce consistent and appropriate translation and terminology quality standards in order to ensure the reliability of OTP translations used in pursuing lines of investigation and presenting timely, courtroom-ready evidence at the prosecution phase. While the particular sensitivity of much of the material for translation means that it may not be outsourced under any pretext, the Reviser would, where feasible, also oversee the optimized recourse to external contractual services.

215. In mid-2019, LSU went live with its purpose-built transcription and translation workflow system interfacing with Ringtail and Records Manager to enhance the efficiency of its document management, access controls, client coordination and service delivery, thereby among other things eliminating duplicate evidence submissions, automating information security and reporting tasks, providing a real-time service dashboard, and so creating capacity for other previously de-prioritized tasks. In 2020, LSU plans to extend process automation by further integrating its already existing contacts management interface and a newly developed interpretation request and planning system.

Staff resources €4,443.7 thousand

216. The requested amount for established posts has increased by €57.4 thousand (2.5 per cent). The requested amount for GTA positions has instead decreased by €5.3 thousand (0.3 per cent). In 2020, the Section will comprise 26 established posts and 27 recurrent GTA positions including Field Interpreters (20.76 FTE).

Established posts: Professional and General Service €2,394.8 thousand

217. The Section, comprising two units, is overseen by the Senior Manager (P-5).

218. FPCU, headed by one Administration Officer (P-3), has the following posts:

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Administration Officer	P-3	1
Associate Administration Officer	P-2	1
Finance and General Administration Assistant	GS-OL	3
Total		5

219. LSU, headed by one Language Coordinator (P-4), has the following posts:

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Language Coordinator	P-4	1
Reviser (one English and one French)	P-4	2
Interpretation Coordinator	P-3	1
Translator (English)	P-3	1
Translator (French)	P-3	1
Translator (Arabic)	P-3	1
Associate Translator (English)	P-2	1
Associate Translator (French)	P-2	1
Associate Translator (Arabic)	P-2	1
Language Services Assistant	GS-OL	3
Senior Transcript Coordinator	GS-OL	1
Transcript Coordinator and Reviewer	GS-OL	1
Transcript Reviewer	GS-OL	4
Transcription Assistant	GS-OL	1
Total		20

General temporary assistance €2,048.9 thousand

220. The Section continues to require GTA resources for translation, transcription, field interpretation and a wide range of other financial, planning and administrative services to directly support the Office's activities. The extension of current resources is therefore necessary.

221. Through regular meetings with its clients, the Section closely analyses and evaluates the best ways to match efficiency and effectiveness in the delivery of its services within the approved resources limits.

222. The breakdown of requested GTA positions for 2020, in descending order of grades in the Section, is as follows. Unless otherwise indicated, GTA resources are recurrent and multi-year:

<i>Title</i>	<i>Grade</i>	<i>Number</i>	<i>Months</i>	<i>FTE</i>	
Reviser (Arabic)	P-4	1	6	0.50	New
Translation Officer	P-3	1	12	1.00	Continued
Translator	P-3	7	72.1	6.01	Continued
Associate Translator	P-2	1	12	1.00	Continued
Associate Interpretation Coordinator	P-2	1	12	1.00	Continued
Associate Administration Officer	P-2	1	12	1.00	Continued
Assistant Translator	P-1	2	24	2.00	Continued
Administrative Assistant	GS-OL	1	12	1.00	Continued
Transcript Reviewer	GS-OL	3	34	2.83	Continued
Language Services Assistant	GS-OL	1	12	1.00	Continued
Field Interpreter	GS-OL	8	41	3.42	Continued
Total		27	249.1	20.76	

Non-staff resources**€994.1 thousand**

223. The requested amount has decreased by €10.0 thousand (1.0 per cent). Non-staff resources are used for travel, contractual services, general operating expenses, supplies and materials, and furniture and equipment. Unless otherwise indicated, the resource requested is recurrent.

224. The Office continues to centralize some non-staff budget items – such as consultants, supplies and materials, furniture and equipment, and training⁵⁵ – so that it can respond quickly and flexibly to changing needs during budget implementation. The funds requested in the 2020 budget are required to provide support and materials needed for the business activities of other sub-programmes within the Office.

*Travel**€414.6 thousand*

225. The requested amount is unchanged from the 2019 approved budget. Missions in the field require local and international travel by interpreters to provide the necessary support for investigation- and prosecution-related activities during the preliminary examination, investigation, pre-trial and trial phases. This budget item further includes funds for a number of missions to situation countries to assess and recruit field interpreters. The efficiencies and savings measures implemented across the Office should ensure that the funds to support 2020 activities will remain within the same level as in 2019. As in previous years, travel resources also provide for a limited number of missions for staff to participate in professional conferences, to engage in and remain up-to-date with developments in their fields, and to research and seek out advice on newly emerging challenges (e.g. languages of lesser diffusion).

*Contractual services**€549.5 thousand*

226. The amount requested is unchanged. LSU continues to monitor options for automating at least part of the transcript drafting process, but current technology remains insufficiently mature to cope with the complex linguistic requirements of OTP activities.

227. Contractual services are needed to supplement internal projects or provide resources for special requirements and peaks in activity that cannot be effectively and promptly handled in-house through additional recruitment. For example, translation and transcription outsourcing is used to supplement the Office's in-house capacity where confidentiality constraints allow. Most critically, it is needed to deal with peaks in activity due to case-specific, time-bound workloads and documents that must be transcribed in, or translated into or out of, languages for which no in-house capacity exists or is required.

⁵⁵ Training and consultants are in Sub-programme 2110 (Immediate Office of the Prosecutor). Supplies and materials, along with furniture and equipment, are now in Sub-programme 2160 (Information, Knowledge and Evidence Management Section).

General operating expenses

€0.0 thousand

228. Some of the funds requested for general operating expenses by the Office are needed for annual maintenance of OTP-specific software applications. In previous approved budgets these expenses were allocated under the responsibility of FPCU. Following the creation of IKEMS, these funds have been reallocated to that Sub-programme (2160) to improve budget transparency and accountability.

Supplies and materials

€30.0 thousand

229. The requested amount is the same as in the 2019 approved budget. Other funds requested for this budget line are allocated within the Information, Knowledge and Evidence Management Section (Sub-programme 2160). This is a centralized budget item; funds are used for operational purposes.

230. A portion of this budget item (€20.0 thousand) is allocated to the renewal of annual subscriptions to OTP-specific journals and other professional subscriptions (e.g. International Association of Prosecutors), and for purchasing key reference volumes necessary to support the Office's core activities. Subscriptions to online databases, services and journals shared by the entire Court are centralized by the Court library and IMSS.

231. The remaining €10.0 thousand is requested to replace and integrate specific materials and supplies (e.g. satellite imagery, human remains pouches, rubber gloves, consumables and instruments) needed for the forensic investigation of crime scenes.

Furniture and equipment

€0.0 thousand

232. Since the 2019 Proposed Programme Budget submission, the resources in this budget line have been redeployed under Sub-programme 2160: Information, Knowledge and Evidence Management Section.

Table 15: Programme 2120: Proposed budget for 2020

2120 Services Section	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				1,465.1	19.7	1.3	1,484.8
General Service staff				872.3	37.7	4.3	910.0
<i>Subtotal staff</i>	<i>3,693.9</i>	<i>-</i>	<i>3,693.9</i>	<i>2,337.4</i>	<i>57.4</i>	<i>2.5</i>	<i>2,394.8</i>
General temporary assistance	2,416.6	104.0	2,520.6	2,054.2	(5.3)	(0.3)	2,048.9
Temporary assistance for meetings	6.8	-	6.8	-	-	-	-
Overtime	0.8	-	0.8	-	-	-	-
<i>Subtotal other staff</i>	<i>2,424.2</i>	<i>104.0</i>	<i>2,528.2</i>	<i>2,054.2</i>	<i>(5.3)</i>	<i>(0.3)</i>	<i>2,048.9</i>
Travel	427.8	17.2	445.1	414.6	-	-	414.6
Hospitality	-	-	-	-	-	-	-
Contractual services	162.2	-	162.2	549.5	-	-	549.5
Training	37.8	-	37.8	-	-	-	-
Consultants	-	-	-	-	-	-	-
General operating expenses	27.2	1.5	28.8	10.0	(10.0)	(100.0)	-
Supplies and materials	82.7	0.5	83.2	30.0	-	-	30.0
Furniture and equipment	195.8	15.4	211.2	-	-	-	-
<i>Subtotal non-staff</i>	<i>933.6</i>	<i>34.6</i>	<i>968.2</i>	<i>1,004.1</i>	<i>(10.0)</i>	<i>(1.0)</i>	<i>994.1</i>
Total	7,051.7	138.7	7,190.3	5,395.7	42.1	0.8	5,437.8

Table 16: Programme 2120: Proposed staffing for 2020

2120	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	-	1	3	5	4	-	13	-	13	13	26
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	1	3	5	4	-	13	-	13	13	26
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	8.00	3.00	2.00	13.00	-	8.27	8.27	21.27
Continued	-	-	-	-	-	-	7.01	3.00	2.00	12.01	-	8.25	8.25	20.26
New	-	-	-	-	-	0.50	-	-	-	0.50	-	-	-	0.50
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	0.50	7.01	3.00	2.00	12.51	-	8.25	8.25	20.76

(c) Sub-programme 2160: Information, Knowledge and Evidence Management Section

233. Following the amalgamation of the Information and Evidence Unit, the Knowledge-Base Unit (now Business Solutions Development Unit), the Data Processing Unit and the pool of Information Management Assistants into the Information, Knowledge and Evidence Management Section (IKEMS) in January 2019, the OTP has not only completed the centralization of all of its information management and evidence processing activities under one roof but continues to take steps towards optimizing the processes and systems surrounding these critical business functions.

234. Given that the OTP is an information-driven organization, this new holistic and centralized approach allows it to devote the necessary business focus to dealing with information and evidence in a manner that strategically positions it to:

(a) continuously increase its responsiveness, flexibility and adaptability to meet current and future needs with regard to information, evidence and knowledge management, while strengthening and streamlining its collaboration with the Registry in this area;

(b) reduce the IKEMS burden on OTP divisions, sections and units, thereby streamlining and increasing business focus in OTP core business areas;

(c) ensure that OTP initiatives in the areas of client-need identification, requirements gathering, project management and solutions identification and implementation better reflect its operational needs and strategic goals; and

(d) increase inter-organ efficiencies by affording the OTP the ability to centralize, review and present its IKEMS requirements to IMSS in a coordinated and unified manner.

235. IKEMS, headed by an Information Management Coordinator, is comprised of two units: the Information and Evidence Unit (IEU) and the Business Solutions Development Unit (BSDU).

236. These units perform activities which should not, and cannot, be carried out by other divisions, sections or units of the OTP or other organs of the Court, and which are essential to supporting OTP core business activities and day-to-day operations. The Section applies a scalable OTP-wide approach to meeting the Office's IKEMS needs, in line with the One-Court principle.

237. IKEMS represents the Office on Court-wide information management initiatives and projects, allowing it to ensure the seamless provision of information management and evidence processing services along a continuum of activities centred on meeting client needs with minimum resources.

238. For example, in its first six months, after implementing a stringent business needs analysis process, IKEMS identified and was able to cancel or modify incomplete or unnecessary information technology-related capital expenditure initiatives that would have amounted to €138.0 thousand. Similarly, following a preliminary review of IEU, by modifying some of its internal business processes and its approach to logistics and supplies management, an additional 12.0 thousand for equipment expenditures were not requested.

239. The Section also aims to optimize the provision of information management, evidence processing and solutions development services in a more unified, coordinated and efficient manner both internally and in coordination with IMSS.

240. Specifically BSDU which, as a result of the recent consolidation has absorbed the Information Management Assistants formerly part of the Investigation Division, is responsible for:

(a) ensuring a strategic, coordinated, balanced and transparent approach to OTP information management, business development and innovation;

(b) conducting comprehensive business analyses, process mapping, needs assessments and requirements gathering exercises on behalf of the Prosecutor, for all OTP business streams;

(c) leading and coordinating – in close collaboration with all OTP business streams, the Registry and the Court-wide Information Management Governance Board – the Office’s business development processes, including project management and project monitoring to ensure the seamless provision of IKEM services;

(d) advancing a more stringent approach to stewarding OTP business development initiatives by ensuring continuous and recurring in-house program and project evaluation, as well as intra- and inter-organ sharing of IKEM lessons learned;

(e) drafting and maintaining the OTP’s IKEMS strategic plan, including forecast assessments of IKEM-related developments which may have an impact on OTP core business operations;

(f) supporting existing knowledge- and information-management systems, business processes and eLearning needs within the Office by acting as the primary OTP knowledge broker in the IKEM area; and

(g) maintaining direct (embedded) operational data and information management support to OTP Integrated Teams, from preliminary examinations to the pre-trial stage.

241. The second and equally important half of IKEMS is the Information and Evidence Unit (IEU which, as a result of the recent consolidation, has absorbed the Data Processing Unit (DPU) formerly part of the Investigation Division. IEU is responsible for:

(a) evidence management and processing, including: registration, chain-of-custody management, physical and digital storage, custodianship and digital evidence support services, in addition to functional support for legal and disclosure review needs;

(b) evidence disclosures in support of the OTP’s Prosecution Division;

(c) providing advice and support to the Office on the collection and handling of evidence, including eDiscovery and Technology Assisted Review (TAR);

(d) management of administrative processes surrounding material collected and submitted under article 15 of the Rome Statute;

(e) equipment and support for witness interviews and missions, including safe storage and transfer of evidence; and

(f) implementing operational information-architecture decisions as delegated by the Information Management Coordinator, including metadata and data-model administration in support of evidence management and disclosure systems.

242. The OTP’s Information Management Coordinator plays a critical role in leading both IKEMS units and, by extension, acts as the Office’s central focal point for all IKEMS issues. The essential functions of the post include:

(a) leading the IKEMS units and ensuring that their mandates, processes and outputs systematically deliver the efficient, client-focused information, evidence and business solutions necessary to support all of the OTP’s operational business streams;

(b) coordinating and harmonizing all OTP information- and evidence-management processes, systems, architectures and initiatives – in line with the Office’s current and future needs – in an objective, transparent and judicious manner;

(c) optimizing inter-organ cooperation and collaboration as the OTP focal point for the Registry on all IKEM-related matters;

(d) preparing and maintaining an OTP-wide IKEMS strategic plan and harmonizing that plan with the Registry’s Court-wide IT strategy; and

(e) promoting innovation and forward thinking, where and when practicable, across the entirety of the IKEM landscape, to ensure that the OTP is strategically positioned to be a proactive rather than reactive organization.

Budget resources €3,978.5 thousand

243. The requested funds have increased by €150.3 thousand (3.9 per cent). This is the combined effect of the implementation of the new UNCS rates, the cost of the Information Management Coordinator for twelve months (it was eight months in 2019 when the established post was approved), and the increases in non-staff costs following reallocation of resources from other areas.

Staff resources €3,711.2 thousand

244. In 2020, the Section will comprise 32 established posts and 12 recurrent GTA positions (12.0 FTE).

Established posts: Professional and General Service €2,596.6 thousand

245. The Section, comprising two units, is overseen by one *Information Management Coordinator (P-5)*.

246. BSDU has the following posts:

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Knowledge-Base Manager	P-4	1
Information Officer (Evidence and Analysis Systems)	P-2	2
Database Coordinator	P-1	3
Assistant Information Officer	P-1	1
Total		7

247. The Information and Evidence Unit has the following posts:

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Head, Information and Evidence Unit	P-3	1
Associate Information and Evidence Officer	P-2	1
Data Processing Manager	P-2	1
Data Processing Assistant	GS-OL	5
Information Management Assistant	GS-OL	7
Information Storage Assistant	GS-OL	3
Disclosure/Search Assistant	GS-OL	1
Senior Evidence Assistant	GS-OL	1
Evidence Assistant	GS-OL	4
Total		24

General temporary assistance €1,114.6 thousand

248. The Section requires GTA positions to support the activities of the Office. Unless otherwise indicated, the requested resource is multi-year. The breakdown of approved GTA positions for 2020 is as follows:

<i>Title</i>	<i>Grade</i>	<i>Number</i>	<i>Months</i>	<i>FTE</i>	
Data Management Officer	P-3	1	12	1.00	Continued
Associate Electronic Evidence Officer	P-2	2	24	2.00	Continued
Assistant Information and Evidence Officer	P-1	2	24	2.00	Continued
Evidence Assistant	GS-OL	1	12	1.00	Continued
Associate Database Coordinator	P-2	1	12	1.00	Continued
Information Officer	P-2	1	12	1.00	Continued
Learning Officer	P-2	1	12	1.00	Continued
Disclosure/Search Assistant	GS-OL	1	12	1.00	Continued
Technical Assistant (Information Systems)	GS-OL	1	12	1.00	Continued
Information Management Assistant	GS-OL	1	12	1.00	Continued
Total		12	144	12.00	

Non-staff resources €267.3 thousand

249. The Section was created by reallocating existing staff from various programmes and sub-programmes within the OTP, where the decrease in the corresponding commitment items can be observed.

250. The requested amount has increased by €20.3 thousand (8.2 per cent). Non-staff resources are recurrent and are used for travel, supplies and materials, as well as furniture and equipment.

Travel €17.3 thousand

251. The requested amount of €17.3 thousand provides for a limited number of missions for technical staff to provide support to field deployments, manage, repatriate or write off IKEMS equipment and supplies currently located in field offices and to participate in professional symposiums and conferences. The requested amount has been increased by €10.3 thousand. The increase is compensated by decreases in the same budget line in other divisions of the OTP.

General operating expenses €10.0 thousand

252. The €10.0 thousand requested are needed for annual maintenance of OTP-specific software applications. In previous approved budgets, the entire amount approved for general operating expenses for software maintenance was under Sub-programme 2120 (Services Section). However, to improve budget transparency and accountability, annual maintenance of Office-specific software applications is under the responsibility of IKEMS. The overall effect of this budget line reallocation on the OTP budget is zero.

Supplies and materials €60.0 thousand

253. This is a centralized budget item; funds are used for operational purposes. In previous approved budgets, the entire amount was under Sub-programme 2120. Following the creation of IKEMS, the portion of this budget item allocated to the units was redeployed and requested to the new Section.

254. A portion of this budget item is allocated for purchasing digital and electronic consumables (e.g. memory cards, encrypted hard drives and batteries), and for equipment used by investigators, such as cameras and recording devices.

Furniture and equipment €180.0 thousand

255. The requested amounts for furniture and equipment for each Major Programme were discussed at inter-organ meetings aimed at ensuring consistency with the Five-Year IT/IM Strategy developed by the Court and approved by the Coordination Committee. Furniture and equipment figures in Sub-programme 2160 relate to the portion of IT investments funded through the OTP budget, since the expenditure concerns OTP-specific items which

form part of agreed investments in key initiatives aimed at achieving the prosecutorial goals laid out in the Court's plan.

256. These initiatives relate to increasing in-house efficiencies through meticulous business process reviews and the development and/or identification of solutions aimed at investigation and witness management, automated transcription, contract management, interpretation coordination and project management workflows within OTP. These initiatives directly support investigative and prosecutorial needs as well as the OTP's overall service and support capacity for core business activities.

257. The second group of initiatives consists of the broad-scope implementation of the forensic toolkit, which is composed of three sub-projects: Web Anonymized Searching Platform (WASP) for anonymous web browsing; forensic capture and triage of digital materials requiring additional processing, analysis and review before registration; and, lastly, development and enhancement of the OTP's tools and abilities to collect and process open-source information and conduct online investigations in support of its core investigative and prosecutorial activities.

Table 17: Programme 2160: Proposed budget for 2020

2160 Information, Knowledge and Evidence Management Section	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				1,070.5	56.1	5.2	1,126.6
General Service staff				1,409.1	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>
General temporary assistance	-	-	-	1,101.6	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>
Travel	-	-	-	7.0	10.3	147.1	17.3
Hospitality	-	-	-	-	-	-	-
Contractual services	-	-	-	-	-	-	-
Training	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	10.0	-	10.0
Supplies and materials	-	-	-	60.0	-	-	60.0
Furniture and equipment	-	-	-	180.0	-	-	180.0
<i>Subtotal non-staff</i>	-	-	-	<i>247.0</i>	<i>20.3</i>	<i>8.2</i>	<i>267.3</i>
Total	-	-	-	3,828.2	150.3	3.9	3,978.5

Table 18: Programme 2160: Proposed staffing for 2020

2160	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	-	1	1	1	4	4	11	-	21	21	32
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	1	1	1	4	4	11	-	21	21	32
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	1.00	5.00	2.00	8.00	-	4.00	4.00	12.00
Continued	-	-	-	-	-	-	1.00	5.00	2.00	8.00	-	4.00	4.00	12.00
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	1.00	5.00	2.00	8.00	-	4.00	4.00	12.00

2. Programme 2200: Jurisdiction, Complementarity and Cooperation Division

Introduction

258. The Jurisdiction, Complementarity and Cooperation Division (JCCD or “the Division”) conducts preliminary examinations and facilitates the Office’s investigations by fostering cooperation and judicial assistance under Part 9 of the Rome Statute, and providing general support for the Office’s mandate and activities. Cooperation and political support are vital to ensuring the timely investigation and prosecution of cases as the Court has no enforcement powers of its own. They also play an important part in the preventive and complementary functions of the Court. Therefore, and in furtherance of the Court-wide Strategic Goals 1 and 4, optimizing cooperation with partners has also been identified as a priority objective in the OTP Strategic Plan for 2019-2021, as it will contribute to the OTP’s strategic goal to increase the speed, efficiency and effectiveness of the OTP’s core activities (Strategic Goal 2). Each situation or case has its own unique cooperation requirements. JCCD’s functions with regard to judicial and general cooperation and external relations include establishing and managing relations with States (including diplomatic, judicial and law enforcement sectors), international organizations, NGOs and other stakeholders. JCCD’s ultimate objective is to facilitate the effective fulfilment of the OTP’s investigative and prosecutorial mandate and to galvanize general support for the Office’s work by engaging in advocacy and delivering key messages.

259. The Division is also responsible for conducting preliminary examinations of all situations brought to the Office’s attention, whether as a result of a referral by a State Party or the United Nations Security Council or through article 15 communications and open-source information. The Division is thus responsible, within the Office, for receiving and analysing all communications under article 15, and for assessing matters of jurisdiction, admissibility and interests of justice across all situations under preliminary examination, with a view to enabling the Prosecutor to make informed decisions on the possible opening of new investigations. As part of its preliminary examination activities, the Division interacts with a wide range of stakeholders, including article 15 communication senders, national and international NGOs, international organizations and States. The optimization of preliminary examinations is another key objective in line with the Court-wide Strategic Goal 1 and the OTP Strategic Goal 2, and the OTP will endeavour to further exploit their value and build upon their momentum.

260. The Division comprises two Sections: the International Cooperation Section (ICS) and the Situation Analysis Section (SAS).

261. Below is an overview of ICS’s three main areas of activity, or components, coordinated by and under the overall supervision of the Head, ICS. These are: (a) situation-specific cooperation within Integrated Teams; (b) transversal judicial cooperation; and (c) general cooperation and external relations:

(a) *Situation specific cooperation within Integrated Teams* – ICS provides each Integrated Team with cooperation expertise through an International Cooperation Adviser, who becomes a full member of the Integrated Team. The International Cooperation Adviser facilitates responses to all judicial assistance needs and cooperation requests addressed by the Integrated Team to cooperation partners; generates and maintains situation-specific support and promotes understanding of the OTP’s work in relation to the investigation and prosecution of the case to which she or he is assigned; establishes operational focal points to give the Integrated Team continuous access to the territory, physical evidence and witnesses for the case; and provides prompt responses and feedback to the Integrated Team on any problems identified by it or by national authorities. The number of situations under investigation has increased in recent years, resulting in a heavier workload and challenging cooperation requirements. The number of incoming requests for cooperation has also seen an increase in recent years, further adding to the workload for the Section. It should be noted that, in recent years, ICS has not requested additional resources despite the heavier workload. As cooperation is absolutely vital to investigations, the lack of adequate staffing within ICS can be an impediment to the facilitation of timely and tangible cooperation for effective investigations. These operational realities and challenges make it imperative for ICS to have at a minimum the same level of resources available in 2020 as in 2019;

(b) *Transversal judicial cooperation* – This component of ICS operations is undertaken by one Judicial Cooperation Adviser (P-4), one Legal Assistant (GS-OL) and one Judicial Cooperation Assistant (GS-OL). Following relevant procedures and standards, these staff members provide strategic, technical and operational advice, support and guidance to all situation-bound International Cooperation Advisers to ensure quality control, channelling of and follow-up to all judicial assistance requests and responses sent on behalf of the Integrated Teams. They are responsible, in association with each International Cooperation Adviser, for tracking compliance and maintaining all records related to outgoing and incoming requests for assistance in the database. They also play a leading role in developing and overseeing strategies to reinforce and extend the transversal network of partners, for example by discussing cooperation agreements where needed, and by facilitating information sharing and cooperation including in furtherance of the OTP's Strategic Goal 6, aimed at strengthening of the ability of the OTP and its partners to close the impunity gap. The judicial cooperation component of ICS also plays a critical role, in conjunction with other colleagues in ICS as well as in the Investigation Division (ID), in the development of enhanced strategies and methodologies to increase the arrest rate of persons subject to outstanding warrants, which has been promulgated as Strategic Goal 3 in the OTP's strategic plan; and

(c) *General cooperation and external relations* – This component is handled by one International Cooperation Adviser (P-4) dealing with external relations and one External Relations Adviser (P-3). They are responsible for providing the Prosecutor and OTP's senior management with non-situation-specific strategic advice and support on general cooperation and external relations. Notably with a view to galvanizing political support, optimizing cooperation, and enhancing communication with States Parties and other stakeholders, such as international organizations and NGOs, in furtherance of the Court-wide and OTP strategic plans, this small team supports the OTP's diplomatic and other general cooperation engagements; ensures and coordinates the establishment and management of OTP's external relations with States and other partners; and represents the OTP during discussions on various issues under consideration by the Assembly and/or its subsidiary bodies, where those issues affect the work of the OTP.

262. Within the JCCD, one Legal Adviser (P-4) provides legal advice on specific jurisdiction, complementarity and judicial assistance matters arising out of the work of the Situation Analysts and the International Cooperation Advisers in the situations under preliminary examination and investigation. In view of the extensive responsibilities that this post entails across the Office and taking into account last year's promulgation of the administrative instruction thereon⁵⁶ and the Court's internal review of the post, reclassification to Senior Legal Adviser (P-5) is requested.⁵⁷ The Senior Legal Adviser also supports the Division and the Integrated Teams on litigation and strategy regarding jurisdiction, admissibility and judicial assistance and related areas of public international law such as national security law, Head of State immunity and disclosure of classified information, working alongside the Prosecution Section and the Appeals Section on written and oral submissions as required. Furthermore, the Senior Legal Adviser negotiates and concludes cooperation agreements and memoranda of understanding with national actors, international organizations and peacekeeping entities to support OTP operations and attends all ExCom meetings held with Integrated Teams and SAS on ongoing investigation/prosecutions and preliminary examinations.

263. SAS carries out preliminary examinations and provides advice on complex matters of fact and law regarding jurisdiction, admissibility, and assessments of the interests of justice, in particular where victims' interests are at stake. Preliminary examinations are one of the Office's three core activities, together with investigations and prosecutions. Preliminary examinations are not only crucial to deciding whether to open a new investigation; they also serve to lay a firm foundation for cooperation in situations where such investigations are ultimately opened. Additionally, preliminary examinations can have a preventive effect and may foster domestic efforts to investigate and prosecute, potentially obviating the need for investigation by the Office. Lastly, the vital analytical work

⁵⁶ See Classifications and Reclassification of Posts, ICC/AI/2018/002.

⁵⁷ This post is being resubmitted in the 2020 Proposed Programme Budget. The positive evaluation of eligibility for the new grade was performed before submission of the 2018 Proposed Programme Budget and reviewed against the administrative instruction in 2019.

conducted by SAS feeds into the analysis that is essential to successful investigative operations should the Prosecutor decide to open an investigation into a situation.

264. SAS functions include: (a) receiving and processing information on alleged crimes submitted under article 15 of the Statute, including building crime analysis databases; (b) requesting information from a number of reliable sources to verify the reliability of information in its possession regarding alleged crimes, and querying the conduct of relevant national proceedings, including through field missions; (c) conducting contextual, factual and legal analyses of all available information to assess jurisdiction, admissibility of potential cases, and the interests of victims; (d) interacting with a broad range of partners to gather information and assess and/or encourage national investigations and prosecutions; and (e) reporting on its findings to the Prosecutor and explaining the Office's preliminary examinations to relevant stakeholders and the public. All of these tasks – pertaining to eight to ten preliminary examinations and an average of 500 new communications yearly – are performed by a small team of three Situation Analysts, six Associate Situation Analysts, two Assistant Situation Analysts and one Head of Section. No additional resources have been allocated since 2014, despite its ever-increasing workload and, in particular, the high volumes of information required to be processed in some of the more recent preliminary examinations.

265. In view of the high volumes of information that SAS is required to process and use – which includes managing information submitted by article 15 communication senders, States and NGOs, and capturing, registering and collating information from open sources and social media – SAS is requesting one new Information Management Assistant (GS-OL) to support the Section and alleviate the information management and registration pressure on P-level analysts. This will allow SAS to focus on its key deliverables, notably preliminary examination reports and recommendations to the Prosecutor, thereby increasing the speed of completion of preliminary examinations. It will also streamline information management practices across the end-to-end OTP business process and facilitate the handover of preliminary examination dossiers to downstream investigation teams. To ensure the streamlining, the Information Management Assistant will be hosted by the Information, Knowledge and Evidence Management Section (IKEMS) and deployed to SAS.

Budget resources

€4,107.7 thousand

266. Extensions are requested for the GTA resources previously approved in the 2019 budget. These resources are crucial to enabling the Division to continue conducting its mandate effectively in 2020.

Staff resources

€3,669.4 thousand

267. The requested amount for established posts has increased by €70.0 thousand (2.2 per cent). The amount requested for GTA positions has increased by €46.6 thousand (11.1 per cent). The increase in staff resources is the combined effect of the implementation of the new UNCS and the six months requested for a new GTA position in information management at GS-OL level. The Division comprises 30 established posts and five GTA positions (4.0 FTE).

Established posts: Professional and General Service

€3,203.5 thousand

268. The Division is headed by a Director (D-1), supported by one Senior Legal Adviser (P-5), whose post has been submitted for reclassification from International Cooperation Adviser (P-4), and assisted by one Administrative Assistant (GS-OL).

269. The International Cooperation Section comprises a total of 15 established posts:

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Head, International Cooperation Section	P-5	1
International Cooperation Adviser	P-4	1
Judicial Cooperation Adviser	P-4	1
International Cooperation Adviser	P-3	6
External Relations Adviser	P-3	1
Associate International Cooperation Adviser	P-2	1
Judicial Cooperation Assistant	GS-OL	1
Legal Assistant	GS-OL	1
Administrative Assistant	GS-OL	2
Total		15

270. The Situation Analysis Section, headed by one Head of Section (P-5), comprises a total of 12 established posts:

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Head, Situation Analysis Section	P-5	1
Situation Analyst	P-3	3
Associate Situation Analyst	P-2	6
Assistant Situation Analyst	P-1	2
Total		12

General temporary assistance

€465.5 thousand

271. Four GTA positions (equivalent to 3.5 FTE) are requested to be continued in the 2020 budget to support the preliminary examinations, investigations and trials anticipated in 2020, and to provide administrative and operational support for the ever-increasing cooperation workload. Each International Cooperation Adviser is formally assigned to a specific Integrated Team but may also serve as a backup for another team. His or her assignment may also change – should new or existing situations so require – and in some cases may cover more than one situation, workload permitting.

272. In the past, this flexible use of resources has allowed JCCD and ICS management to maximize efficiency in allocating existing resources when situational requirements have fluctuated. However, the increase in the number of situations, coupled with increasingly complex cooperation requirements, has caused many International Cooperation Advisers to regularly cover multiple situations simultaneously, thus limiting the possibility for the future application of such flexibility.

273. The Situation Analysis Section is requesting one new GS-OL GTA staff position for information management purposes, as explained above. The position is budgeted for six months, on account of the hiring time lag applied to all new posts in the OTP.

274. The breakdown of requested GTA positions is as follows:

<i>Title</i>	<i>Grade</i>	<i>Number</i>	<i>Months</i>	<i>FTE</i>	
International Cooperation Adviser	P-3	2	24	2.00	Continued
Situation Analyst	P-3	1	12	1.00	Continued
Legal Officer – UN based (New York)	P-3	1	6.1	0.51	Continued
Information Management Assistant	GS-OL	1	6	0.50	New
Total		5	48.1	4.01	

275. The Legal Officer – UN based (New York) (P-3) (0.51 FTE), continued in ICS, is retained as a United Nations staff member by the United Nations Office of Legal Affairs to process and coordinate, within the United Nations system, all requests for assistance from the OTP. This is an essential component of the efficient and timely execution of all requests. Since the position also handles requests for assistance sent by the Registrar on

behalf of Chambers or defence counsel, the remaining costs of the position will be shared by the Immediate Office of the Registrar.

Non-staff resources **€438.3 thousand**

276. Requested non-staff resources have slightly decreased by €3.6 thousand (0.8 per cent). These resources are dedicated to travel and are recurrent.

Travel *€438.3 thousand*

277. The travel budget is substantially the same as in 2019. The funds requested for missions are slightly below the level approved in 2019 thanks to the implementation of savings and efficiencies measures across the Office. It remains critical that adequate funds are provided for this budget item. JCCD staff conduct missions in relation to situations under preliminary examination or investigation to secure and foster cooperation, or to gather information and attend key meetings with State officials. JCCD staff will also continue to accompany the Prosecutor on situation-related missions. These missions continue to be targeted and planned so as to use the travel budget as efficiently as possible, thus enabling efficiency reductions in the requested budget, despite the increased number of planned missions.

Table 19: Programme 2200: Proposed budget for 2020

2200 Jurisdiction, Complementarity and Cooperation Division	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				2,798.0	55.5	2.0	2,853.5
General Service staff				335.5	14.5	4.3	350.0
<i>Subtotal staff</i>	<i>3,093.1</i>	-	<i>3,093.1</i>	<i>3,133.5</i>	<i>70.0</i>	<i>2.2</i>	<i>3,203.5</i>
General temporary assistance	412.7	-	412.7	419.3	46.6	11.1	465.9
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>412.7</i>	-	<i>412.7</i>	<i>419.3</i>	<i>46.6</i>	<i>11.1</i>	<i>465.9</i>
Travel	212.1	17.9	229.9	441.9	(3.6)	(0.8)	438.3
Hospitality	-	-	-	-	-	-	-
Contractual services	7.0	-	7.0	-	-	-	-
Training	11.0	-	11.0	-	-	-	-
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>230.0</i>	<i>17.9</i>	<i>247.9</i>	<i>441.9</i>	<i>(3.6)</i>	<i>(0.8)</i>	<i>438.3</i>
Total	3,735.9	17.9	3,753.7	3,994.7	113.0	2.8	4,107.7

Table 20: Programme 2200: Proposed staffing for 2020

2200	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	1	2	3	10	7	2	25	-	5	5	30
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	1	(1)	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	1	3	2	10	7	2	25	-	5	5	30
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	3.50	-	-	3.50	-	-	-	3.50
Continued	-	-	-	-	-	-	3.50	-	-	3.50	-	-	-	3.50
New	-	-	-	-	-	-	-	-	-	-	-	0.51	0.51	0.51
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	3.50	-	-	3.50	-	0.51	0.51	4.01

3. Programme 2300: Investigation Division

Introduction

278. The Investigation Division (ID), under the overall management of its Director and management team, provides the investigative and analytical component of the Integrated Teams. ID recruits, trains and monitors the performance of investigators and analysts within the Integrated Teams. In support of the Integrated Teams, ID is also responsible for the forensic and scientific aspects of investigations, as well as the provision of operational support for the Integrated Teams.

279. ID comprises the Office of the Director and four Sections: the Investigation Section, the Investigative Analysis Section, the Forensic Science Section and the Planning and Operations Section.

280. ID provides investigation teams, which comprise investigators and analysts with expertise in international criminal investigations and are a substantial and critical component of the Integrated Teams. Investigation teams undertake key investigative activities, focusing on crimes and suspects and the links between them. Regarding crimes, investigation teams collect evidence on the incidents under investigation and the resulting victimization. Regarding suspects, investigation teams manage lines of inquiry into their involvement, as well as knowledge and intent with respect to the crimes alleged. To that effect, ID collects evidence on the structure or organization allegedly responsible for the crimes, the roles of the suspects involved and the links between them and the crimes, including the financing and logistics required to commit the crimes. Specialized sections within ID support the Integrated Teams in the elaboration and implementation of their plans through expert advice and assistance in the conduct of operations:

(a) The Investigation Section (IS) ensures resource provision across the various investigation teams for investigations and includes all the investigators allocated to the Integrated Teams. The Investigations Coordinator, Team Leaders and Investigators, working at different levels of seniority, develop investigative strategies, plan investigative activities, ensure evidence collection, develop leads to the investigation and manage external sources engaged during the investigation, among others. IS also ensures the development of standards for investigations, through the identification of best practices and the development of standards, proceedings and guidelines, training and quality reviews. IS develops the Office's investigative capabilities by designing and implementing innovative procedures, tools and methods to ensure that investigative activities are efficient, effective, high quality and compliant with applicable standards;

(b) The Investigative Analysis Section (IAS) ensures the development of standards, best practices, training, quality reviews and resource provision across the various investigation teams for factual analysis purposes. The Analysts and Analysis Assistants are part of IAS and form an essential component of the Integrated Teams. IAS provides support to ID and the Prosecution Division in the following areas: crime pattern analysis of multiple crime allegations via databases, statistics, chronologies, maps and reports to support management decisions on case selection, investigations, fugitive tracking and periodic reports to the United Nations Security Council; operation of a fact analysis database in support of investigations to collate and integrate all sources of evidence about relevant groups, locations, persons and other entities; systematic evaluation of witnesses and other sources of evidence according to standard criteria of reliability and credibility; analysis of structures and networks, including telecommunications data, military issues (military command and control, operations, weaponry, etc.) and *modi operandi*; gender analysis regarding the relevant crimes and context; trial support in preparation for witness examinations and filings; operational analysis in support of investigators on field missions; and systematic use of online open sources;

(c) The Forensic Science Section (FSS) provides scientific support to investigations and prosecutions, as well as preliminary examinations. It is composed of three units: the Forensic Unit (in charge of crime scene examinations, exhumations, autopsies, clinical examinations, criminalistics, etc.), the Cyber Unit (in charge of computer forensics, mobile and telecommunications forensics, cyber-investigations, etc.) and the Imagery Unit (in charge of geographic information systems and satellite image analysis,

photo/video analysis, 3D mapping and reconstruction, drone imagery, etc.). In addition, FSS maintains the Executive Secretariat of the OTP Scientific Advisory Board and develops standard operating procedures and guidelines relating to scientific activities. The Scientific Advisory Board, composed of the sitting presidents of the 18 most representative institutions of the international scientific community, meets annually and advises the Office on recent developments in new and emerging technologies, scientific methods and procedures that could potentially enhance the collection, management and analysis of testimonial, documentary and scientific evidence; and

(d) Within the Planning and Operations Section (POS), the Operational Risk and Support Unit (ORSU) ensures the confidentiality and security of field deployments and provides operational support to missions. The Protection Strategies Unit (PSU) guarantees that the Office's investigative strategy is developed in such a way that foreseeable risks to persons interacting with the OTP are managed. Both ORSU and PSU work closely and in a complementary manner with the Registry, dividing up responsibility along a continuum of services. The Gender and Children Unit assists and advises teams in handling vulnerable witnesses and investigating sexual and gender-based crimes and crimes against children. Lastly, the Administration and Planning Team provides information processing and administrative services/project management support.

281. The number of parallel investigations remains the same, which continues to place a significant strain on the speed of investigations and the well-being of staff. The expected reduction from three to two trials has only a limited impact on ID, with the 3 FTE normally assigned to support a trial team being redeployed to strengthen the existing understaffed investigation teams. With the current resources, ID has not been able to maintain regular contact with witnesses from past cases, as provided for in its quality standards. The number of investigations pending an arrest warrant has increased, but efforts are restricted to reacting to incidents and opportunities owing to limited resources. While ID has succeeded in identifying efficiency gains of 1-1.7 per cent in the past five years and is using its resources flexibly to meet the most pressing needs, these measures alone will not suffice to solve the Division's capacity problem. While a flexible approach to resource allocation has been taken, there is a clear indication of overstretch across the Division as a result of the team being considerably smaller than the optimal team size: high levels of untaken leave; increased sick leave; increased requests for more analytical support from the Prosecution Division and a growing backlog in workload in FSS. In spite of this reality, ID is limiting any request for additional resources with a view to assessing the impact of the new strategy (in particular Strategic Goal 2: increase the speed, efficiency and effectiveness of preliminary examinations, investigations and prosecutions).

Budget resources

€20,105.5 thousand

282. As in previous years, the Division has made a significant effort to identify savings and efficiencies and expects to achieve savings of around €480 thousand.⁵⁸ Throughout 2019, in coordination with the other divisions of the OTP and the other organs of the Court, ID has continued to identify savings and efficiencies through, where possible, deployment of permanent investigative capacity in the field; an economical solution for staff accommodation in Bangui; increased ability to operate remotely; and having European-based witnesses travel to HQ for interviews.

283. In the Investigation Section, current capacity in terms of investigators still falls short of identified needs. The persistent consequences of understaffing are as follows: more time required for the completion of planned activities; inability to react appropriately to important unforeseen events without removing or significantly reducing resources allocated to other priority activities; diminished capacity to conduct lessons learned exercises, develop standards and ensure adequate training; limited tracking capacity; and highly diminished capacity to deal with cases in "hibernation", in particular the necessary maintenance of contact with witnesses and identification of opportunities to gather new evidence.

⁵⁸ The savings achieved are attributable to improvements in HQ interviews (€94.8 thousand), field staff (€209.3 thousand) and apartments in Bangui (€181.3 thousand).

284. The Investigation Section requests an additional P-4 Senior Investigator to strengthen the capacity to conduct financial investigations. In recent decisions, the Pre-Trial Chamber has indicated that they expect increased efforts by the OTP with regard to financial investigations. States Parties have highlighted the need for the Office and the Court to strengthen financial investigations activities for multiple purposes. The Office, in its recent strategy under goal 2, has also identified this as a key area to be addressed in specialized investigations. However, while the Section currently has four Investigators with relevant experience in the field of financial investigations, they are fully engaged in mainstream investigative activities. To address the identified need, the OTP therefore needs to hire a professional with extensive expertise and experience in conducting complex financial investigations at a senior level. With this new position, the OTP will be able to exponentially spur the Office's current capacity to conduct such investigations by providing each investigation team with overall strategic guidance, planning and coordination of activities related to the required financial investigations, including asset tracing activities. This could eventually contribute to the implementation of the Strategic Goals 1 and 2, notably increasing the success rate in court, and also increasing the speed of proceedings. Financial investigations at the early stage of Office's involvement may also prove crucial for aspects having an impact on other organs' work, such as identifying funds in connection to legal aid assessment, or even reparations, further down the road. This senior position, in conjunction with JCCD's Judicial Cooperation Adviser, will also boost the Office's focus and capacity to network with relevant external partners and enhance the Office's internal training on such highly specialized matters.

285. The Forensic Science Section requests one new position, a P-2 Associate Systems Support Officer⁵⁹ to implement, maintain and administer the OTP Web Anonymized Searching Platform (WASP). This platform is essential for the OTP's investigative purposes. However, because of the volume of the work involved, it requires dedicated support to be provided to OTP end users during their online investigation activities, aiming at ensuring continuous availability and operations of the anonymization platform. This activity is presently done by cyber investigators, whose main function of investigations is being distracted by the more administrative and maintenance work that the platform requires, and is also accumulating a backlog of cyber-investigative expert work.

286. Within the Planning and Operations Section, PSU is responsible for the holistic management of OTP witnesses. Following the in-depth review of PSU's needs and profile in 2017 and the implementation of some internal reorganization in 2018, PSU managed a heavier workload in 2018 without any increase in resources. Although the unit remains overstretched, it will endeavour to address the workload within existing resources in 2020.

287. ORSU is responsible for taking a holistic approach to operations within the OTP, from preliminary examination to investigation and prosecution. In the field, ORSU musters only the minimum of experienced Professional and General Service staff. A flexible approach to staff deployment has made it possible to meet these minimum requirements, but because of the limited remaining flexibility, any increase in activities will necessarily impact future resource requirements.

288. The Gender and Children Unit (GCU) plays an important role in the development of OTP policy on handling sexual and gender-based crimes, crimes against children and vulnerable witnesses in general. GCU helps the Integrated Teams during investigations and prosecutions to develop and implement strategies related to these specific crimes. GCU ensures policy implementation and constant research to improve the Office's methods in relation to these policies, including through the provision of training. As in previous years, resources are needed to contract Psychosocial Experts from the roster maintained by GCU when parallel investigative activities require simultaneous support beyond GCU's capacity. No additional resources are requested for 2020.

289. The Administration and Planning Team is responsible for administrative support; the essential collection, collation and production of management information; monitoring of efficiency and risk management; support for priority projects; and assistance with the Division's complex resource management requirements. No additional resources are requested for 2020.

⁵⁹ Pending post title confirmation and classification.

Staff resources**€17,667.3 thousand**

290. The amount requested for established posts has increased by €245.4 thousand (2.0 per cent) as a result of the implementation of the new UNCS rates. The amount requested for GTA positions has increased by €337.5 thousand (7.2 per cent). This is the combined effect of the two new GTA positions (requested: one P-4 for six months and one P-2 for five months) while compensating the increase through partial staggering of some GTA positions as in previous years. In 2020, the Division will comprise a total of 128 established posts and 53 recurrent GTA positions (50.25 FTE), plus two new GTA requests (0.92 FTE in total), for a total of 183 staff (179.17 FTE).

Established posts: Professional and General Service

€12,620.8 thousand

291. The Division is headed by a Director (D-1), who is assisted by one Administrative Assistant (GS-OL).

292. The Investigation Section is headed by one Investigations Coordinator (P-5) and comprises 56 posts in total:

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Investigations Coordinator	P-5	1
Team Leader	P-4	3
Senior Investigator	P-4	6
Investigator	P-3	21
Associate Investigator	P-2	25
Total		56

293. The Investigative Analysis Section is led by a Head of Section (P-5) and comprises 20 posts:

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Head, Investigative Analysis Section	P-5	1
Analyst (Crime Pattern)	P-4	1
Analyst	P-3	6
Associate Analyst	P-2	6
Associate Analyst (Data Analysis)	P-2	1
Data Processing Assistant	GS-OL	3
Analysis Assistant	GS-OL	2
Total		20

294. The Forensic Science Section is led by a Head of Section (P-5) and comprises nine posts in total:

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Head, Forensic Science Section	P-5	1
Forensic Officer	P-3	2
Cyber Forensic Investigator	P-3	3
Associate Analyst (Geographic Information Systems)	P-2	1
Associate Analyst	P-2	1
Information Storage Assistant	GS-OL	1
Total		9

295. The Planning and Operations Section, led by a Head of Section (P-5), comprises 41 posts:

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Head, Planning and Operations Section	P-5	1
Head, Protection Strategies Unit	P-4	1
Protection Strategies Officer	P-3	1
Associate Protection Strategies Officer	P-2	1
Protection Strategies Assistant	GS-OL	5
Head, Operational Risk and Support Unit	P-4	1
Operations Officer	P-3	2
Operations Officer (Security)	P-3	1
Operations Risk and Field Officer	P-3	4
Information Analyst	P-2	2
Assistant Analyst	P-1	1
Field Operations Coordinator	GS-OL	5
Field Operations Assistant	GS-OL	2
Operations Assistant	GS-OL	2
Witness Management Assistant	GS-OL	1
Administrative Assistant	GS-OL	3
Victims Expert	P-4	1
Associate Victims Expert	P-2	3
Administrative Assistant	GS-OL	4
Total		41

General temporary assistance

€5,046.5 thousand

296. The Investigation Division continues to require the GTA provision to support the OTP's increased activity. For 2020, the Division is requesting 55 GTA positions, two of which are new, Senior Investigator (P-4) and Associate System Support Officer (P-2) budgeted for six and five months respectively (0.92 FTE in total) on account of the hiring time lag applied to all new posts in the OTP. All GTA resource requests are multi-year. The GTA resources requested for Programme 2300 in 2020 are as follows:

<i>Title</i>	<i>Grade</i>	<i>Number</i>	<i>Months</i>	<i>FTE</i>	
<i>Investigation Section</i>					
Senior Investigator	P-4	1	12	1.00	Continued
Senior Investigator	P-4	1	6	0.50	New
Investigator	P-3	8	87	7.25	Continued
Associate Investigator	P-2	8	93	7.75	Continued
Situation-Specific Investigation Assistant	GS-OL	6	69	5.75	Continued
<i>Investigative Analysis Section</i>					
Analyst	P-3	7	81	6.75	Continued
Analysis Assistant	GS-OL	8	96	8.00	Continued
<i>Forensic Science Section</i>					
Head, Cyber Unit	P-4	1	9	0.75	Continued
Forensic Officer	P-3	2	18	1.50	Continued
Associate Systems Support Officer	P-2	1	5	0.42	New
<i>Protection Strategies Unit</i>					
Associate Protection Strategies Officer	P-2	4	48	4.00	Continued
<i>Operational Risk and Support Unit</i>					
Operations Risk and Field Officer	P-3	1	12	1.00	Continued
Field Operations Coordinator	GS-OL	4	48	4.00	Continued
<i>Gender and Children Unit</i>					
Psychosocial Expert	P-2	1	6	0.50	Continued

<i>Title</i>	<i>Grade</i>	<i>Number</i>	<i>Months</i>	<i>FTE</i>	
<i>Administration and Planning Team</i>					
Project Officer	P-3	1	12	1.00	Continued
Assistant Planning and Control Officer	P-1	1	12	1.00	Continued
Total		55	614	51.17	

297. In the Investigation Section, one new Senior Investigator (P-4) is requested for six months to support financial investigative activities.

298. In the Forensic Science Section, one new Associate Systems Support Officer (P-2) is requested for five months to manage the WASP tool and ensure the confidentiality of online investigations.

Non-staff resources **€2,438.2 thousand**

299. The requested amount has decreased by €0.8 thousand and is required for travel and general operating expenses. Unless otherwise indicated, the resource request is recurrent.

Travel *€1,808.2 thousand*

300. The amount requested for 2020 is slightly lower than what was approved in 2019.

301. The Investigation Division continues to pay considerable attention to identifying savings and efficiencies related to travel. Through a process continuing on from 2017 to present to evaluate and reduce costs, adapt the design of operations and improve operating conditions, the Investigation Division has continued to reduce accommodation and DSA costs in the situation countries where teams are deployed for missions. It is anticipated that, by maintaining this approach, operation costs can be saved in 2020, assuming similar conditions. The size of savings depends on the frequency and intensiveness of mission travel focused on a single location. In the Proposed Programme Budget for 2019, the Investigation Division proposed reaching a normalized travel budget over a two-year period (based on activity at the time) to respond to its actual needs. Unfortunately, the 2019 approved travel budget remained lower than actual requirements, and the normalized travel budget level will only be fully achieved over a longer time frame. The Office will continue to be as efficient as possible, adapting travel arrangements to maintain the most effective balance between flight and DSA costs.

General operating expenses *€630.0 thousand*

302. The requested amount is the same as in the 2019 approved budget.

303. This budget item is a recurrent cost necessarily incurred by witnesses' attendance at interviews and the Office's fulfilment of its duty of care to witnesses during all phases of activities (preliminary examinations, investigations, trials and the remaining residual cases). These costs are not covered by the Registry's Victims and Witnesses Section (VWS), as they arise from interactions between the OTP and witnesses (e.g. travel and accommodation for witness to be interviewed) and low-cost/low-impact security measures taken by the OTP in the light of the protocol in place between it and VWS.

304. Part of the general operating expenses is for the contract related to accommodation in CAR, which provides an economical solution compared to expensive hotel accommodation for ongoing operations.

Table 21: Programme 2300: Proposed budget for 2020

2300 Investigation Division	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				10,644.4	140.0	1.3	10,784.4
General Service staff				1,731.0	105.4	6.1	1,836.4
<i>Subtotal staff</i>	<i>13,678.7</i>	<i>11.4</i>	<i>13,690.1</i>	<i>12,375.4</i>	<i>245.4</i>	<i>2.0</i>	<i>12,620.8</i>
General temporary assistance	3,512.2	111.6	3,623.8	4,709.0	337.5	7.2	5,046.5
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>3,512.2</i>	<i>111.6</i>	<i>3,623.8</i>	<i>4,709.0</i>	<i>337.5</i>	<i>7.2</i>	<i>5,046.5</i>
Travel	1,772.9	96.7	1,869.6	1,809.0	(0.8)	(0.0)	1,808.2
Hospitality	-	-	-	-	-	-	-
Contractual services	22.5	-	22.5	-	-	-	-
Training	129.3	-	129.3	-	-	-	-
Consultants	-	-	-	-	-	-	-
General operating expenses	810.8	32.0	842.8	630.0	-	-	630.0
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	0.7	-	0.7	-	-	-	-
<i>Subtotal non-staff</i>	<i>2,736.1</i>	<i>128.7</i>	<i>2,864.8</i>	<i>2,439.0</i>	<i>(0.8)</i>	<i>(0.0)</i>	<i>2,438.2</i>
Total	19,927.0	251.7	20,178.7	19,523.4	582.1	3.0	20,105.5

Table 22: Programme 2300: Proposed staffing for 2020

2300	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	1	4	13	40	40	1	99	-	29	29	128
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	1	4	13	40	40	1	99	-	29	29	128
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	1.75	16.53	12.17	1.00	31.45	2.00	15.67	17.67	49.12
Continued	-	-	-	-	-	1.75	18.25	12.25	1.00	33.25	2.00	15.75	17.75	51.00
New	-	-	-	-	-	0.50	-	0.42	-	0.92	-	-	-	0.92
Redeployed	-	-	-	-	-	-	(0.75)	-	-	(0.75)	-	-	-	(0.75)
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	2.25	17.50	12.67	1.00	33.42	2.00	15.75	17.75	51.17

4. Programme 2400: Prosecution Division

Introduction

305. The Prosecution Division's (PD) activities are central to implementing the core mandate of the Court, namely the conduct of fair, effective and expeditious prosecutions in accordance with the Rome Statute. The Prosecution Division comprises the Prosecution Section and the Appeals Section. Under the overall management of its Director, PD is responsible for giving legal guidance to investigators; litigating cases before the Chambers of all three Judicial Divisions; preparing all written submissions in briefs and other filings to the Chambers; and participating in investigative and case-preparation activities in the Integrated Teams. Senior Trial Lawyers from the Prosecution Section are also responsible for leading the Integrated Teams, providing overall guidance on the investigation of cases and leading trial teams before the Chambers of the Court. PD recruits, trains and monitors the performance of Trial Lawyers, Appeals Counsel, Legal Officers, Case Managers and Trial Support Assistants.

306. The Appeals Section, led by the Senior Appeals Counsel, litigates all interlocutory and final appeals before the Appeals Chamber; prepares all applications for leave to appeal and responses to such applications filed by the defence and other parties before the Trial Chambers; drafts key trial filings, in particular those involving significant and novel international criminal law and procedural law issues; and provides legal advice to teams in the Prosecution Section and other parts of the Office as required.

307. The Prosecution Section and the Appeals Section also organize extensive training and lectures for staff within the Prosecution Division and other parts of the Office on topics such as written and oral advocacy, international human rights law and international criminal law. This includes, *inter alia*, a legal meeting for all PD staff members every two weeks, where legal and procedural developments relevant to the Division are discussed, and regular internal advocacy training – encompassing oral motion advocacy and witness examination training – in both French and English.

308. The Prosecution Division is led and managed by its Director (D-1), who oversees the effective deployment of resources, standardization of case preparation and filings. The Director, together with the Senior Appeals Counsel (P-5), reviews the vast majority of filings and briefs before they are filed with the Court to ensure that they are legally consistent and persuasively written. The Director provides advice on cases to investigation and trial teams, often on issues arising on short notice. The Director is supported by one Special Assistant (Prosecutions) (P-3) and one Case Management Coordinator (P-2) for planning and coordination of the Division. The Director also has one Personal Assistant (GS-OL) and two Administrative Assistants (GS-OL) who support the Division in the execution of all administrative matters, including the processing of travel claims and leave requests.

309. The Integrated Teams are responsible for investigating and prosecuting cases before the Court. In the first six months of an investigation (start-up phase), the activities of the (small) prosecution component of the Integrated Team focus mainly on the formulation of the case hypothesis. The Prosecution team will provide legal and strategic guidance for the investigation, analyse evidence, develop the legal theory of the case, participate in investigative activities (including interviews under article 55(2) of the Rome Statute), prepare disclosures and draft relevant documents – including all filings – which may be necessary at the investigation stage. The Case Manager and Trial Support Assistant manage evidence, information and filings and support the lawyers in their tasks.

310. As soon as the investigation has progressed to a firm case hypothesis, the Prosecution Division increases its capacity to form a pre-trial team. For 2020, it is expected that, along with two trials and seven final appeals and several interlocutory appeals, some cases will also be in the pre-trial phase. The pre-trial phase starts with the Integrated Team's preparing the transition from investigation to trial by refining the legal aspects of the case hypothesis and drafting applications for warrants of arrest. The preparation of an application for a warrant of arrest or summons to appear includes a comprehensive evidence review – involving Office staff members external to the team that is assigned to the investigation or prosecution – aimed at scrutinizing the sufficiency of the

evidence according to the standards of that stage of the proceedings. If the warrant of arrest or summons to appear is issued, the Registrar, in consultation with the Prosecutor, transmits a request for arrest and surrender under articles 89 and 91 of the Statute to any State on the territory of which the person may be found. After arrest or surrender, the suspect's initial appearance should normally take place within 48 to 96 hours of his or her arrival at the seat of the Court. According to rule 121(1) of the Rules of Procedure and Evidence, at the suspect's first appearance, the Pre-Trial Chamber sets the date of the hearing on the confirmation of charges. The months leading up to the confirmation hearing (typically around four to six months from the first appearance) are a very resource-intensive phase for the Prosecution Division. Between the initial appearance and the hearing on the confirmation of charges, the Prosecution team will begin disclosure to the defence, an intense process which includes reviewing and applying the appropriate redactions and preparing the document containing the charges, the pre-confirmation brief and the list of evidence. If needed, an additional evidence review will be conducted, and the need for the use of article 56 of the Rome Statute will be considered. Within 60 days of the hearing on the confirmation of charges, the confirmation decision will be delivered. Following the confirmation of charges, the case is transferred to the Trial Chamber. Before opening statements, the prosecution team will update and finalize disclosure and prepare key trial filings such as the pre-trial brief, witness list, evidence list and requests for in-court protective measures.

311. On average, a team of eight Trial Lawyers, one Case Manager, one Legal Assistant and one Trial Support Assistant, led by a Senior Trial Lawyer, is required for each case that reaches the pre-trial or trial phase. Experience has shown that more resources are needed in the months between the initial appearance and the confirmation hearing. The lawyers, led by the Senior Trial Lawyer, will organize and prepare the case during the pre-trial and trial phases. They will marshal inculpatory and exculpatory evidence; manage witnesses; provide guidance for additional investigations; manage disclosure; draft all filings and briefs before the Pre-Trial Chamber and the Trial Chamber; participate in hearings; and address the Court at the hearing on the confirmation of charges and at trial, examining and cross-examining witnesses and making submissions. The Case Manager and Trial Support Assistant will manage evidence, information and filings and support the lawyers in their tasks. The budget assumptions include two cases at trial for 2020. The team composition as described in this paragraph is appropriate for most cases faced by the Court at this stage. However, variations in investigations and prosecutions may occur as a result of the complexity of the case and/or the number of suspects and accused, including increasing teams for larger, more complex cases, and downsizing them for less complex cases.

312. As for the trial phase, accumulated experience has shown that, while there are no more court hearing days for the case after the closing statements are delivered and until the delivery of the judgement and sentencing, work on the case continues. Activities include responding to Defence requests for disclosure, review of lesser redacted versions of transcripts of testimonies, and filing the Public Redacted Version (PRV) of the Closing Brief and Responses. In addition, where possible, the team will already start the review of the processes followed and experiences gained to identify lessons learned for the Office and prepare the case for handover to the Appeals Section. Accordingly, there is a functional need to maintain a core team of PD lawyers assigned to the case until all case-related tasks have been completed.

313. The Appeals Section is managed by the Senior Appeals Counsel (P-5) and is composed of seven appeals lawyers (three P-4 Appeals Counsel, three P-3 Appeals Counsel, one P-2 Associate Appeals Counsel), a Case Manager and a Trial Support Assistant. Over the years, the Appeals Section has been conducting an increasing volume of complex appellate work, both in written filings and oral hearings on final and interlocutory appeals before the Appeals Chamber, which is expected to continue in 2020 and beyond. In addition, since the Prosecution Division no longer has a Prosecution Coordinator, an increasing number of legal coordination tasks has fallen on the Senior Appeals Counsel and her staff: the Section has become the primary legal advisory and legal coordination section in the Office for all trial teams in their pre-trial and trial work; for the Situation Analysis Section in several aspects of its preliminary examination and article 15 work; and for the Investigations Division in aspects of their investigatory work. The legal advisory and coordination work for (pre-) trial teams includes providing legal advice on complex issues,

setting charges and documents containing the charges, attending formalized evidence review sessions, drafting on multiple legal and procedural issues in pre-trial and closing briefs and coordinating legal positions among trial teams. As the centre of legal research in the Office, the Section also keeps updated Case Digests of all decisions from the three Chambers, which trial teams use in their work; analyses Chambers' decisions; and organizes legal trainings and meetings for prosecutors, investigators and others in the Office.

314. As litigation before the Pre-Trial, Trial and Appeals Chambers becomes increasingly voluminous and complex, trial teams have a major need for coordinated legal advice and positions, and assistance in their written submissions. The Senior Appeals Counsel and the Section's lawyers are ever more called upon by trial teams to assist in those tasks. At the same time, the appeals and post-appeals work conducted by the Section has been ever-increasing in volume, size and complexity: in 2019 and continuing into 2020 it is expected that the Section will be handling several final appeals (*Bemba et al.* sentence appeal, and – very likely – appeals in *Ntaganda*, and *Gbagbo and Blé Goudé*) and complex interlocutory appeals and post-appeal matters (including Afghanistan, Gaddafi, Comoros, *Ongwen*, *Bemba* compensation and others likely to arise). The Section also monitors the numerous and often very voluminous Court decisions issued each year, reviews them for possible appeal, brings requests to appeal as necessary, and responds to Defence requests. The Appeals Chamber now holds lengthy oral appeal hearings for most final and interlocutory appeals, involving numerous questions raised before and during the hearings, and this also increases the work handled by the Senior Appeals Counsel and Section lawyers. The Section also drafts and provides significant input on policies and guideline documents produced by the Office. Additionally, as a member of the Prosecutor's Executive Committee, the Senior Appeals Counsel participates in discussions and decision-making in relation to all legal, policy and strategic matters in the Office, and reviews the most significant filings and other documents presented by all trial teams, SAS and other Sections of the Office. The Senior Appeals Counsel also acts as deputy to the Director, Prosecution Division, and in this role has additional functions in reviewing filings produced by trial teams, and management functions with respect to running the Division, ensuring provision of training to staff and participating in various working groups designed to improve performance within Prosecution Division, both in cases and related to the development of staff.

315. It is expected that, in 2020, the Prosecution Division will remain engaged in trial activities in *Yekatom and Ngaïssona*, and *Al Hassan*⁶⁰ and the final phase of the *Ongwen* trial. In addition, charges are expected to be brought for confirmation in one or more cases currently under investigation. PD teams will remain engaged in investigative activities in Georgia, CIV II, CAR II, Libya, Darfur, Burundi and other situations that are open. The Appeals Section will have to deal with final appeals which may be filed in the trials ending in 2019 and 2020, plus additional interlocutory appeals in other cases.

316. The Prosecution Division will continue to explore creative means of successfully presenting its cases in court, including further developing its use of new techniques and technologies in the courtroom.

317. The Prosecution Division will also ensure that it adequately uses the various possibilities for attributing criminal responsibility under article 25 (individual criminal responsibility) and article 28 (responsibility of commanders and other superiors) of the Rome Statute. Consistent with existing policies, the Prosecution Division will strive to ensure that charges brought by its teams cover sexual and gender-based crimes and crimes against children, where such crimes have occurred in the situation under investigation, as well as the most representative forms of victimization in the situation. The Prosecution Division will be particularly attentive to forms of victimization that have been traditionally undercharged internationally or domestically.

318. The Prosecution Division has created internal coordination mechanisms and working groups and is involved in Office-wide initiatives in priority areas for the Office and the Court, such as advocacy training, efficiency improvements, information management and Integrated Teams. Lastly, the Division will continue to use and improve the system of

⁶⁰ Without prejudice to the decision on the confirmation of charges.

internal evidence reviews – and reviews of critical instances of presentation of cases in court – to perform continuous critical assessments of the quality of its work and ensure high-quality output.

319. The Division's strategy is aligned with the OTP 2019-2021 Strategic Plan. Among others, the Division will continue to focus on gender equality. This process started in 2016 following on the results of the 2016 PD Staff Survey. Since then, the Division has continuously dedicated resources and time to the improvement of gender equality and it will continue to do so. In addition, as the PD Senior Trial Lawyers are the leaders of the Integrated Teams, the Division is constantly focusing on further development of leadership skills. This process will continue in the coming years, with focused trainings for senior management, complemented by more generic management training in the areas and at the levels where needed. In 2018, the Court completed a Court-wide Staff Engagement Survey. The senior management of the Division is committed to implement actions on staff engagement based on the results of the survey. The Division has a dedicated staff survey working group, which includes representatives from all grade levels and groups within the Division. A key process within the work of the Division is disclosure, a core responsibility of the OTP and a labour-intensive process. The Division has already started to work on the review of this process and will continue to do so in the coming years. Other priorities can be identified throughout the year and working groups or committees will be formed as needed.

Budget resources

€11,849.9 thousand

320. The requested amount has increased by € 197.8 thousand (1.7 per cent). This is the combined effect of the implementation of the new UNCS rates, and of the new GTA position requested (five months).

321. The activities of the Prosecution Division are characterized by, and dependent upon, the use of professionals specialized in the field of international criminal law. The vast majority of the Division's budget (96.89 per cent) is therefore concentrated in staff resources. Consequently, the focus of the Division is on finding savings and efficiencies by stimulating an increase in productivity, eliminating waste from processes, re-examining internal procedures and streamlining cooperation with other divisions and parties where possible. In addition to the internal measures defined above, the Division and its staff members also rely on its robust and wide-reaching network, where practicable. The Division builds its network by, for example, giving lectures and speeches to professionals and students at various institutions.

322. In 2018, two processes were identified for efficiency improvements and, in 2019, the necessary changes and new procedures were implemented. The process for the review and approval of filings has been streamlined and the roles and responsibilities in the process have been aligned internally. The change in procedure allowed a decrease of time investment from senior management in the review process, while maintaining all necessary quality controls. Throughout 2020, the new process will be monitored and adjusted if and when needed. In addition, the Division has re-examined and re-aligned the internal access to filings to enhance the capabilities for effective legal research and to increase consistency in filings.

323. For 2019, the Division has already identified core processes which will be reviewed by experts from within the Division and Office with the aim to further optimize processes and procedures. For 2020, the Division aims to invest in internal knowledge and capacity to further identify key processes and eliminate waste in these processes where possible.

324. Although it must be considered that the workload of the Prosecution Division is mostly determined by its obligations under the Rome Statute and orders issued by Chambers, the Division is committed to continuing to look for savings and efficiencies. Throughout recent years, the Prosecution Division has committed resources and time to identifying such savings and efficiencies. The entire Division has been involved in this exercise, as all PD teams have been asked to provide their thoughts and ideas about potential efficiencies in their work. The Division is developing several proposals to improve efficiency, including adjusting existing procedures and policies. The hope is that

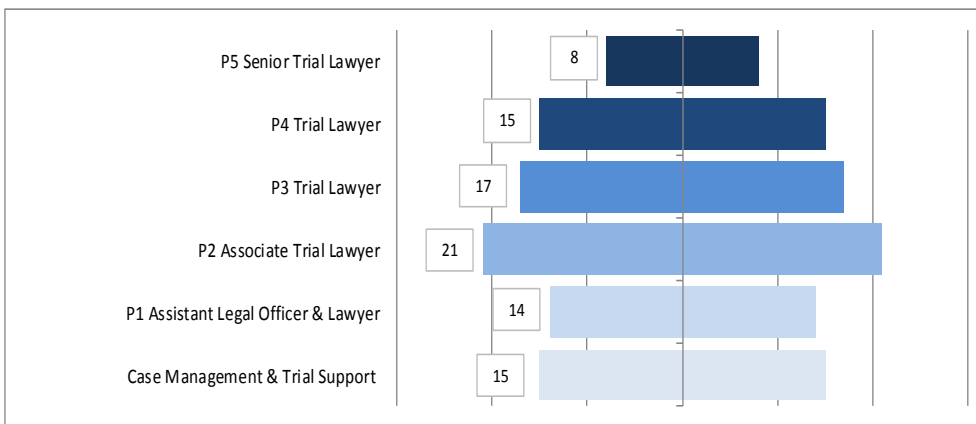
finding efficiencies will alleviate work pressure and reduce the long hours faced by Prosecution staff.

325. The Division continuously reviews its staffing needs, including the resource structure needed to anticipate expected events. A small realignment of the Division will therefore be implemented. The realignment concerns position titles and grades to better reflect the tasks assigned to staff, and does not lead to any increase in the funds needed (budget neutral).

326. In addition, the Division needs to strengthen its Appeals Section in order to enable the Section to carry out its increasingly heavy appellate case workload and its pivotal legal advisory and coordination role in the OTP, as described in paragraphs 227 and 228 above. After a careful assessment of the current resources and workload, the Division has established that the most efficient course of action would be to seek an additional Senior Appeals Counsel (P-5) post in the Appeals Section in 2020.

327. The incumbent of this new post will be expected to act as lead counsel responsible for several final and interlocutory appeals, thereby enabling the Senior Appeals Counsel and this person to divide the heavy appellate caseload between them. In his/her capacity, the incumbent will lead teams of more junior counsel in drafting written submissions and oral hearings and be responsible for pre-appeal proceedings. The incumbent would also supervise parts of the legal advice work for trial teams, SAS and ID, and develop positions on substantive and procedural issues.

328. The Senior Appeals Counsel would continue to maintain the managerial and overall quality control function of all work of the Appeals Section, in addition to acting as lead counsel in several final and interlocutory appeals cases. The Senior Appeals Counsel will also continue as a member of ExCom. The appointment of the new Senior Appeals Counsel will enable the current Senior Appeals Counsel to play a much needed greater role in the legal coordination function for trial teams and other divisions of the Office, and an enhanced role in assisting the Director, Prosecution Division, as his deputy in the review of trial team work and management functions within the Prosecution Division. This in turn would allow more time for the Director of the Division for managerial, supervisory and quality control of the Division.



* Pyramid is excl. Appeals Section and Director and Immediate Office of the Director positions.

329. The Prosecution Division also requires non-staff resources to support its activities. Within the Office, most of the services requiring non-staff resources are provided (and budgeted for) under Sub-programmes 2110, 2120 and 2160. A specific allotment, however, is approved for travel and is included in the Prosecution Division’s budget. The approved amount is decreased by €3.0 thousand (0.8 per cent).⁶¹

⁶¹ See details in paragraphs 336 and 337 below.

Staff resources**€11,481.3 thousand**

330. The amount proposed for established posts has increased by €118.3 thousand (1.2 per cent) as a consequence of the new UNCS rates. The amount requested for GTA positions has increased by €82.5 thousand (4.6 per cent) as a combined result of the new UNCS rates and the request of one new GTA position. The Division will comprise 107 staff members: 88 established posts and 19 GTA (16.17 FTE) positions. Of the established posts, 8 positions of Assistant Trial Lawyers (P-1) were submitted for reclassification to Associate Trial Lawyers (P-2). The reclassification is completely budget neutral (P-2 posts are budgeted at the same level as P-1 posts).

331. For budgetary purposes only, and owing to the original allocation of the post, the Deputy Prosecutor (ASG) is assigned to the Prosecution Division. His role, however, is to act in full as deputy to the Prosecutor. In such capacity, the Deputy Prosecutor – under the direct supervision of the Prosecutor – oversees and coordinates the three divisions: JCCD, the Investigation Division and the Prosecution Division. The Personal Assistant to the Deputy Prosecutor is also assigned to the Prosecution Division.

Established posts: Professional and General Service

€9,609.7 thousand

332. No additional established posts are requested.

333. The Prosecution Division comprises the following posts:

<i>Title</i>	<i>Grade</i>	<i>Number</i>
Deputy Prosecutor (Prosecution)	ASG	1
Director, Prosecution Division	D-1	1
Senior Trial Lawyer	P-5	8
Senior Appeals Counsel	P-5	1
Trial Lawyer	P-4	11
Appeals Counsel	P-4	3
Trial Lawyer	P-3	14
Legal Officer	P-3	1
Appeals Counsel	P-3	3
Associate Trial Lawyer ⁶²	P-2	19
Assistant Legal Officer	P-1	10
Case Manager	P-1	8
Trial Support Assistant	GS-OL	5
Administrative Assistant	GS-OL	2
Personal Assistant	GS-OL	1
Total		88

General temporary assistance

€1,871.6 thousand

334. To enable the Prosecution to effectively carry out the activities provided for in the budget assumptions, 19 GTA positions are requested (16.17 FTE) on a multi-year basis, as follows:

⁶² Eight Assistant Trial Lawyer posts resubmitted for reclassification.

<i>Title</i>	<i>Grade</i>	<i>Number</i>	<i>Months</i>	<i>FTE</i>	
Senior Appeals Counsel	P-5	1	5	0.42	New
Trial Lawyer	P-4	4	48	4.00	Continued
Trial Lawyer	P-3	2	24	2.00	Continued
Special Assistant (Prosecutions)	P-3	1	12	1.00	Continued
Associate Trial Lawyer	P-2	2	15	1.25	Continued
Associate Appeals Counsel	P-2	1	6	0.50	Continued
Case Management Coordinator	P-2	1	12	1.00	Continued
Assistant Trial Lawyer	P-1	3	36	3.00	Continued
Assistant Legal Officer	P-1	1	12	1.00	Continued
Case Manager	P-1	1	12	1.00	Continued
Personal Assistant to the Deputy Prosecutor	GS-PL	1	6	0.50	Continued
Trial Support Assistant	GS-OL	1	6	0.50	Continued
Total		19	194	16.17	

335. All existing resources have been assigned to cases and situations, including to absorbing new investigations' needs to the extent possible.

Non-staff resources

€368.6 thousand

336. The approved amount has slightly decreased by €3.0 thousand (0.8 per cent). Within the Office, most non-staff resources needed to support the Prosecution Division's activities are provided (and budgeted for) under Sub-programmes 2110 and 2120. The non-staff costs of travel, however, are included in the Prosecution Division budget.

Travel

€368.6 thousand

337. Prosecution staff regularly go on mission as part of the Integrated Teams to support ongoing investigations. Travel of Prosecution Division staff is also required in the pre-trial and trial phases of a case to take article 68 statements, prepare witnesses and support witnesses testifying via video link. Additionally, provision is made for the Deputy Prosecutor, the Director of the Division and the Senior Appeals Counsel to undertake missions in pursuit of their representative functions aimed at broadening understanding of – and cooperation with – the Office's activities. The requested amount for travel has decreased by €3.0 thousand (0.8 per cent). Travel costs are recurrent.

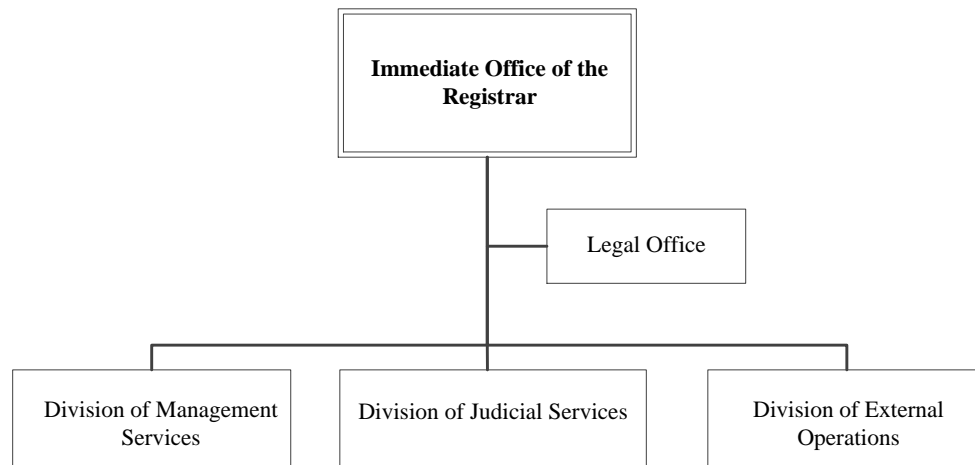
Table 23: Programme 2400: Proposed budget for 2020

2400 Prosecution Division	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				8,954.6	95.1	1.1	9,049.7
General Service staff				536.8	23.2	4.3	560.0
<i>Subtotal staff</i>	<i>9,055.6</i>	<i>-</i>	<i>9,055.6</i>	<i>9,491.4</i>	<i>118.3</i>	<i>1.2</i>	<i>9,609.7</i>
General temporary assistance	1,626.8	83.5	1,710.4	1,789.1	82.5	4.6	1,871.6
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>1,626.8</i>	<i>83.5</i>	<i>1,710.4</i>	<i>1,789.1</i>	<i>82.5</i>	<i>4.6</i>	<i>1,871.6</i>
Travel	245.9	-	245.9	371.6	(3.0)	(0.8)	368.6
Hospitality	-	-	-	-	-	-	-
Contractual services	7.5	-	7.5	-	-	-	-
Training	60.8	-	60.8	-	-	-	-
Consultants	10.8	-	10.8	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>325.0</i>	<i>-</i>	<i>325.0</i>	<i>371.6</i>	<i>(3.0)</i>	<i>(0.8)</i>	<i>368.6</i>
Total	11,007.5	83.5	11,091.0	11,652.1	197.8	1.7	11,849.9

Table 24: Programme 2400: Proposed staffing for 2020

2400	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	1	-	1	9	14	18	11	26	80	-	8	8	88
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	8	(8)	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	1	-	1	9	14	18	19	18	80	-	8	8	88
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	4.00	3.00	2.75	5.00	14.75	0.58	0.50	1.08	15.83
Continued	-	-	-	-	-	4.00	3.00	3.00	5.00	15.00	0.50	1.00	1.50	16.50
New	-	-	-	-	0.42	-	-	-	-	0.42	-	-	-	0.42
Redeployed	-	-	-	-	-	-	-	(0.25)	-	(0.25)	-	(0.50)	(0.50)	(0.75)
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	0.42	4.00	3.00	2.75	5.00	15.17	0.50	0.50	1.00	16.17

C. Major Programme III: Registry



Introduction

338. The Registry is headed by the Registrar, the principal administrative officer of the International Criminal Court (“the Court”), and is the organ responsible for the non-judicial aspects of the administration and servicing of the Court. It is divided into three Divisions, all crucial for ensuring fair, expeditious and transparent judicial proceedings, as well as support to investigations and Registry clients: the Division of Management Services (DMS), the Division of Judicial Services (DJS) and the Division of External Operations (DEO). Within the Office of the Registrar, the Immediate Office helps the Registrar provide strategic leadership, coordination and guidance to all Registry divisions and sections, while the Registry Legal Office is responsible for supporting the performance of the Registrar’s legal functions.

339. Judicial proceedings form the core of the Court’s work and cannot be undertaken without the necessary services and functions provided by the Registry. As a neutral support platform, the Registry is responsible for supporting judicial proceedings through functions such as court and records management, facilitation of witness testimony, facilitation of victim participation in proceedings, administration of legal aid and support to counsel, court interpretation and translation services, information technology management, security, management of the detention facilities, facilitation of judicial cooperation and assistance, ensuring the public nature of the proceedings, communication (in particular with affected communities) and field operations in support of the work of the judges, parties and participants. Without these Registry functions, judicial proceedings would not be possible, as the participants in the proceedings – including the judges, the Office of the Prosecutor (OTP), the defence, and victims and witnesses – would not have the necessary technical, operational and language support or, where applicable, the necessary financial support structures to ensure fair and expeditious judicial proceedings. The Registry’s resource requirements with regard to these functions are directly driven by judicial and prosecutorial developments.

340. The administrative and managerial services provided by the Registry are crucial to the smooth functioning of the Court as a whole. The Registry manages human resources, budgeting, finance, procurement, facilities, travel and security, and staff well-being, and coordinates Court-wide executive functions, such as risk management, reporting to governing bodies, audit and compliance. In addition, the Registry’s administrative services also support the expeditious conduct of judicial proceedings with regard to witness transport, courtroom security and courtroom equipment required by the parties. While resource requirements in relation to these Registry functions directly depend on the level of the service needs of all areas of the Court, the Registry has over the years maintained a relatively stable capacity to cope with emerging needs with little to no fluctuation.

Overview of Registry budget requirements for 2020

341. The proposed 2020 budget for the Registry amounts to €76,145.5 thousand, which represents a net decrease of €505.7 thousand (0.7 per cent) against the Approved Programme Budget for 2019.

342. The main variables in the Registry's proposed budget are the direct result of the following factors: (i) the impact of contractual cost increases such as those related to the United Nations Common System (UNCS) or price index increases; (ii) the expected reduction in courtroom and other judicial activities for 2020; and (iii) the shifting support requirements to ensure safe and effective judicial and investigative operations in situation countries. While investments will continue to be required for the implementation of the Court-wide information technology strategy, resources for 2020 have been requested at a level comparable to that approved in 2019 in the Registry.

343. Two main reasons were identified as mostly influencing increased requirements in the Registry for 2020: an increase in staff costs of approximately €1,448.1 thousand in accordance with the UNCS; and an increase in resource requirements of approximately €883.5 thousand to support an intensification of operations with regard to the situations in the Central African Republic (CAR) and Mali. Faced with these and other anticipated surges in resource needs, the Registry proactively sought to mitigate their impact by reassessing the required level of support to the projected activities in 2020. In the light of the expected reduced level of judicial activity and following the Committee's recommendation to look into the "flexible use of courtroom teams",⁶³ the Registry managed to significantly reduce the funding required for courtroom and judicial support in 2020 by approximately €1,981.5 thousand. Furthermore, a review of the assumptions underlying the 2020 proposed budget in terms of anticipated level of activity and operations in the situation countries led to a careful reduction of the staffing and country support structure in the DRC, Uganda and Côte d'Ivoire, amounting to a net saving of approximately €1,023.5 thousand.

344. These reductions, which amount to €3,398.6 thousand in combination with other savings and efficiencies, allowed the Registry to fully offset a total increase of approximately €2,892.9 thousand mainly resulting from the two reasons described above, and further resulting in a proposed net decrease of €505.7 thousand against the 2019 approved budget. Requests for additional resources are very limited and are presented only when strictly necessary for the purposes of its mandated activities in the context of 2020 budgetary assumptions and priorities and, as evidenced by the proposed net reduction of €505.7 thousand, only after all efforts were made to fund the additional requirements through internal savings, reductions and reallocation of resources.

345. As detailed in annex XVI, the Court-wide savings and efficiencies exercise has identified approximately €2.4 million in quantifiable savings, non-recurrent costs and additional cost reductions that have reduced the Registry's baseline. The savings and reductions identified in the Registry have, to a large extent, been the result of a thorough reassessment of the resources that will be required to cope with the expected level of activity in 2020, in particular in relation to judicial support.

Support for judicial activities

346. A high level of judicial support will continue to be required from the Registry in 2020, in particular with regard to the provision of legal aid, victim representation, custody of accused persons and language support. This support will be required for cases at the trial phase, but other judicial activities linked to appeals and reparations will also continue to have a significant impact on the level of resources requested. As indicated in the introduction above (paragraph 15), the Court will continue to be heavily engaged in final and interlocutory appeals, which will require support for defence teams and courtroom hearing activities. In addition, at least three reparations proceedings will have reached the implementation phase in 2020, requiring the Registry to provide counsel to victims and

⁶³ ICC-ASP/18/5, para. 57.

support to the TFV, including in field activities and, where applicable, assistance to Chambers.⁶⁴

347. Despite this continued need for judicial support, the level of courtroom support activity is expected to decrease in 2020. Numerous innovative solutions have been sought to align the reduction in courtroom hearing days with the Registry's resource requirements, while ensuring continuity of operations. As a consequence, the Registry has strategically prioritized efficiencies and savings by reallocating, defunding or discontinuing resource requirements wherever possible, leading to a decrease of €2.0 million.

Provision of support for nine active investigations and other field activities, including reparations

348. In 2020, the Court will continue to operate in 11 situations that are open. The OTP is expected to focus its efforts on nine active investigations (eight simultaneously): Burundi, the Central African Republic, Côte d'Ivoire, Darfur, the Democratic Republic of the Congo, Georgia, Libya (two investigations) and Mali. Each of these investigations will continue to require support from the Registry, both at Headquarters and in situation countries, in areas such as victim and witness support, victim participation, reparations and outreach to affected communities, languages, security and logistics. The Registry will maintain its country offices in seven locations: Kinshasa and Bunia (Democratic Republic of the Congo), Bangui (Central African Republic), Abidjan (Côte d'Ivoire), Tbilisi (Georgia), Bamako (Mali) and Kampala (Uganda), but has also started taking steps toward scaling down the operations and resources of some of its offices.

349. Country offices are envisaged as time-bound and scalable presences with the necessary flexibility to calibrate their requirements to the extent of the operations on the ground. This approach has enabled the Registry to redeploy staff resources from one country presence to another, in a manner consistent with shifting operational and security priorities in the situation countries. In this regard, important reductions have been achieved in the Registry's presences in the Democratic Republic of the Congo, Uganda and Côte d'Ivoire, including by assigning the management of the offices in Kinshasa, Bunia and Kampala to a single Chief of Country Office operating from Kampala. This, and other redeployments of resources, has enabled the required investments in country operations, in particular in Mali and the Central African Republic, where additional resources are needed in particular in the light of the security conditions and increased operational demands. By utilizing existing capacities to meet the increasing demands in Mali and the Central African Republic, the Registry will put in place a core capacity that will be able to cope with an expected increase in demand in these situations, as well as flexibly cope with additional support requirements should charges in *Al Hassan* and *Yekatom and Ngaïssona* be confirmed in the second half of 2019.

Investment in key Court-wide information technology improvement projects

350. The Court has undertaken a thorough analysis of its existing IT/IM infrastructure across the organs and of the associated immediate and long-term requirements. Since the Court was established 17 years ago, a number of important IT/IM investments have been made to support its judicial, investigative and administrative operations. A number of systems have become obsolete or are expected to become obsolete in the near future as they reach end of life. Moreover, the Court has grown significantly since it was established, and this has had an impact on its IT requirements and on the volume of data generated. Specifically, certain requirements in areas such as digital evidence collection, information security and information management are only partially met by the existing systems.

351. In view of these challenges, the Court-wide Five-Year Information Technology/Information Management (IT/IM) Strategy was adopted in February 2017 to ensure a holistic approach to information technology, information security and information management, with the aim of meeting the Court's essential needs while maintaining better control of invested resources and maximizing their impact. In 2020, the IT/IM strategy will

⁶⁴ The *Lubanga*, *Katanga* and *Al Mahdi* cases will be at the implementation of reparations phase and, without prejudice to the final judgments. Reparation proceedings in the *Ntaganda* case will be commencing in 2020, and the *Ongwen* case could also reach this phase in 2020 should there be a conviction.

be entering the fourth year of its implementation stage and the Registry will require maintaining in 2020 the approved level for 2019 of €2.0 million to fund the next phase of investments per the Court-wide IT/IM project, the majority of which will be for judicial, investigative and IT security initiatives (€1.4 million; see annex IX(a) for details). The largest portion of funding required for 2020 will be allocated to the Judicial Workflow Platform. Other resources will be required for prosecutorial activities, although they are presented within the Registry budget in the context of inter-organ synergies. Expected Court-wide investments for 2020 are for improvements in the long-term storage of digital and forensic evidence, a new information repository platform (Judicial Workflow Platform), reinforcement of the Court's information security profile, renewal of the Court's virtual infrastructure and preparation for the extension of the Court's Enterprise Resources Planning system.

352. The strategy is based on a more effective use of budgetary resources, as the proposed five-year initiatives will produce tangible outcomes to enhance the Court's operations through effective and secure information management. The OTP will see a reduction in the time and effort required to analyse, process and present evidence for its investigative and prosecutorial activities. The Judiciary will have access to the tools it needs to conduct expeditious, fair and transparent trials and to deliver justice to victims. The Registry will be better equipped to provide services to other organs of the Court and all of its clients. Only a coherent, holistic and long-term Court-wide strategy will enable the Court to address current inefficiencies and perform to the fullest extent of its mandate.

Strategic priorities in 2020 and link to the Proposed Programme Budget for 2020

353. In 2019, the Registry published its Strategic Plan for 2019-2021, and the strategic priorities of that plan guide the Registry's proposed budget for 2020. In particular, the plan indicates that the Registry has embarked on a three-year programme to maximize productivity and to strive for excellence in all the essential services it delivers to the Court. This approach is derived from the Court-wide strategic plan, which states that the Court is an organization which strives to continuously improve: the common objective is to create a culture and working environment that motivate and enable all staff to achieve their objectives by continuously identifying efficiencies and savings. This fundamental principle is also applied in the Registry. To meet these goals, the Registry's three-year programme is organized around the following three strategic priorities:

- (a) Continuous improvement (excellence);
- (b) Staff engagement (productivity); and
- (c) Geographical representation and gender balance.

354. Key Performance Indicators (KPI) will be developed, following the principles of the strategic plan, using benchmarks to determine the impact of changes implemented. This approach is also being put in place across the Court. With the new culture of continuous improvement and the creation of a new Registry Performance Dashboard that includes KPIs to measure productivity improvements or monetary savings, several types of savings and efficiencies are expected to be achieved. The implementation of the strategic plan will significantly contribute to successfully achieving productivity improvements. Likewise, an organization-wide cultural change guided by the strategic plan principles is likely to be an effective way to create an innovative culture of continuous improvement.

Continuous improvement

355. As indicated in the strategic plan, many good practices are already in place in the Registry, and many Sections have improved processes and delivered efficiency gains. The implementation of the strategic plan will build on these existing initiatives and the Registry will continue seeking opportunities to update policies, re-engineer processes and increase automation. This process relies on staff consultation, service delivery feedback sessions with clients, use of data and benchmarks, setting of annual priorities and reporting on benefits achieved. The exercise will be managed by a continuous improvement team within the Registry. Significant efficiencies will be achieved as a result of the incremental changes that come from continuous improvements. These changes will be further reported as part of

the Court-wide savings and efficiencies improvements. For the present proposed budget, the Registry has focused on the following areas.

356. Four enabling projects have been identified in 2019 and will continue in 2020, leading the Registry's efforts towards the necessary cultural change on which long-term efficiency depends. These four enabling projects, which are echoed in the Division objectives for the 2020 Proposed Budget, are:

(a) Strengthening of the Registry Management Team (RMT) – as the Registry's highest level forum, this team informs, advises and assists the Registrar in strategic decision-making policy and major operational challenges;

(b) Performance management – an essential prerequisite to managing the changes required by this plan and establishing the cycle of “Plan-Do-Check and Act” on which successful change programmes are based;

(c) Flexibility and mobility of staff – necessary to respond to changing workloads and priorities; and

(d) Strong culture of knowledge management – facilitates flexibility and supports a culture of continuous improvement. Service providers such as the Registry must have the ability to capture, manage and utilize knowledge and information to become more effective.

357. On the basis of a customer survey that it will conduct for its key services, the Registry will focus its continuous improvement efforts in 2020, and the work of its business process re-engineering team, on determining priority areas and implementing the first re-engineered processes. Continuous improvement will be an objective for all managers and staff, and a directory of knowledge management sources will be published to support their activities.

Staff engagement

358. As a service provider, the Registry is fully reliant on the capabilities and commitment of its staff. Staff engagement is therefore key to the quality and efficiency of its activities. Accordingly, promoting and improving staff engagement, team building and internal communication remain top priorities, as already indicated in 2019. The Registry will therefore continue activities to develop cohesion and facilitate communication, and to develop and implement training programmes focused on welfare and improving staff motivation and productivity. Several initiatives have already taken place and are expected to be implemented (at the time of writing of this document) before the end of 2019, such as building capacity for informal conflict resolution and the set-up of a well-being committee.

359. In 2020, the Registry will moreover focus on finalizing and disseminating across the Court a new leadership framework, supported by an extensive training programme. Renewed efforts will also be made to complete relevant human resources policies and, in particular, an exhaustive Court-wide mobility framework. Other priorities identified include gender equality as a cross-cutting topic, staff selection and development capacities, occupational health and work-life balance, and ethics/standards of conduct.

360. In addition, a Secondary Trauma Prevention initiative has been launched in 2019 and will continue in 2020, requiring a limited amount of additional resources in order to raise awareness of secondary trauma among all staff and to map areas where the Court might require mitigation provisions to ensure that the Court is fulfilling its duty of care obligations.

Geographical representation and gender balance

361. Being the largest employer of staff at the Court, the Registry is conscious of its leading role in addressing the Court's current challenges regarding geographical representation and gender balance in the composition of its staff. New initiatives, such as the creation of a mentoring programme for women, have been undertaken in order to address these imbalances in a manner that ensures that the Court continues to select candidates on the basis of merit. Similar efforts will continue and expand in 2020 as the Court refocuses its recruitment efforts, first by setting up specific targeted plans to ensure that a bigger pool of applicants from unrepresented and underrepresented States Parties apply to the Court's offers, and second, by placing greater emphasis on the inclusion of

such candidates in the recruitment process. In addition, performance data on all recruitment activities and overall staff geographical representation and gender balance will be published in order to continue to raise awareness about the issues within the Court and ensure full transparency towards our external stakeholders. Eventually, focal points for women within the Court will also complement and support the mentoring programme.

Saving and efficiencies

362. While the Court's continued savings and efficiencies exercise in 2019 allowed the Registry to identify initiatives leading to €1.0 million worth of improvements, its focus has shifted from the short-term perspective of this annual exercise to the longer-term perspective of the continuous improvement strategic objectives reported above.

363. For its 2020 Proposed Programme Budget, Registry savings have reduced the budget by €197.6 thousand. The proposed budget reflects, for example, the implementation of a new operating model for the accommodation of staff on mission in the Central African Republic. Considering the expected high volume of activities in this situation country, the Registry forecasts a high number of missions, leading to the critical mass necessary to justify the rental of an apartment on a yearly basis instead of relying on hotel accommodation.

364. Savings and efficiencies related to reductions to the baseline in the Registry are mainly related to additional cost reductions which, as agreed with the Committee are defined as "workload-related changes resulting in a reduction in the baseline". The planned decrease in judicial activity and courtroom-related activity offered some opportunities for cost reductions within the Registry, as the funding for all the posts that were required previously in support of a second courtroom have been cancelled for 2020. By carefully reviewing the roles and functions of each of the posts involved in the support of courtroom activities, the Registry was able to take advantage of the flexibility provided by vacant posts and by the capacity of some cross-trained staff to redeploy resources where necessary. A total of €1,981.6 thousand in the Registry's additional costs that were applicable in 2019 do not appear in 2020.

365. For 2020, the Registry's efforts will continue within the framework of its strategic plan. In particular, the Registry will focus on services having an impact on efficiency across the Court and which have been determined at this stage to be key to mitigating high-level risks identified in the Court's risk management framework. A dedicated Registry team, consisting of Registry staff and external experts, will be formed in 2019 to conduct an initial study of the most suitable services and to recommend preliminary efficiency targets. This focused approach will allow the Registry team to perform detailed studies to identify options and make recommendations to improve efficiencies. Eventually, the team will also initiate a project to achieve the chosen solution, deliver benefits and identify one or more new KPIs, including through benchmarking, to sustain performance. The following services have been identified at this stage, but others may be added as the Court's risk profile evolves:

- (a) Court-wide services:
 - (i) Recruitment;
 - (ii) procurement;
 - (iii) travel; and
 - (iv) judicial workflow;
- (b) Key Registry services:
 - (i) victim participation; and
 - (ii) protected witness and victim placement.

Conclusion

366. A net reduction of €505.7 thousand is the final result of the Registry's efforts to achieve savings and efficiencies against the aforementioned requirements to implement the Registry's strategic priorities for 2020.

Table 25: Major Programme III: Proposed budget for 2020

Major Programme III Registry	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				27,547.0	163.0	0.6	27,710.0
General Service staff				18,708.6	399.8	2.1	19,108.4
<i>Subtotal staff</i>	<i>47,558.6</i>	<i>76.2</i>	<i>47,634.8</i>	<i>46,255.6</i>	<i>562.8</i>	<i>1.2</i>	<i>46,818.4</i>
General temporary assistance	2,660.9	48.8	2,709.7	3,759.2	(113.8)	(3.0)	3,645.4
Temporary assistance for meetings	352.9	3.3	356.2	811.6	(622.3)	(76.7)	189.3
Overtime	192.7	-	192.7	261.3	(51.8)	(19.8)	209.5
<i>Subtotal other staff</i>	<i>3,206.4</i>	<i>52.1</i>	<i>3,258.5</i>	<i>4,832.1</i>	<i>(787.9)</i>	<i>(16.3)</i>	<i>4,044.2</i>
Travel	1,685.8	320.3	2,006.1	2,020.5	37.7	1.9	2,058.2
Hospitality	7.0	-	7.0	5.0	(1.0)	(20.0)	4.0
Contractual services	2,141.8	734.2	2,875.9	2,707.7	77.8	2.9	2,785.5
Training	579.2	5.4	584.6	610.0	32.8	5.4	642.8
Consultants	615.7	-	615.7	467.5	(206.7)	(44.2)	260.8
Counsel for defence	3,981.3	250.7	4,232.0	3,487.8	(240.3)	(6.9)	3,247.5
Counsel for victims	1,466.2	-	1,466.2	1,101.3	198.7	18.0	1,300.0
General operating expenses	11,594.2	183.1	11,777.3	12,385.9	259.6	2.1	12,645.5
Supplies and materials	1,145.6	10.0	1,155.6	1,067.8	78.2	7.3	1,146.0
Furniture and equipment	1,963.9	99.6	2,063.5	1,710.0	(517.4)	(30.3)	1,192.6
<i>Subtotal non-staff</i>	<i>25,180.5</i>	<i>1,603.4</i>	<i>26,783.9</i>	<i>25,563.5</i>	<i>(280.6)</i>	<i>(1.1)</i>	<i>25,282.9</i>
Total	75,945.5	1,731.7	77,677.2	76,651.2	(505.7)	(0.7)	76,145.5

Table 26: Major Programme III: Proposed staffing for 2020

III	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	1	-	3	23	43	84	89	5	248	15	312	327	575
New	-	-	-	-	-	-	-	1	-	1	-	-	-	1
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	1	(1)	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	1	-	3	23	44	83	90	5	249	15	312	327	576
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	1.00	4.00	11.92	4.00	20.92	5.51	34.73	40.24	61.16
Continued	-	-	-	-	-	1.00	3.50	12.00	2.50	19.00	2.00	26.00	28.00	47.00
New	-	-	-	-	-	-	1.00	-	-	1.00	6.47	2.50	8.97	9.97
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	1.00	4.50	12.00	2.50	20.00	8.47	28.50	36.97	56.97

1. Programme 3100: Office of the Registrar

Introduction

367. The Office of the Registrar (OTR) encompasses both the Immediate Office of the Registrar (IOR) and the Legal Office (LO). The IOR directly supports the Registrar in providing strategic leadership, coordination and guidance to all Registry divisions, sections and offices, as well as in managing and supervising the Registry as a whole. The IOR also facilitates the flow of information to and from the Registry divisions and ensures proper high-level coordination with the other organs of the Court and external stakeholders. The IOR supports the Registrar in the performance of his executive functions and coordinates the remaining executive functions delegated to the Directors of Registry divisions.

368. The LO is responsible for performing the legal functions arising from the duties assigned to the Registrar under the Court's legal framework. The LO ensures the quality and consistency of legal and policy approaches throughout the Registry and across a range of subject matters including human resources, finance and procurement, and coordinates all the Registry's legal submissions in judicial proceedings. The LO also negotiates and prepares agreements and arrangements between the Court and third parties and, as appropriate, provides advice on interpreting the Headquarters Agreement and other agreements.

Operating environment

369. The OTR will continue to ensure that the Registry as a whole is able to successfully perform the administrative and operational tasks demanded of it in 2020. In this regard, the OTR ensures appropriate inter-organ coordination, provides the required support to the Registry Management Team (RMT) and enables the Registrar to ensure that high-quality services are delivered to the organs of the Court and that he is able to discharge his substantive responsibilities on matters such as witness protection, legal aid, and support for counsel and outreach.

Priorities

Strengthening strategic leadership through the Registry Management Team

370. The RMT oversees and steers the executive management of the Registry. The RMT is the Registry's highest-level forum for advice and assistance to the Registrar on strategy, policy and the operational challenges that the Court may face in 2020. The RMT is composed of the Registrar, the Directors of the three Registry divisions and the Chief of Staff of the IOR. The contributions of the IOR and the Directors' Offices mainly concern strategic guidance and leadership. The RMT will be in a position to ensure that the goals set for 2020, especially in relation to the implementation of the Registry Strategic Plan, are met and that appropriate action is taken.

Strategic and policy development

371. The OTR will continue to take the lead in fostering the development of clear, consistent and transparent strategies and policies, both within the Registry and Court-wide, as appropriate. The Registry – and the Court as a whole – will continue to focus on continuous improvement and staff well-being in an effort to improve motivation, productivity and work-life balance. To implement continuous improvement within the Registry, the OTR itself will undertake or facilitate a number of tasks. Client surveys will be conducted as part of the Registry's key service delivery improvement programme. A directory of knowledge management sources will be published. The newly-formed business process re-engineering team will perform an analysis of priority aspects of the continuous improvement programme, and the first re-engineered process will enter into operation.

372. Improving staff engagement will be an objective for all managers and staff within the Registry in 2020. The OTR will ensure that the new mobility framework is agreed upon and put into operation and that the new leadership framework is integrated into recruitment and performance management.

373. Another area of particular involvement for the OTR will be overseeing, from the Registry, the development and implementation of Court-wide initiatives aimed at improving geographical representation and gender balance (GRGB) among the staff of the Court. The Court's recruitment process will be refocused to promote the inclusion of nationals of unrepresented and under-represented States on recruitment shortlists. Specific, targeted plans will be put in place for the most under-represented States. In addition, a Focal Point for Women will be appointed and a mentoring programme for women established. Performance data on all recruitment activity and overall staff GRGB will be published.

374. The LO's strategic priorities for 2020, apart from providing routine legal services across the Registry, will include continuing to revise the administrative legal framework of the Court, especially as regards alternative resolution mechanisms for staff disputes. The LO will also finalize a new disciplinary process for the Court which harmonizes the role of the Independent Oversight Mechanism with that of the Disciplinary Advisory Board.

Budget resources **€1,698.0 thousand**

375. The proposed amount represents an overall decrease of €22.4 thousand (1.3 per cent), resulting from decreases in non-staff costs of €53.4 thousand due to the absence of additional spending on consultants and €13.4 thousand due to reductions in travel budgets, offset by an increase in staff costs of €31.0 thousand (1.9 per cent).

Staff resources **€1,651.8 thousand**

376. The OTR comprises 14 established posts.

Established posts: Professional and General Service *€1,651.8 thousand*

377. No new established posts are requested. The proposed amount for established posts has increased by €31.0 thousand (1.9 per cent) in accordance with the United Nations Common System.

Non-staff resources **€46.2 thousand**

378. The overall requested budget for non-staff resources for the OTR has decreased by €53.4 thousand (53.6 per cent). This is due to the fact that legal consultants required in the previous year are no longer required. Non-staff resources are required for travel, hospitality and training.

Travel *€34.2 thousand*

379. The proposed resources for travel in the OTR have decreased by €13.4 thousand (28.2 per cent), corresponding to a decrease in the IOR and a slight increase in the LO.

380. The proposed travel budget of the IOR has decreased by €13.9 thousand (39.8 per cent) from 2019. These resources continue to be required to enable the Registrar or his representative to travel for the purpose of building support and cooperation at the highest levels among States Parties and key external partners such as the United Nations, other IGOs and NGOs. The Registrar plans to continue visiting the Country Offices as part of his Staff Engagement strategy and to strengthen relationships with situation countries and local authorities in the interest of promoting smooth cooperation with the Court. These resources are recurrent.

381. The requested amount for the LO has increased by €0.5 thousand (3.9 per cent). These resources are recurrent. The LO's proposed travel budget of €13.2 thousand reflects a slight increase of €500 and will cover travel and related expenses incurred in the performance of the LO's mandate, including (i) attendance at an annual meeting of legal counsel of specialized agencies of the United Nations system and related organizations; (ii) attendance at meetings related to international administrative law; and (iii) provision of advice on and assistance in (outside the Netherlands) the certification of prior recorded testimony pursuant to rule 68(2)(b) of the Rules of Procedure and Evidence.

Hospitality

€4.0 thousand

382. The proposed budget for hospitality remains unchanged. The Registrar has proposed limited hospitality efforts aimed at increasing support and cooperation among States Parties and key external stakeholders. These resources are recurrent.

Training

€8.0 thousand

383. The proposed training budget remains unchanged from that approved for 2019. These resources are recurrent. The proposed amount is required to cover the training needs of LO staff. In the light of the LO's complex and broad mandate, it is imperative to invest in both substantive and technical training including, in particular, the improvement of legal drafting skills.

Table 27: Programme 3100: Proposed budget for 2020

3100 Office of the Registrar	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				1,475.3	24.7	1.7	1,500.0
General Service staff				145.5	6.3	4.3	151.8
<i>Subtotal staff</i>	<i>1,824.8</i>	<i>-</i>	<i>1,824.8</i>	<i>1,620.8</i>	<i>31.0</i>	<i>1.9</i>	<i>1,651.8</i>
General temporary assistance	30.6	-	30.6	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>30.6</i>	<i>-</i>	<i>30.6</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>
Travel	70.1	-	70.1	47.6	(13.4)	(28.2)	34.2
Hospitality	7.0	-	7.0	4.0	-	-	4.0
Contractual services	20.9	-	20.9	-	-	-	-
Training	21.9	-	21.9	8.0	-	-	8.0
Consultants	127.0	-	127.0	40.0	(40.0)	(100.0)	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	0.3	-	0.3	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>247.2</i>	<i>-</i>	<i>247.2</i>	<i>99.6</i>	<i>(53.4)</i>	<i>(53.6)</i>	<i>46.2</i>
Total	2,102.6	-	2,102.6	1,720.4	(22.4)	(1.3)	1,698.0

Table 28: Programme 3100: Proposed staffing for 2020

3100	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	1	-	-	2	2	5	2	-	12	1	1	2	14
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	1	-	-	2	2	5	2	-	12	1	1	2	14
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	-	-	-	-	-	-	-	-

2. Programme 3200: Division of Management Services

Introduction

384. The Division of Management Services (DMS or “the Division”) provides administrative and management services to support the Court as a whole. DMS is led by the Director, Division of Management Services, and consists of the Office of the Director (OD-DMS), the Human Resources Section (HRS), the Budget Section (BS), the Finance Section (FS), the General Services Section (GSS) and the Security and Safety Section (SSS).

385. OD-DMS is responsible for the overall direction, strategic planning and delivery of all administrative and managerial support to the Registry and the Court. It is responsible for a number of critical executive functions including strategic resource planning and monitoring, risk management and reporting on organizational performance. OD-DMS coordinates audit compliance throughout the Court and also Court-wide efforts to meet the reporting requirements of oversight bodies including the Committee on Budget and Finance (“the Committee”) and the Audit Committee. OD-DMS also promotes and maintains a duty of care via policies and programmes to ensure the physical, mental and emotional well-being of staff through the Occupational Health Unit (OHU). It provides the strategic framework and operational support for the use of the Court’s Enterprise Resource Planning (ERP) system, SAP, through its SAP team, and supports the delivery of SAP-related projects aimed at automating work processes.

386. The Division provides a wide range of services in the area of human resources management, such as strategic advice on human resources issues, policy development, staff grievances, recruitment, post management, administration of contracts (staff and non-staff), benefits, entitlements and payroll, insurance and pension matters. Emphasis is also placed on performance management, staff training and managerial development. HRS, with the support of the SAP team, will continue streamlining and automating HR-related processes, such as the automatic submission of pension contributions to the United Nations Joint Staff Pension Fund (UNJSF), to enhance efficiencies. In 2020, DMS envisages developing and implementing a mediation framework in order to support matters related to internal conflict resolution.

387. In relation to the Court’s budget process, the Division provides centralized budget oversight and ensures maximum efficiency in the utilization of resources. This includes coordinating and preparing the annual programme budget, supplementary budgets and Contingency Fund notifications; monitoring budget performance; and reporting on budgetary issues. The Division is also responsible for monitoring, evaluating and forecasting budget implementation.

388. Furthermore, the Division provides financial management services, and coordinates and produces the financial statements of the Court and the Trust Fund for Victims (TFV). It manages, monitors and reports on all Court funds. It is also responsible for carrying out all disbursement activities, managing assessed and voluntary contributions, treasury operations including cash flow projections to monitor liquidity risk, and accounting and financial reporting. In addition, DMS provides assistance and guidance in relation to financial policies and processes across the Court.

389. In the area of general services, the Division is responsible for daily operations at the Headquarters premises, including the management of soft services such as catering, cleaning, utilities and services to the conference cluster, in addition to hard services such as building maintenance, repairs and replacements. In the field, DMS is responsible for assessing and adapting premises. Through its Procurement Unit, it provides value for money on goods and services required by the Court and other services in the following areas: fleet management, shipping, transport (including transport support of witnesses at Headquarters), mail operations, asset management and warehousing. All of the Court’s official travel, visa services and residency permits in The Hague, and administrative functions related to privileges and immunities, are also arranged by DMS.

390. DMS also provides a safe and secure working environment at Headquarters and protects all persons to whom the Court owes a duty of care, along with its tangible and intangible assets. DMS is responsible for policy development related to security and safety,

both for the field and Headquarters, and liaises with the host State on security-related matters. At Headquarters, the Division provides uninterrupted, round-the-clock security and safety services, including for the safe and undisturbed conduct of court hearings.

Operating environment

391. The Division has been able to effectively adjust to its dynamic environment and to evolving operational needs. In this regard, the budget proposal addresses the required services in: complex procurement services, including for reparation-related activities; further implementation of risk management across the Court following the completion of the Court's strategic plan in 2019; and implementation of initiatives related to duty of care, including the Secondary Trauma Prevention project. At the same time, adjustments made by DMS have enabled the Division to contain the impact of contractual cost increases such as those related to the United Nations Common System (UNCS), and in the level of prices for goods and services for the entire Court which fall under the areas of work of DMS.

392. Furthermore, DMS will continue providing services in the areas of budget, finance, human resources, general services and security and safety; and coordinating the provision of information to oversight bodies and other stakeholders, including The Hague Working Group, the Committee, the Audit Committee, the External Auditor and the Office of Internal Audit, so that they can discharge their mandates efficiently and effectively. DMS will also continue working on streamlining processes and procedures and reinforcing internal controls, including on activities planned in the context of the Registry Strategic Plan (2019-2021).

Strategic priorities in 2020 and link to the Proposed Programme Budget

393. The overarching objective of DMS is to provide the necessary administrative and operational services to the entire Court. To this end, in 2020, DMS will focus on solutions to enhance its services in order to support the Court in achieving its high-level priorities for 2020 in relation to the conduct of judicial and prosecutorial activities, projects to improve information technology and Court-wide processes such as procurement, travel and recruitment. It will likewise support the Registry's priorities with regard to the mandates of the Court and the Registry, and the continuous improvement and promotion of staff engagement, geographical distribution and gender balance.

Judicial and prosecutorial activity in 2020 and focus on the mandates of the Court and the Registry

394. In addition to providing management services to the entire Court (Headquarters and country offices) as described in the introduction above, DMS will provide direct support to judicial and prosecutorial activities. The Division will support reduced courtroom activities: final appeals on five judgments in three cases are conceivable in 2020 and, possibly, trial activities in two cases in the light of developments in 2019. These cases will require security services for the safe and undisturbed conduct of court hearings; local transportation of witnesses to trial hearings; arrangement of travel for witnesses; arrangement of travel and visa requirements for defence and victims' counsel, court interpreters and journalists attending court hearings; and facilities management at Headquarters, including courtroom management and facilities in the field. Furthermore, reparations in the *Lubanga*, *Katanga* and *Al Mahdi* cases will continue to be implemented in 2020, requiring DMS to provide support from both Headquarters (e.g. travel-related services, financial services and procurement) and the field (e.g. local transportation and facilities management), including for the TFV.

395. Similarly, the active investigations that the OTP will continue conducting in 2020 will require DMS support for the arrangement of official travel and provision of medical-related services, including for investigators and analysts; shipping of equipment (e.g. forensic equipment); and management of the Court's vehicles at country office locations to ensure the safety and efficiency of Court operations in challenging operating environments. Other actors, such as the TFV, will also rely on assistance from DMS to conduct their operations. Likewise, the continuing volatility with regard to security in the situation

countries in which the Court operates will require direct support from DMS to develop security and safety guidelines that respond to the Court's needs in its different areas of operation.

Court-wide projects to improve information technology and continuous improvement

396. DMS will continue to play a leading role in identifying and implementing proposals aimed at achieving savings and efficiencies in different areas of administrative services, mainly through process streamlining, automation and control. In this regard, DMS will make the most of the Court's management software (SAP).

397. In order to support the implementation of this strategy of continuous improvement, DMS will work on improving administrative processes and putting in place automation initiatives. In this regard, DMS's objective is to review, streamline and digitize paper-based administrative processes, increase efficiency through a higher level of automation and strengthen internal control. Particular focus will be placed on Court-wide processes such as procurement, travel and recruitment as specified in the Registry Strategic Plan (2019-2020).

398. In 2020, DMS will continue assisting in the implementation of the Court's Five-Year IT/IM Strategy, which will result in improvements in a number of areas. These areas involve information systems pertaining to human resources, finance and budget. In 2019, DMS started a project to further automate administrative processes through the digitization of personnel files. Additionally, DMS intensified its efforts to centralize and automate management reporting. In 2020, DMS plans to complete its ongoing work in the following projects: automatic submission of pension contributions as required by UNJSPF; SAP integration with the mission planning system to avoid duplicate data entry; and Position Budgeting and Control (PBC) for improved staff costs management through automation of forecasting. In addition, DMS will start preparing a roadmap to perform a substantial upgrade of the current version of SAP, which will become obsolete in 2025. The investment required for the continuation of the strategy in 2020 has decreased by €130.0 thousand to €120.0 thousand.

Promotion of staff engagement and organizational culture

399. Improving staff engagement, team building and internal communication will include undertaking activities to develop cohesion and facilitate communication; implementing training programmes, including for managers, required for the effective delivery of tasks; and addressing welfare issues to improve staff motivation, productivity and work-life balance. The objective is to motivate staff to perform at their best, where communication and ongoing feedback play a key role in identifying achievements, strengths, areas for development and, consequently, action plans that will help the Registry and the Court to continuously enhance its organizational performance.

400. Initiatives related to staff engagement and staff well-being also include the Secondary Trauma Prevention project and the elaboration and implementation of HR-related policies.

Budget resources

€19.237.4 thousand

401. Despite increases related to the effect of the UNCS and price index increases of goods and services for which DMS is a Court-wide service provider, DMS has been able to contain the overall increase to €389.4 thousand (2.1 per cent). Solutions have been identified to address changes in operational needs through efficient allocation of resources and, as explained below, without the UNCS increase DMS would have had an overall budget decrease. As detailed in annex XVI, savings, efficiencies, non-recurrent costs and additional cost reductions amount to €470.1 thousand. Of this amount, a €347.5 thousand reduction in the 2020 baseline in GTA staffing and overtime was realized primarily through the need for fewer GTA (seven posts), as a consequence of the expected decrease in the volume of judicial activity in the courtrooms.

Staff resources **€14,495.8 thousand**

402. For 2020, DMS proposes 179 established posts and 8 GTA positions (7.5 FTE).

Established posts: Professional and General Service *€13,555.4 thousand*

403. The requested staff costs have increased by €423.0 thousand (3.2 per cent), in accordance with the UNCS.

404. DMS is requesting one reclassification, which is being absorbed within the DMS 2020 programme budget proposal and therefore has no financial implications.

405. One *Administrative Officer and Risk Management Coordinator (P-4)*. *Reclassified*. OD-DMS is requesting the reclassification of the Administrative Officer (P-3) position to Administrative Officer and Risk Management Coordinator (P-4). This request has been triggered mainly: (a) to address the reiterated recommendations issued by the Office of Internal Audit and the Audit Committee to appoint a Court-wide risk management coordinator with internal resources; (b) to integrate risk management in the strategic planning and budget cycles of the Court as approved by the Court's Coordination Council; and (c) to strengthen the Court's risk management capabilities by having a consistent and systematic approach to risk management, as set out in the Administrative Instruction on Risk Management.

406. Considering the above in addition to the increased portfolio of activities of OD-DMS, such as executive functions, an efficient solution has been identified by adjusting the structure of OD-DMS and proposing that additional responsibilities be assigned to the Administrative Officer in OD-DMS. The reclassification was recommended by the Committee at its thirty-first session⁶⁵ but was not approved by the Assembly of States Parties ("the Assembly") pending the review by the Committee of the Administrative Instruction on the Classification and Reclassification of Posts.⁶⁶ The request for reclassification is therefore being resubmitted.

General temporary assistance *€745.9 thousand*

407. Given the operational needs expected in 2020, DMS proposes adjustments to this budget line. While positions have been discontinued owing to reduced security support services to courtroom activities, 1.5 new FTE and funding for continued GTA positions is requested. This has resulted in a proposed net increase of €128.4 thousand (20.8 per cent).

408. One *Staff Counsellor (P-3)*, *12 months. New, Multi-year*. The position is needed as additional staffing for the OHU to deliver on the Secondary Trauma Prevention project. In carrying out their duties and responsibilities, many staff members are directly or indirectly exposed to evidence or stories of crimes committed in cases before the Court. Studies have shown that intense exposure to potentially traumatizing materials can lead to the development of psychological or physical symptoms similar to those of Post-Traumatic Stress Disorder (PTSD), such as numbness, sadness, anxiety, sleep and concentration problems or muscular pain and headaches. As part of the Court's duty of care towards its staff, a Secondary Trauma Prevention project will be conducted until December 2021 in three phases: (a) survey preparation and administration; (b) data analysis, discussions on mitigating measures and report writing; and (c) implementation of measures to reduce the risks of developing PTSD, including by training Sections and giving workshops. To run this project, the Court has been drawing from the experience of other United Nations organizations and will be partnering with universities for technical support (data analysis and statistical methods).

409. One *Budget Assistant (GS-OL)*, *6 months. New, Non-recurrent*. This position is required to provide technical support for automation projects by: (1) customize the staff-cost monitoring and forecasting processes following implementation of the SAP Position

⁶⁵ *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. II, part B.2, para. 93.

⁶⁶ *Official Records ... Seventeenth session ... 2018 (ICC-ASP/17/20)*, part III, Section M, ICC-ASP/17/Res.4.

Budget and Control (PBC) platform in the second half of 2019; and (2) liaise with CSS to implement and automate the new legal aid scheme in the Court's operating system (SAP).

410. *One Human Resources Officer (Legal and Policy), (P-3) 12 months. Continued, Multi-year.* The HR Officer is required to address the legal functions transferred to the Section in 2017 with the redesigned workflow. The post is instrumental for the Section's capacity to provide support with the policy development and implementation of the Court's strategic human resources objectives related to staff selection, staff development and mobility including geographical representation and gender balance consideration initiatives. Finally, the additional capacity allows the Section to contribute to the development of informal dispute resolution mechanisms and address any HR-related functions.

411. *One Associate ERP Systems Officer (P-2), 12 months. Continued, Multi-year.* The post continues to be required to assist with the implementation of the 2020 initiatives of the Information Technology Strategy which were endorsed by the Information Management Governance Board. These initiatives entail preparation for SAP S/4 HANA and new reports and dashboards for monitoring administrative processes in the Procurement Unit, Travel Unit, HRS and BS. Additionally, the post is required to assist with the implementation of SAP projects, including the implementation of open audit recommendations, and with compliance issues and system enhancements such as improved usability and integration with non-SAP systems, in order to continuously improve the level of automation in the administration. Considering the volume of support requests and business requirements, the post is required to cope with the workload of the SAP team.

412. *One Associate Procurement Officer (P-2), 12 months. Continued, Multi-year.* The post is being filled and continues to be needed owing to the transfer of the role of Procurement Review Committee Secretary from the Registry Legal Office, the need to track contracts, the expansion and improvement of the vendor database and the increase in the amount of complex procurement processes.

413. *One Associate Administration Officer (P-2), 12 months. Continued, Multi-year.* The position is needed to continue supporting the activities of OD-DMS, including those related to the implementation of executive functions such as coordination, guidance and oversight of audit compliance, strategic resource planning and risk management; as well as the day-to-day work in OD-DMS, which comprises strategic oversight of the Sections within the Division. The post will also continue supporting OD-DMS to address requirements from external stakeholders such as the Committee, The Hague Working Group, the Assembly, the External Auditor and the Audit Committee.

414. *One Senior Nurse (GS-PL) and One Field Paramedic (GS-OL) 12 months each, Continued, Multi-year.* The Senior Nurse will address pressing health issues and implement preventive programmes and measures, while providing backup at times when OHU medical staff are on annual leave or in mandatory training to maintain certifications. The Field Paramedic will maintain and manage medical equipment, pharmaceuticals and relevant infrastructure in field operations; assist with remote (high-risk) missions; train field staff on first aid and emergency protocols; draft and maintain standard operating procedures for field medical support; and draft reports and situation updates as needed.

415. Both GTA positions are fundamental to OHU business continuity and for the timely and efficient provision of occupational health services both at Headquarters and in the field. They have enlarged the capacity of the Unit to provide the required medical and welfare services, which has resulted in new efficient workflows. Engaging an in-house Field Paramedic has a positive impact on the Court, as he is able to mobilize quickly and efficiently when medical emergencies arise in the field or when critical missions are taking place.

Overtime

€194.5 thousand

416. The requested amount has decreased by €48.8 thousand (20.1 per cent). Overtime resource requests are recurrent and fluctuate to cope with operational needs. Overtime requirements are reassessed annually.

417. In the area of general services, overtime is required mainly for out-of-hours driver services but also for facilities staff, travel assistants and occasionally, procurement buyers.

For 2020 an amount of €90.0 thousand is required, which is €10.0 thousand less than in the 2019 approved budget, and reflects the reduction in the number of driver hours needed for witnesses expected to appear in The Hague in 2020.

418. Overtime requirements in SSS have decreased by €38.8 thousand owing to the expected decrease in support to courtroom activities in 2020. The amount of €98.0 thousand is required to provide security and safety services during Court official holidays and for the night differential for GS-OL staff working evenings and nights. Maintenance of round-the-clock security and safety services requires permanent staffing of a number of posts. Overtime is the preferred and most cost-efficient option to provide these services.

419. The requested amount remains unchanged at €6.5 thousand in both the BS and FS and continues to be required for time-bound activities such as the preparation of the annual proposed and approved programme budgets, and for periods of accounting close, financial reporting and external auditing

Non-staff resources €4,741.6 thousand

420. Non-staff resources are required for travel, contractual services, training, consultants, general operating expenses, supplies and materials, and furniture and equipment. Resources for non-staff in DMS include provisions for contracts for goods and services provided to the entire Court that are subject to consumer price index adjustments. A number of budget items show small increases, which have been offset by decreases in other non-staff costs, resulting in an overall decrease of €113.2 thousand (2.3 per cent).

Travel €208.2 thousand

421. The requested amount is recurrent and has increased by €16.0 thousand (8.3 per cent). The proposed increase is mainly attributable to participation in the nineteenth session of the Assembly in New York in 2020. Resources are also required for participation in relevant United Nations networks to keep abreast of inter-agency policies, reforms and technical developments.

422. The proposed amount will also cover travel to the field for the assessment, adjustment planning and maintenance of facilities; assessment of the vehicle fleet for purposes of maintenance, and capital replacement planning; participation in meetings to ensure the Court's alignment with the UNCS and with accounting standards/IPSAS.

Contractual services €390.5 thousand

423. The requested amount has decreased by €125.2 thousand (24.3 per cent) owing mainly to reductions in the number of planned SAP projects to be managed by the SAP team as set out in the Five-Year IT/IM Strategy.

424. In the area of general services, costs have decreased by €15.0 thousand. The proposed amount of €126.0 thousand is required to cover the cost of the United Nations laissez-passer renewals, a contracting company for conference and logistics support, buildings management software maintenance, external printing and postage costs. Resource requirements are recurrent.

425. As SAP projects require a range of functional and technical expertise that is not always available in-house, resources in the amount of €108.7 thousand are required. This amount has decreased by €110.0 thousand and is required mainly in highly specialized areas to support the implementation of new projects and dashboards and for the preliminary work on the move to SAP S/4 HANA. In addition, resources are needed for the HR Success Factors support help desk. The resource requirements are mainly non-recurrent (€100.0 thousand).

426. In OHU, resources of €66.2 thousand are requested for the finalization of the digital medical filing system in order to map, analyse and evaluate medical and psychological risks for staff and to recommend improvements and preventive measures, and also for limited support to the Secondary Trauma Prevention project. Resources are also required for the Court's participation as an observer in the UNCS and the United Nations network of

medical officers, and for related supervision and coaching for the Medical Officer and Staff Counsellor. The resource requirements are mainly non-recurrent (€60.0 thousand).

427. An amount of €43.0 thousand is proposed for security services including employment and education verification, an annual fee to INTERPOL, key-holding services for residences of elected officials, and the rental of the shooting range to conduct firearms training and certification of security and safety personnel. The resource requirements are recurrent.

428. Finally, DMS also requires €46.6 thousand primarily for United States tax reimbursement administrative fees and the mandatory actuarial valuation for IPSAS-compliant financial statements.

Training

€361.4 thousand

429. The requested amount has decreased slightly by €1.9 thousand (0.5 per cent). An amount of €200.1 thousand is requested mainly for the Court's corporate training programmes, including an online learning platform that offers an online library and flexible, cost-effective tutorials in different languages on personal and professional goal achievement, leadership development, performance management, risk management and language training. It also includes the Court's onboarding programme for new staff. The resource requirements are recurrent.

430. An amount of €111.4 thousand is required to ensure the provision of mandatory training for security staff members and other staff members involved in the emergency response capacity, in full compliance with Court and host State regulations. The mandatory training includes first aid, fire and emergency response and firearms, in addition to specialized topics such as transport of accused persons and close protection. In addition, training on safe and secure approaches in the field environment will continue to be delivered in collaboration with the host State military. The resource requirements are recurrent.

431. Finally, an amount of €49.9 thousand is required for specialized training such as to maintain medical credentials of relevant staff and for registration in The Netherlands, training on SAP application developments and new functionalities, training on financial reporting, mandatory training for drivers at Headquarters and certification training for building technicians. The resource requirements are mainly recurrent (€33.2 thousand).

Consultants

€33.0 thousand

432. The requested amount has decreased by €9.0 thousand (21.4 per cent).

433. Recurrent resources are required mainly to support the Court's mentoring for women programme and for post (re)classifications by external experts per the Court's new established procedure.

General operating expenses

€3,078.3 thousand

434. The proposed amount has increased overall by €6.9 thousand (0.2 per cent) and has been triggered by expected inflation related to software licenses. All resource requirements below are recurrent.

435. An amount of €2,543.0 thousand is required for cleaning (€900.0 thousand); utility costs (€783.0 thousand); maintenance of furniture and equipment and adjustments (€581.2 thousand), which includes regular and mandatory maintenance for vehicles, furniture repair and adjustments to premises in The Hague and in the field; and sundry operations costs (€278.8 thousand) such as commercial insurance policies, postage, freight and courier services.

436. An amount of €352.5 thousand is required for existing SAP software license contracts, software subscriptions for the recruitment and performance and goals processes, in addition to new software to support the budget preparation process. Licenses are

optimized to the most economical license type per user. The small increase in the amount compared to 2019 (€6.9 thousand) has been triggered by inflation.

437. In the area of security, resources are required in the amount of €112.8 thousand for the maintenance of security screening equipment; maintenance of firearms and diverse security and training equipment for the recertification of security officers; and membership fees to the United Nations Security Management System (UNSMS).

438. An amount of €70.0 thousand continues to be required to cover banking fees and charges.

Supplies and materials

€291.7 thousand

439. The proposed amount remains unchanged from 2019. All resource requirements are recurrent.

440. An amount of €228.0 thousand is required in the area of general services for fuel and supplies for vehicles; office supplies and toner; paper for printers; robes for court hearings; uniforms for chauffeurs and facilities management staff; and building management supplies, hardware and electrical supplies.

441. Resources related to security and safety amount to €63.7 thousand. Resources are required for the issuance of passes to staff and visitors; supplies and materials for firearms training; and replacement of security uniforms, safety footwear and protective security equipment such as concealed body armour and bullet-proof vests and helmets, given the end-of-life cycle of older equipment.

Furniture and equipment

€378.5 thousand

442. The requested amount has remained unchanged from 2019. All resource requirements are recurrent. The Court has a duty of care towards its staff to ensure their safety in the performance of their duties and is liable in the event of any failure in this regard. In the light of this, the Court plans to replace four vehicles (three regular and one armoured) in field locations (€310.0 thousand). Resources are also required for the replacement of furniture at Headquarters and in the field (€68.5 thousand).

Table 29: Programme 3200: Proposed budget for 2020

3200 Division of Management Services (DMS)	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				3,806.8	62.3	1.6	3,869.1
General Service staff				9,325.6	360.7	3.9	9,686.3
<i>Subtotal staff</i>	<i>13,309.7</i>	<i>-</i>	<i>13,309.7</i>	<i>13,132.4</i>	<i>423.0</i>	<i>3.2</i>	<i>13,555.4</i>
General temporary assistance	457.0	-	457.0	617.5	128.4	20.8	745.9
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	179.2	-	179.2	243.3	(48.8)	(20.1)	194.5
<i>Subtotal other staff</i>	<i>636.2</i>	<i>-</i>	<i>636.2</i>	<i>860.8</i>	<i>79.6</i>	<i>9.2</i>	<i>940.4</i>
Travel	182.2	4.3	186.5	192.2	16.0	8.3	208.2
Hospitality	-	-	-	-	-	-	-
Contractual services	633.3	-	633.3	515.7	(125.2)	(24.3)	390.5
Training	283.7	-	283.7	363.3	(1.9)	(0.5)	361.4
Consultants	34.4	-	34.4	42.0	(9.0)	(21.4)	33.0
General operating expenses	3,413.4	-	3,413.4	3,071.4	6.9	0.2	3,078.3
Supplies and materials	260.7	-	260.7	291.7	-	-	291.7
Furniture and equipment	650.5	-	650.5	378.5	-	-	378.5
<i>Subtotal non-staff</i>	<i>5,458.3</i>	<i>4.3</i>	<i>5,462.6</i>	<i>4,854.8</i>	<i>(113.2)</i>	<i>(2.3)</i>	<i>4,741.6</i>
Total	19,404.2	4.3	19,408.5	18,848.0	389.4	2.1	19,237.4

Table 30: Programme 3200: Proposed staffing for 2020

3200	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	1	5	8	12	6	-	32	8	139	147	179
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	1	(1)	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	1	5	9	11	6	-	32	8	139	147	179
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	1.00	1.92	-	2.92	1.00	6.83	7.83	10.75
Continued	-	-	-	-	-	-	1.00	3.00	-	4.00	1.00	1.00	2.00	6.00
New	-	-	-	-	-	-	1.00	-	-	1.00	-	0.50	0.50	1.50
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	2.00	3.00	-	5.00	1.00	1.50	2.50	7.50

3. Programme 3300: Division of Judicial Services

Introduction

443. The Division of Judicial Services (DJS or “the Division”) is responsible for providing support for the judicial proceedings of the Court. It comprises the Office of the Director (OD-DJS), the Court Management Section (CMS), the Information Management Services Section (IMSS), the Detention Section (DS), the Language Services Section (LSS), the Victims Participation and Reparations Section (VPRS), the Counsel Support Section (CSS), the Office of Public Counsel for Victims (OPCV) and the Office of Public Counsel for the Defence (OPCD).

444. DJS provides a number of services that are crucial for the implementation of the Court’s core activities. As part of its support for judicial proceedings, it manages the courtrooms and organizes hearings, including hearings by video link. In addition, DJS is responsible for the management of Court records and the functioning of the eCourt system. It helps victims participate in the various phases of Court proceedings, including in reparations proceedings, by receiving and processing their applications, and strives to simplify the process of collecting victims’ applications with the help of information technologies. The Division, through CSS, also manages legal aid for indigent victims and defendants and coordinates all assistance provided to counsel by the Court. DS ensures safe, secure and humane conditions for persons in the Court’s custody and the smooth functioning of the detention facilities according to international standards.

445. The Division’s judicial services are not limited to courtroom activities: DJS provides information management support to the entire Court and to trial parties and participants. The library services available to all Court staff and external counsel are part of the Division’s mandate. In view of the nature of the Court’s activities, an important area of support provided by DJS is information security. Translation and interpretation services are provided to assist in the conduct of Court proceedings, and to safeguard the rights of suspects and accused persons to follow proceedings and of witnesses to testify in their own language. These services are also made available, both at Headquarters and in the field, to a variety of stakeholders, including defence and legal representatives of victims and the Trust Fund for Victims (TFV). Pursuant to article 87(2) of the Rome Statute, translation from and into more than 30 languages is provided for the purpose of judicial cooperation for which the Court communicates its requests to States Parties.

446. Although substantively independent, OPCV and OPCD fall under the Registry’s DJS solely for administrative purposes. Working under the mandates set out in the Regulations of the Court, they provide additional support to the victims’ and defence teams, respectively. When appointed by the Chambers, OPCV represents victims during Court proceedings. Its involvement has increased since 2012. Of the 8,174 victims participating in proceedings before the Court, OPCV counsels are currently representing over 4,418 victims, and over 3,756 are represented by external counsel. When it comes to the effective representation of accused persons, OPCD plays a crucial role in protecting, representing and promoting the rights of suspects pending the appointment of a defence team and, as appropriate, assists those defence teams, once they are assigned, with case management and legal research throughout the proceedings.

Operating environment

447. In 2020, DJS will be the most significantly impacted division in the Registry as its operations are directly linked to judicial activities and in particular to courtroom activities, which are expected to be reduced in 2020. DJS has strategically prioritized efficiency and savings and, as a result, will be able to provide full support to judicial activities in 2020 and implement the Registry Strategic Plan for 2019-2021. It will be able to do so by effecting customized solutions.

448. As previously noted, a second courtroom will not be utilized throughout 2020 owing to the expected reduction in courtroom activities. In light of the expected reduced level of courtroom activities and following the Committee’s recommendation to look into “flexible

use of courtroom teams”,⁶⁷ DJS managed to significantly reduce the funding required for courtroom and judicial support in 2020 by €1,390.6 thousand. To this end, cost-reducing solutions have been put in place for 2020, in anticipation of these reductions in activities. These measures will ensure a budget level consistent with the expected decrease in courtroom support requirements, while helping to ensure sufficient capacity to meet the support needs.

449. In line with the aforementioned Committee recommendation, DJS will attain these results through managing its courtroom support teams in a flexible manner and redeploying existing resources based on the expected workload requirement and the optimal planning of courtroom capacity. The Registry relies heavily on the continued capabilities and strong commitment of its staff members, which is why it is crucial to foster, develop and maintain this important source of support. Through cross-training of its staff, DJS seeks to promote both (i) increased staff engagement, as staff will be retrained and encouraged to engage across Sections; and (ii) the realization of Registry’s strategic priority of continuous improvement within the Division. Ultimately, cross-training will prompt an increase in the staff’s multifunctionality and ability to multitask, further enhancing staff engagement and stimulating greater efficiency and savings as a result.

450. For 2020, the proposed measures represent a reduction of €1,390.6 thousand in the proposed budget for DJS when compared to the 2019 approved budget.

Pre-trial proceedings, including investigations

451. Active investigations by the Office of the Prosecutor (OTP) in nine situations (eight simultaneously) – Burundi, CAR II, CIV II, Darfur, DRC, Georgia, Libya (two investigations) and Mali – will continue to require DJS support in terms of language services, IT assistance, management of legal aid and processing of victims’ applications.

452. Language support, including in languages of lesser diffusion, will also be required for field activities (communication with victims, witness protection, etc.) in other situations. Approximately one thousand victims are expected to file their applications in the proceedings related to the *Al Hassan* case, with 882 victims admitted to participate in the confirmation hearing. Approximately three thousand victims are expected to file their applications in the situation in CAR II. Additional applications are also expected in CIV II (where more than three thousand have already applied and more are expected) and in the Burundi situation. Interpretation and translation services are expected to be required for the pre-trial proceedings in the relevant languages used in the context of these situations.

Trial proceedings

453. In 2020, a total of four cases at trial will continue to require judicial support.

454. In the case of *The Prosecutor v. Dominic Ongwen*, the accused is in the Court’s custody and his defence team is funded through legal aid. A total of 4,100 victims are participating in these proceedings and are being represented by two teams of legal representatives of victims: one external team representing 2,599 victims, and one OPCV team representing 1,501 individuals. Language support will be required in Acholi, in particular in the context of the judgment and sentencing hearing, if any, to provide the accused with adequate interpretation and to translate judicial and public information documents into Acholi.

455. In the case of *The Prosecutor v. Bosco Ntaganda*, the accused is in the Court’s custody and his defence team is funded through legal aid. A total of 2,129 victims have participated in these proceedings and have been represented by two OPCV teams. The article 74 decision was rendered on 8 July 2019 convicting Mr Ntaganda of 18 counts of war crimes and crimes against humanity.

456. In the case of *The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud*, the suspect is in the Court’s custody and his defence team is funded through legal aid. A total of 882 victims have been admitted to participate in the confirmation

⁶⁷ ICC-ASP/18/5, para. 57.

hearing, scheduled to take place on 8 July 2019, and in the ensuing trial proceedings, if any. For this case, language support in Arabic, Bambara and Tamasheq will be required in 2020 to meet both translation and operational interpretation needs.

457. In the case of *The Prosecutor v. Yekatom and Ngaïssona*, both of the suspects are in the Court's custody and both of their defence teams are funded through legal aid. A significant number of victims are expected to participate in the confirmation hearing, scheduled to take place on 19 September 2019, and in the ensuing trial proceedings, if any. For this case, language support in Sango will be required in 2020 to meet both translation and operational interpretation needs. Importantly, while at the time of the budget proposal this and the *Al Hassan* case are still at the pre-trial stage with the decision on the confirmation of charges currently expected in the last quarter of 2019, the remaining core courtroom support capacity would be able to cater for the hearings that will likely take place at the end of 2020 should charges in these cases be confirmed. In other words, in terms of courtroom support any surge in hearings days due to possible confirmation of charges will be done with the remaining capacity with no additional impact on the budget for courtroom support in 2020.

Appeals proceedings

458. Final appeals arising from the cases that are currently before the Trial Chambers (*Ntaganda* and *Gbagbo and Blé Goudé*) may reach the Appeals Chamber in 2020. The Appeals Chamber is also expected to be seized of several interlocutory appeals throughout 2020.

459. DJS support will be required to assist the defence teams by providing legal aid, logistical support and legal research. Appeals hearings will be supported by the existing courtroom teams.

Reparations proceedings

460. Three cases are currently in the reparations stage: *Lubanga*, *Katanga* and *Al Mahdi*. In *Katanga*, Trial Chamber II issued its reparations order in May 2017, which led to the implementation stage of reparations. In *Lubanga* and *Al Mahdi*, respectively, reparations orders were issued in March 2018 and the relevant implementation activities are ongoing.

461. The three reparations proceedings will be ongoing in 2020. In the *Lubanga*, *Katanga* and *Al Mahdi* cases, the implementation of reparations awards is expected to continue in 2020. The Registry will require adequate resources to be able to render a number of services to the Chambers and the parties involved in the reparations process. Effective representation will require counsel, as well as OPCV and the Registry, to be active in the field, collecting relevant victim-related information and consulting with clients. VPRS will be required to process additional application forms for reparations and perform the requisite legal review to support the TFV, as appropriate, and to provide adequate reports and other assistance to the Chamber. Field activities will also require language support.

462. In addition, the reparations proceedings in relation to the *Ntaganda* case will commence in the first quarter of 2020. In the event that the *Ongwen* proceedings end in a conviction, reparations proceedings will be expected to commence in the last quarter of 2020.

Strategic priorities in 2020

463. In addition to the provision of judicial support and the implementation of Court-wide strategic priorities, DJS planning for 2020 incorporates the implementation of the three priorities in the Registry's Strategic Plan for 2019-2021: continuous improvement, staff engagement, and geographical distribution and gender balance. Furthermore, additional resources are required to strengthen the efficient and effective support to reparations proceedings and to implement the Court's Five-Year IT/IM Strategy.

Running and supporting judicial activities

464. In 2020, the Division will provide all necessary support – in the courtroom and for missions – to the ongoing judicial proceedings, including, if confirmed, the trial hearings in the *Yekatom and Ngaïssona* and the *Al Hassan* cases which could take place simultaneously in the last quarter of 2020. In addition, DJS will continue manage Court records and the functioning of the eCourt system. It will continue to support and facilitate victims' participation in the various phases of ongoing Court proceedings and will manage legal aid for indigent victims and defendants. Five suspects are expected to remain in detention throughout 2020.

Implementation of the Five-Year Information Technology and Information Management (IT/IM) Strategy

465. In 2020, the IT/IM Strategy for 2017-2021, approved by the Information Management Governance Board and endorsed by the Coordination Council in 2017, will be entering its fourth year of implementation. The strategy is intended to improve all Court processes, making them more suitable, efficient, secure and transparent. Most related activities are being implemented by IMSS for the benefit of all Court organs and external service users such as victims' and defence teams. In 2020, the largest portion of funding is allocated to the Judicial Workflow Platform.

Budget resources

€32,223.5 thousand

466. The Division's proposed budget presents an overall net decrease of €1,149.4 thousand (3.4 per cent). The net decrease in DJS is mostly attributable to the measures put in place to manage the existing courtroom teams in order to reflect the expected level of courtroom activities in 2020, which represent an overall reduction of €1,390.6 thousand. Furthermore, DJS identified additional savings and reductions amounting to €149.5 thousand, which bring the total proposed reductions for 2020 in the Division to €1,540.1 thousand. These decreases fully off-set the additional requirements to cover the increases resulting from framework of the UNCS, amounting to €377.5 thousand in DJS, as well as minor additional staffing requirements for 2020 in the amount of €149.9 thousand.

467. The total savings identified by DJS that reduce the 2020 baseline in staffing costs, temporary assistance for meetings (TAM) and general operating expenses amount to €1,540.1 thousand. This is mainly attributable to the reduction of staffing costs related to the low level of hearing activity and courtroom support, of a combined €818.1 thousand and the reduction of TAM services, in support of courtroom hearings, for €515.9 thousand. Efficiencies of €37.1 thousand and €116.4 thousand were identified for 2019 and 2020, respectively, resulting mainly from process improvements to support Court applications, for €68.5 thousand; a new functionality to the eCourt operating system which automates the distribution of documents to participants in proceedings and the administration of access and security controls, among others, for a combined €32.7 thousand; the implementation of a telephone communications manager system (CUCM), for a combined €15.2 thousand; and from efficiency gains of the Victims Application Management System (VAMS), for €7.9 thousand. Additional cost savings have reduced the 2020 baseline for GTA by €145.9 thousand. This is mainly attributable to a reduction in estimated court hearing days, decreasing the need for certain situation language interpreters at hearings, as aforementioned. Detailed information on savings, efficiencies and additional cost reductions is provided in annex XVI.

468. The overall required investment within the Division in non-staff costs for the continued implementation of the Court-wide IT/IM strategy in 2020 is €1,747.5 thousand. This consists of €146.5 thousand for staff resources for the GTA eCourt Project Manager in CMS and €1,601.0 thousand in non-staff costs for IMSS investments. Of the total €1,601.0 thousand in investments earmarked for the strategy, €220.0 thousand is intended for the implementation of solutions in the Office of the Prosecutor (OTP), mainly in relation to the processing, registration and analysis of evidence; €709.0 thousand is required for the continued development of the Judicial Workflow Platform; €172.0 thousand is required for continued improvements in information security for threat detection and monitoring of and

response to cyberattacks and an update of the Court's Information Security Management System (ISMS); and €500.0 thousand for virtual infrastructure renewal.

469. As a result of the Court-wide identification of savings and efficiencies, some additional resources have been included in the Registry's proposed budget with a view to maximizing the use of existing resources within the Court.

Staff resources **€18,181.6 thousand**

470. The proposed staff resources for 2020 amount to €18,181.6 thousand and represent a net decrease of €952.6 thousand which correspond to an overall reduction of €638.0 thousand in established posts, as well as a reduction of €950.5 thousand in GTA and TAM, which offset an increase of €635.9 thousand in staff costs in accordance with UNCS (€377.5 thousand) and additional staffing requirements for 2020 (€258.4 thousand).

Established posts: Professional and General Service *€16,705.9 thousand*

471. The total reduction in staff costs amounts to €274.0 thousand (1.6 per cent) reflecting the increase of €364.0 thousand linked to the effect of the UNCS, as well as the defunding of seven posts related to the expected reductions in judicial activity which amount to an overall reduction of €638.0 thousand, of which €68.5 thousand correspond to the redeployment of a position from DJS to DEO. The total number of established posts within the Division has decreased from 188 to 187 following the aforementioned redeployment of an Administrative Assistant from VPRS to PIOS for operational requirements. No new established post changes to the Division's staffing table are proposed.

General temporary assistance *€1,271.4 thousand*

472. On the basis of the anticipated reduction in judicial activity for 2020, the net decrease of €162.7 thousand (11.3 per cent) for GTA in the Division corresponds mostly to reduced requirements in CMS (€241.7 thousand), two Text Processors (French) will be required for only six months in 2020, and in LSS (€147.3 thousand) as a result of a reduction of six months in funding for three Paraprofessional Interpreter (Acholi); it also reflects a reduction of six months in funding of a Legal Officer in OPCD (€61.0 thousand). As listed below, the only two sections requesting new GTA resources are DS and LSS, representing an overall additional requirement of €258.4 thousand in addition to the €13.5 thousand increase in accordance with the UNCS.

473. The proposed amount of GTA resources in CMS has decreased by €241.7 thousand. The proposed reduced resources for CMS are required to fund the positions as outlined below.

474. One *Associate Legal Officer/Courtroom Officer (P-2), 12 months. Continued, unfunded*. While this position continues to be required in CMS to support hearings alongside the two existing Associate Legal Officers/Courtroom Officers for two simultaneous trials, it has been proposed as unfunded in light of the expected reduction in court hearing days.

475. One *eCourt Project Manager (P-4), 12 months. Continued*. CMS is mandated to handle eCourt administration and management. This position continues to be required to ensure the ongoing implementation of the Judicial Workflow Platform project planned under the Court's Five-Year IT/IM Strategy, to be set up by 2021. This project is a core, essential element of the five-year strategy and requires a dedicated manager. Given the length and extent of the project, the GTA position continues to be more cost-effective for the Court than the use of external resources.

476. The proposed GTA resources for IMSS remain unchanged compared to the approved 2019 budget.

477. One *Information Management Assistant (Web-based Collaboration) (GS-OL), 12 months. Continued*. As part of the Court-wide synergies exercise, the Web Developer was transferred in 2018 from the Secretariat of the Assembly of States Parties to the

Registry to consolidate IT expertise. This position is responsible for maintaining the IT systems which provide the documentation and information for the Assembly and its subsidiary bodies via the SASP website. This post is required to ensure accurate and timely provision of information and documentation to the SASP and the public, encompassing work regarding the nomination of Assembly bodies.

478. The proposed amount of GTA resources in DS has increased by €76.1 thousand compared to the approved 2019 programme budget.

479. *One Administrative Assistant, (GS-OL) 12 months. New.* The administrative assistant is required to support DS in implementing interpretation resources, technical means and physical records for four judicial orders in respect of active monitoring of non-privileged telephone calls and non-privileged visits regarding four detained persons.

480. The proposed amount of GTA resources in LSS has increased by €55.8 thousand in order to accommodate the recruitment of two new Language Assistants (GS-OL), one each for Sango and Tamasheq.

481. *Three Paraprofessional Interpreters (Acholi) (P-1) (1.5 FTE), 6 months each. Continued. Multi-year. Ongwen case.* The Acholi team, supported by one English Associate Translator seconded to interpretation, interpret from and into Acholi and English for the accused and during judicial proceedings, for Chambers, the parties and participants. They also take on translation assignments when not interpreting in the booth. In 2020, the Acholi team will ensure that the Court has the capacity to support any potential subsequent judicial proceedings and continue to provide Acholi language support at the Detention Centre and in the field, whenever necessary. The team will also translate the trial judgement into Acholi and any other potential subsequent appeal decisions, reparations orders, public information material, and provide ad hoc support to the Audio-Visual Production Unit. It is not possible to ensure interpretation from and into Acholi through a team of freelancers.

482. *One Language Assistant (Acholi) (GS-PL) (1 FTE), 12 months. Continued. Ongwen case.* The Language Assistant is required to provide support to interpret for the accused and carry out ad hoc written and sight translations as may be needed (detention, medical and other issues).

483. *One Language Assistant (Tamasheq) (GS-PL), 1 FTE, 12 months. New. Al Hassan case.* The Language Assistant, currently on an STA contract, will continue to provide language support from Tamasheq, as required, to DC and VWS. Without this post it would not be possible to continue providing language services per the orders of the Chamber.

484. *One Language Assistant (Sango) (GS-PL), 1 FTE, 12 months. New. Yekatom case.* The Language Assistant, currently on an SSA contract as an Individual Contractor, will be recruited to provide field and operational interpretation, as well as translation. This is a more sustainable and economical option in view of the ongoing and sustained demand from DC, VWS, VPRS, CSS, OPCV and TFV.

485. Field interpretation requirements (SSA – Individual Contractors) are included in GTA costs. Accredited field and operational interpreters (GS-PL or G7/1) are necessary for 53.6 months, according to service requests from clients, representing an increase of 11.5 months compared to 2019. Field and operational interpreters need to be assigned to facilitate verbal communication in all active situations in all relevant language combinations, including languages of lesser diffusion. Without the services of field and operational interpreters, meetings could not be held between Court staff and witnesses, victims, counsel, clients and others who do not speak and understand a working language of the Court.

486. The proposed GTA requirements in VPRS remain unchanged. In 2020, the Section will need to maintain the same level of GTA resources to adequately respond to the continuous needs for the planned proceedings, including in the implementation of reparations in an enhanced partnership with the TFV.

487. *One Assistant Legal Officer (P-1), 12 months. Continued.* VPRS anticipates receiving a volume of victim applications requiring legal analysis comparable to that of 2019. In addition, the need for comprehensive legal responses and dispatch of external requests to the Section in relevant situations has become more pressing because of

increased situation-related activity in the OTP. VPRS expects to receive a volume of victim applications for participation in judicial proceedings and/or reparations comparable to 2019 requiring legal analysis, from a multitude of situation countries.⁶⁸ The continued assistance of the Assistant Legal Officer as key dispatcher in a number of cases will be essential to meet the Chambers' deadlines in victim-related matters in all ongoing proceedings.

488. One *Data Processing Assistant (GS-OL)*, 12 months. *Continued.* This position continues to be required for carrying out the processing (scanning, registering, filing, etc.), data entry and redaction of the high volume of victims' applications expected in connection with participation and reparations proceedings. In 2020, the VPRS victim-related database will be made more widely accessible within the Court in order to provide an improved information and data workflow (web-based application). In 2019, access to the TFV has been successfully facilitated and similar efforts have been made for victim representatives. In addition, increased assistance to the TFV as outlined in detail above will require a similar data processing workforce as in 2019 to cover TFV needs.

489. The proposed GTA requirements in OPCD remain unchanged, while reduced funding is proposed by the Registry for the following continued position:

490. One *Legal Officer (P-3)*, 6 months. *Continued.* This GTA position in OPCD is required for at least six months in 2020 to cope with the continuing workload of 11 known situations involving at least 11 defendants. The assigned counsel/teams will require continued support, especially in relation to three trials (four defence teams) potentially proceeding into sentencing/appeals/reparations phases, and at least one case potentially moving through pre-trial and into trial. OPCD will need to retain staff to avoid delays in its ability to assist all teams under manageable deadlines. The Legal Officer will undertake a portion of the workload of conducting legal research and preparing manuals to provide assistance to the defence teams, and will also assist in policy and management functions where needed. Given the possibility of reduced assistance in 2020, OPCD will seek to prioritise its resources to cater for the 6 months reduction of this position, and efforts will be made to cope with the expected level of activities in 2020 with the requested level of resources. However, the continued need for this position throughout 2020 will be revisited should the support requirements for defence teams in 2020 remain at the same level as in 2019, or even increase, if charges are confirmed in *Al Hassan* and/or *Yekatom/Ngaïssona*.

491. The proposed GTA requirements in OPCV remain at the same level as approved for 2019.

492. One *Associate Legal Officer (P-2)*, 12 months. *Continued.* This position continues to be needed and is essential for the satisfactory fulfilment of OPCV's mandate. OPCV has four teams allocated to ongoing proceedings at trial for which daily presence in the courtroom is required. This position is required to be able to follow the other ongoing proceedings and to provide external counsel with legal research and advice.

Temporary assistance for meetings

€189.3 thousand

493. The proposed resources for TAM reflect a decrease of €515.9 thousand (73.2 per cent). This reduction is related to an adjustment of the requirements for CMS in the light of the assumptions and parameters for the 2020 proposed budget, amounting to a decrease of €72.9 thousand (100.0 per cent) as well as a decrease of €443.0 thousand (71.2 per cent) in LSS.

494. In LSS, while there continues to be a requirement to supplement in-house resources in 2020, the resources proposed for LSS for TAM amount to €179.3 thousand, representing a decrease of €443.0 thousand (71.2 per cent) compared to the approved budget for 2019. This is attributable to reduced recourse to freelance interpreters. In-house interpreters will cover most events and freelancers will be recruited when needed. TAM resources are required to provide interpretation for confirmed events organized by PIOS, which require interpretation from and into Spanish and Arabic in addition to the two working languages

⁶⁸ Relevant assumptions of the numbers of application forms expected in relevant situations are based on the information available to VPRS regarding (i) case developments as foreseen by OTP/Chambers; (ii) information received from victim representatives, intermediaries and other interlocutors for ongoing situations; and (iii) projections based on previous statistical experience.

(English and French). The three translation units (French, English and Situation Languages) will recruit short-term Translators and Revisers in order to absorb the additional workload at peak times.

Overtime

€15.0 thousand

495. The proposed amount remains unchanged from the approved 2019 programme budget. The amount is required to compensate staff needed to complete complex work such as upgrades to core Court systems and security fixes that can be performed only outside business hours so as not to disrupt Court activities. In 2019 the Information Management Governance Board (IMGB) approved a monthly maintenance window to ensure the reliability, integrity and security of the Court's IT applications and supporting infrastructure. With the Court's Flexible Working Administrative Instruction promulgated in early 2019 and compensatory time off, no increase is required.

Non-staff resources

€ 14,041.9 thousand

496. The proposed net decrease in non-staff costs amounts to €196.8 thousand (1.4 per cent). The net reduction corresponds to a decrease in non-staff costs of €291.6 thousand in OPCV together with additional reductions in OD-DJS, CMS and VPRS amounting to €60.9 thousand. These reductions, which amount to €352.5 thousand, fully offset the marginal increased requirements in IMSS, LSS and CSS which together amount to €155.7 thousand.

497. The majority of the non-staff resources required in DJS relate to the continuation of the IT/IM strategic investments in IMSS. The total amount earmarked for these investments is €1,601.0 thousand, of which approximately €220.0 thousand is intended for the implementation of solutions in the OTP, mainly for the processing, registration and analysis of evidence; €709.0 thousand is required for improvements in the judicial process, including for the management of victim-related information; €172.0 thousand is required for improvements in information security, including protection from cyberattacks and for secure communications; and an additional €500.0 thousand is proposed for the optimization and renewal of the virtual infrastructure.

Travel

€324.3 thousand

498. Overall, the proposed resources for travel have decreased by €41.2 thousand (11.3 per cent), reflecting a decrease in requirements mainly in OPCV (€88.5 thousand), CMS (€16.4 thousand) and VPRS (€15.1 thousand). The resources in OPCV have been adjusted to reflect the anticipated level of judicial activities in 2020 and which continue to be required in support of OPCV's mandate during the ongoing reparations proceedings and for necessary consultations with its clients in the ongoing trial proceedings. No change is proposed for OD-DJS, DS or OPCD in 2020.

499. Travel resources are still required in the Division for missions scheduled to provide relevant judicial services. Such services include language interpretation (LSS), facilitation of victim participation in proceedings (VPRS), and information security assessments and maintenance of country office infrastructure (IMSS).

Contractual services

€1,236.7 thousand

500. The proposed net resources for contractual services in DJS have increased by €214.0 thousand (20.9 per cent). This is attributable to an increase of €209.0 thousand in IMSS related in part to the Court's five-year strategy and an increase of €20.0 thousand in LSS considering the additional requirements to outsource judicial translation services in official and situation languages.

501. The requested €1,046.0 thousand for 2020 is a 25 per cent or €209.0 thousand net increase from 2019 approved budget of €837.0 thousand. The requested amount is composed of €981.0 thousand in non-recurrent investment for scheduled initiatives in the fourth year of the Court's five-year strategy and the remaining €65.0 thousand is recurrent

consultancy required to augment IMSS staff capabilities to support core Court IT and IM systems. The requested €981.0 thousand for the Court's five-year strategy is to implement OTP, Judicial and Information Security projects. This includes the following:

(a) OTP – In 2020, an investment of €100.0 thousand for consultancy services is required for the following initiatives: €25.0 thousand for enhancements to the forensic data systems and €75.0 thousand to replace the witness management system;

(b) Judicial – €709.0 thousand is required in 2020 for the second year of implementation of the Judicial Workflow Platform, of which €415.0 thousand will be allocated to implement the litigation platform; €150.0 thousand for the Unified Information Repository and €144.0 thousand for the Case Management Platform. The IMGB and the Committee on Budget and Finance endorsed the business case in 2019 and approved the budget for the implementation which will continue throughout 2020 and into 2021; and

(c) Information Security – in 2020, IMSS is requesting an investment of €172.0 thousand for the following initiatives: €70.0 thousand in professional services to update the Court's ISMS which is a continuation from 2019; €50.0 thousand for consultancy to implement new capability in the Court's Threat Intelligence Platform which was implemented in 2017 in the first year of the Court's five-year strategy; €32.0 thousand to implement the system for information classification and security markings; and finally, €20.0 thousand to conduct penetration testing of the Court's networks. This work was first conducted in 2019 and is scheduled to be repeated early 2020.

502. The remaining €65.0 thousand in contractual services is requested to augment IMSS's staff for ongoing operational activities for courtroom, network, data centre and archival services. Wherever possible to control costs, IMSS first utilizes staff resources to build solutions delivered to the Court. External vendors are used where there is a specialized need in a particular technology that cannot be addressed solely with staff resources.

503. The remaining resources continue to be required in LSS in 2020 to outsource part of translation services since not all languages are available in-house, such as languages for judicial cooperation, some of the official languages and situation languages including Acholi, Bambara, Georgian, Kinyarwanda, Sango, Swahili (Congolese), Swahili (standard) and Tamasheq.

504. The proposed amount for VPRS has decreased by €15.0 thousand (46.9 per cent). While the reduction is attributable to expected judicial activity, resources continue to be required for: (i) specialized external services regarding certain aspects of the VPRS database development (software improvement and adaptation of VPRS systems to respond to new requirements due to web-based applications); (ii) contractual services linked to interaction with victims and intermediaries in relevant countries (in particular where country offices cannot assist); and (iii) limited residual external printing of explanatory booklets and materials for victims regarding participation and reparations.

505. The proposed amount in OPCV (€50.0 thousand) remains at the level approved in 2019 and continues to be needed for OPCV's judicial activities in ongoing proceedings in which it is active, and to transport victims from their place of residence to a safe location where they can meet with counsel.

Training

€91.1 thousand

506. The proposed DJS training budget reflects a slight decrease of €0.4 thousand (0.4 per cent). The staff training requested for 2020 is an essential element which allows DJS to cope with changes in its workload and covers any additional expertise required. In this regard, a number of Sections must maintain a certain level of technical expertise if the Registry is to provide optimal services to all Court organs, including Chambers and the OTP. Training is proposed for the following Sections as part of their recurring expenses: OD-DJS (€3.4 thousand), CMS (€6.0 thousand), IMSS (€59.0 thousand), DS (€16.8 thousand), VPRS (€5.3 thousand) and OPCD (€0.6 thousand). As the most cost-efficient solution, and where possible, it is recommended that training be done online or that a trainer be engaged to conduct programmes on the Court's premises.

507. The requested amount of €59.0 thousand for training for IMSS staff has increased marginally by €0.2 thousand (0.3 per cent). The training proposed continues to focus on providing IMSS staff with the technical training required to maintain certifications, with a key focus on the necessary certifications for the mandatory upgrades for core Court systems such as the network, firewall, email, operating systems and SharePoint which provides the Court's Intranet with content repositories and custom applications. If IMSS fails to keep the certifications and training up to date this will increase reliance on vendors for routine maintenance and upgrades, which will lead to increases in contractual services. Wherever possible to maximize training, IMSS uses online or local training. In the event that travel is required, this budget accommodates all expenses.

Consultants €227.8 thousand

508. The Division has proposed a net decrease of €157.7 thousand (40.9 per cent) for 2020. The decrease is attributable to a reduction in OPCV of €203.1 thousand and in LSS of €4.6 thousand.

509. The proposed amount in OPCV of €134.4 thousand is required for the appointment of field counsel based in situation countries, which is essential to maintain continuous contact with represented victims and to keep them updated of the proceedings, to gather their views and concerns, and to collect evidence.

510. The proposed amount in LSS of €7.4 thousand is required for a language expert to test situation languages for the accreditation of field interpreters in languages of lesser diffusion and for which expertise is not available in-house.

511. A new provision of €50.0 thousand has been proposed in CSS for external assistance to finalize the documents, forms and procedures associated with the new legal aid policy and to give users online access. The resources proposed for OD-DJS (€5.0 thousand), OPCD (€20.0 thousand), DS (€6.0 thousand) and VPRS (€5.0 thousand) remain unchanged and continue to be required in 2020.

Counsel for the defence € 3,247.5 thousand

512. The proposed legal aid budget for defence counsel presents a decrease of €240.3 thousand (6.9 per cent). This is attributable to the application of the Court's legal aid system for existing judicial activities and related assumptions for 2020. The proposed budget for defence counsel will fund defence teams for Ongwen, Al Hassan, Katanga, Ngaïssona, Yekatom, Gbagbo, Blé Goudé, Ntaganda, Banda and Gaddafi.

513. An additional sum has been proposed for duty and ad hoc counsel, appointed by the Registrar and Chambers, respectively, under the conditions established in the Statute, the Rules of Procedure and Evidence and the Regulations of the Court.

Counsel for victims €1,300.0 thousand

514. The proposed legal aid budget for counsel for victims has increased by €198.7 thousand (18.0 per cent) compared to the approved budget for 2019. The proposed budget will fund all existing external teams of legal representatives for over 3,756 of the victims currently participating in proceedings before the Court. This figure includes 2,599 victims in the *Ongwen* case (three months) and the common legal representatives of victims in the *Lubanga* (two teams), *Katanga* and *Al Hassan* (added in 2019) cases. An additional sum has been proposed for activities at the situation level or where the needs of the cases require the involvement of a legal representative.

General operating expenses €6,516.0 thousand

515. The proposed increase for general operating expenses represents an increase of €391.1 thousand (6.4 per cent). The increase in general operating expenses of €391.1 thousand is proposed in IMSS. Resources proposed under DS (€2,062.0 thousand) and OPCV (€11.0 thousand) remain at the same level as that approved for 2019.

516. Of the proposed amount of €6,516.0 thousand, €4,443.0 thousand is attributable to resources required in IMSS, €2,062.0 thousand is required in DS and €11.0 thousand is required in OPCV.

517. The proposed amount in general operating expenses in IMSS amounts to €4,443.0 thousand and represents a net increase of €391.1 thousand. The proposed resources include annual recurrent costs comprising the (a) rental of furniture and equipment of €146.6 thousand; (b) communication costs of €1,084.0 thousand; and (c) maintenance of furniture and equipment of €3,212.4 thousand to support Headquarters and country office locations. The amount required in 2020 for the rental of furniture and equipment has not increased from the approved 2019 budget, and communications has had a marginal decrease of €13.8 thousand from the approved 2019 budget; however the annual recurrent costs for maintenance of furniture and equipment has increased by €404.9 thousand, from €2,807.5 thousand in the 2019 approved budget to €3,212.4 thousand in 2020.

518. An amount of €3,212.4 thousand is proposed for the maintenance of furniture and equipment, which represents an increase of €404.9 thousand against the approved 2019 amount of €2,807.5 thousand. All costs for the maintenance of furniture and equipment are recurrent and can be divided into three categories: (a) €3,212.4 thousand for maintenance of the Court's IT hardware and software at Headquarters. These recurrent costs are essential to the ongoing daily operations and stability of Court and are fixed for the duration of the contract; (b) €82 thousand is specific to the country offices; of this figure, the €20 thousand allotted to the offices in Côte d'Ivoire and Mali could be reduced should there be a staff reduction scenario in these country offices; (c) €154.4 thousand for software subscriptions for systems being built into the Court's Five-Year Strategy. Previously these were included in furniture and equipment for the initial purchase; however, software licensing is an annual subscription and should thus be categorized per IPSAS as maintenance costs. These recurrent costs, while noted against the Court's Five-Year IT/IM Strategy for 2020, are already factored into the IMSS for the lights on forecast from 2022 onwards.

519. The requirements in general operating expenses for DS remain unchanged despite the yearly indexing of the rental prices of cells per the Product Price Agreement. While these recurrent costs generally increase in line with the CPI index, the Detention Centre expects to absorb the expected increase owing to a slight decrease in the amount of actual hours projected to be worked by a number of the DC's FTE Custody Officers in 2020 (e.g. 80 per cent).

520. The sum of €11.0 thousand proposed for OPCV is unchanged. The resources will cover the costs of renting premises where victims can be met safely and in a way that preserves the privileged relationship between counsel and client.

Supplies and materials

€338.5 thousand

521. The proposed amount for supplies and materials represents a net decrease of €15.0 thousand (4.2 per cent). Most of the resources in the Division's budget for supplies and materials are required in IMSS (€322.0 thousand), DS (€7.5 thousand) and VPRS (€2.0). Decreases are proposed under CMS (13.8 thousand) and LSS (€1.2 thousand).

522. The proposed 2020 budget for supplies and materials in IMSS remains at the same level as in the approved 2019 budget. The requested amount consists wholly of recurrent costs, of which €216.0 thousand is for the continued provision of library references and resources such as digital and print subscriptions for serials and monographs, which is used daily by the OTP, Chambers and the Registry for legal research. The €216.0 thousand includes €64.0 thousand for library serials in different languages with various titles on international criminal law, human rights, genocide studies, and defence and security analysis which are mainly used by the Office of the Deputy Prosecutor, the Investigation Division, the Situation Analysis Section, and Chambers' Legal Officers on behalf of the Judges. Recurrent costs also include €75.0 thousand for subscriptions to Westlaw and UNSEIAC which include Lexis-Nexis, Factiva, Oxford Reports on International Law, HeinOnline Foreign & International Law Resources Database, among others, that are used by legal officers and researchers; €42.0 thousand is for various titles of print and electronic book purchases in different languages that are used by the whole Court, including defence teams, for legal research. The remaining €35.0 thousand requested is to compensate for

inter-library loans that will no longer be possible owing to the likely closure of the Peace Palace Library. The remaining expenditure of €106.0 thousand is to support core services for printing (toner cartridges and paper), replacement of memory chips in hardware, archival supplies to preserve the Court's legacy records, AV supplies for courtrooms and offices and end-user requests for language-specific keyboards, encrypted drives and laptop batteries.

523. In DS and VPRS, the proposed budgets remain unchanged from 2019. A decrease of €1.2 has been proposed in LSS owing to a decrease in the level of online subscriptions to updated dictionaries and reference materials, while a decrease of €13.8 thousand has been proposed in CMS owing to the expected reduction in courtroom activity.

Furniture and equipment

€760.0 thousand

524. The amount proposed for furniture and equipment in DJS has decreased by €546.0 thousand (41.8 per cent) and corresponds exclusively to investments required in IMSS. There are two broad categories for software and hardware: those used directly by Court staff, known as front office IT, and those required for its support, known as back office IT. Front office IT encompasses software and hardware such as evidence management applications to support evidence registration and management processes, in addition to end user hardware such as workstations, laptops and mobile devices. Back office IT refers to infrastructure that is required for applications and end user hardware to operate, exchange and store data.

525. The budget for furniture and equipment amounts to €760.0 thousand and is required for recurrent items which, owing to obsolescence and wear and tear, vary annually and non-recurrent investment is required for strategic initiatives in the Five-Year IT/IM Strategy.

526. The proposed budget for recurrent items comprises €240.0 thousand. This figure has decreased by €286.0 thousand from the approved 2019 budget as the investment for SAN storage means that the annual expansion for storage space is not required. The 2019 budget included non-recurrent investment for the firewall replacement. The requested recurrent expenditure for 2020 is as follows:

(a) €200.0 thousand exclusively earmarked for the annual replacement of end user workstations, laptops and mobile devices. This is included in the calculation of the annual baseline operating costs. It is important to maintain this replacement cycle to mitigate risks associated with outdated computers and mobile devices that are not compatible with security updates required to protect the Court's systems and data. There is no change from 2019; and

(b) €40.0 thousand for the annual increases to the Court's server capacity which supports infrastructure for core systems such as document management, evidence management, enterprise resource planning (SAP) and witness management.

527. A total of €520.0 thousand in non-recurrent investment is required for strategic initiatives under the Court's Five-Year IT/IM Strategy. This is a decrease of €300 thousand from the €820.0 thousand approved in the 2019 budget and is split among the following initiatives:

(a) For OTP – an investment of €20.0 thousand is required to purchase an automated transcription system; and

(b) Optimizing IT – an investment of €500.0 thousand is required to replace the Court's obsolete SAN, a critical component of the Court's storage infrastructure.

Table 31: Programme 3300: Proposed budget for 2020

3300 Division of Judicial Services (DJS)	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				11,932.9	(188.6)	(1.6)	11,744.3
General Service staff				5,047.0	(85.4)	(1.7)	4,961.6
<i>Subtotal staff</i>	<i>17,406.0</i>	<i>-</i>	<i>17,406.0</i>	<i>16,979.9</i>	<i>(274.0)</i>	<i>(1.6)</i>	<i>16,705.9</i>
General temporary assistance	1,380.5	48.8	1,429.3	1,434.1	(162.7)	(11.3)	1,271.4
Temporary assistance for meetings	324.3	3.3	327.6	705.2	(515.9)	(73.2)	189.3
Overtime	11.0	-	11.0	15.0	-	-	15.0
<i>Subtotal other staff</i>	<i>1,715.8</i>	<i>52.1</i>	<i>1,767.9</i>	<i>2,154.3</i>	<i>(678.6)</i>	<i>(31.5)</i>	<i>1,475.7</i>
Travel	214.7	22.1	236.9	365.5	(41.2)	(11.3)	324.3
Hospitality	-	-	-	-	-	-	-
Contractual services	533.6	23.3	557.0	1,022.7	214.0	20.9	1,236.7
Training	100.2	-	100.2	91.5	(0.4)	(0.4)	91.1
Consultants	410.2	-	410.2	385.5	(157.7)	(40.9)	227.8
Counsel for defence	3,981.3	250.7	4,232.0	3,487.8	(240.3)	(6.9)	3,247.5
Counsel for victims	1,466.2	-	1,466.2	1,101.3	198.7	18.0	1,300.0
General operating expenses	6,053.3	131.8	6,185.1	6,124.9	391.1	6.4	6,516.0
Supplies and materials	588.2	4.4	592.6	353.5	(15.0)	(4.2)	338.5
Furniture and equipment	1,145.4	68.2	1,213.6	1,306.0	(546.0)	(41.8)	760.0
<i>Subtotal non-staff</i>	<i>14,493.2</i>	<i>500.6</i>	<i>14,993.8</i>	<i>14,238.7</i>	<i>(196.8)</i>	<i>(1.4)</i>	<i>14,041.9</i>
Total	33,615.0	552.7	34,167.7	33,372.9	(1,149.4)	(3.4)	32,223.5

Table 32: Programme 3300: Proposed staffing for 2020

3300	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	1	7	23	33	42	5	111	2	75	77	188
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	(1)	(1)	(1)
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	1	7	23	33	42	5	111	2	74	76	187
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	1.00	1.00	2.00	4.00	8.00	4.51	4.00	8.51	16.51
Continued	-	-	-	-	-	1.00	0.50	2.00	2.50	6.00	1.00	2.00	3.00	9.00
New	-	-	-	-	-	-	-	-	-	-	6.47	1.00	7.47	7.47
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	1.00	0.50	2.00	2.50	6.00	7.47	3.00	10.47	16.47

4. Programme 3800: Division of External Operations

Introduction

528. The Division of External Operations (DEO or “the Division”) is responsible for the Registry’s functions in the areas of cooperation, analysis, external communication, protection of and assistance to witnesses, as well as field operations. In addition to the Office of the Director (OD-DEO), DEO comprises three Sections at Headquarters, namely, the Victims and Witnesses Section (VWS), the External Operations Support Section (EOSS) and the Public Information and Outreach Section (PIOS). DEO also includes the external representations of the International Criminal Court (“the Court”) in situation countries (country offices) and at the United Nations in New York.

529. The Court’s country offices are established, as appropriate, in situation countries to carry out the Registry’s mandated responsibilities in relation to witnesses, victims and communication, and to provide support to the activities of the Office of the Prosecutor (OTP), counsel for the defence and victims and the Trust Fund for Victims (TFV). In 2020, the Court will continue to maintain a total of seven offices in six situation countries, namely, the Central African Republic (CAR), Côte d’Ivoire, the Democratic Republic of the Congo (DRC), Georgia, Mali and Uganda. The size and staffing composition of each country office are determined on a case-by-case basis, taking into account the stage of the Court’s engagement in the situation country and the specific circumstances of the situation. The country offices are time-bound and scalable representations in situation countries, for which multiple factors are considered when assessing the best way to provide in-country support to the activities of the OTP, the parties and the participants. Depending on the stage of the proceedings, as well as the situation and context on the ground, presences vary and fluctuate from small representation offices to more complex operations to address multifaceted operational requirements. The Court’s Liaison Office to the United Nations in New York (“Liaison Office”) supports external relations with diplomatic representations to the United Nations and cooperation activities of all the organs of the Court in relation to the United Nations itself.

530. The Division, through coordination and support from Headquarters, ensures that administrative, logistical and security issues concerning the Court’s external representations are addressed effectively and efficiently. In this regard, DEO centralizes the Court’s mission planning capacity and supports its crisis management procedures. DEO also provides its clients with high-quality and targeted analysis on security and socio-political developments of relevance for the work of the Court. Through the VWS, DEO is responsible for providing protective measures, security arrangements, counselling and other assistance to witnesses, victims appearing before the Court, and others who are at risk on account of testimony given by such witnesses.

531. The Division is also responsible for the Court’s external communication and, in this regard, ensures the timely and accurate delivery of information on the mandate and activities of the Court through a variety of media to both key stakeholders and the general public. This includes, notably, outreach activities aimed at victims and affected communities in situation countries. The Registry’s statutory responsibilities regarding international cooperation and judicial assistance, for example in relation to the arrest and surrender of persons subject to warrants of arrest, are also discharged by DEO.

Operating environment

532. As DEO’s work takes place largely away from Headquarters, its work is governed by all the phases of the Court’s involvement in a given situation. Operational support outside Headquarters may often start to support OTP investigations, and needs to be maintained, and on occasion even enhanced beyond this point, to support trial proceedings, for example, in relation to victims’ participation, outreach activities, witness protection, support to the defence for it to conduct missions and investigations in particular, and will even continue to be required to support the activities of the TFV, especially during the reparations phase, including for the implementation of reparations orders.

533. In this regard, in 2020, DEO will continue to perform its mandated responsibilities and to provide services to its clients in relation to a number of situation countries. The increased activities and the challenging operational context in the Mali and the CAR situations will require the allocation of additional resources. In the light of these additional requirements, DEO has identified both staff and non-staff savings and efficiencies within existing operations to offset the increases for its work in Mali and the Central African Republic. This approach has enabled the Registry to redeploy staff resources from one country presence to another, in a manner consistent with shifting operational and security priorities concerning the situation countries. In this regard, important reductions have been achieved in the Registry's presence in the Democratic Republic of the Congo, Uganda and Côte d'Ivoire, mainly through the redeployment of resources. This has made it possible to fund the required increased investments in country operations, in particular in Mali and the Central African Republic, where additional resources are needed in particular in the light of security conditions and increased operational demands. By utilizing existing capacities to meet those increasing demands, the Registry has ensured sufficient and flexible capacity to cope with additional support requirements should the charges in the *Al Hassan* and/or the *Yekatom and Ngaiissona* cases be confirmed in the second half of 2019. Furthermore, DEO, through the country offices in Côte d'Ivoire and Georgia, will also continue to support the OTP's active investigations into those situations. In addition, the activities of the TFV will continue to be supported by the country offices in Uganda, the Democratic Republic of the Congo, Côte d'Ivoire and Mali.

534. In line with the Court-wide strategic goal of creating a safe and secure working environment in which staff well-being is at the centre, DEO is proposing modest investments in 2020 to ensure adequate security for Court personnel and the protection of those at risk as a result of their interaction with the Court. These investments especially target those country offices that will experience a significant increase in workload and are classified as hardship duty stations. Ensuring the security of and adequate working conditions for Court personnel, counsel for both the defence and victims, and the TFV, is a prerequisite in order for the Court to continue operating in high-security environments.

535. In addition to the six situation countries where DEO will maintain external representations in 2020, the Sections at Headquarters, as well as certain country offices, also provide support for a variety of activities – ranging from witness protection to outreach – in relation to the remaining three situation countries where offices are not established, namely, Burundi, Libya and Sudan.

Central African Republic

536. In 2020, the budgetary requirements for the Registry's operations in the Central African Republic will be driven mainly by the activities in relation to the CAR II situation, although residual activities in relation to the CAR I situation will also have a budgetary impact. Without prejudice to the decision on the confirmation of charges in *Yekatom and Ngaiissona*, resources will be required to perform activities with respect to witness protection, outreach to affected communities and victim participation. However, should charges be confirmed, the proposed investments will also ensure sufficient capacity to cope with additional support requirements arising from these cases. The Country Office (Central African Republic) will also be providing security, administrative and logistical support for an increased number of missions by its different clients. The high number of referrals, both current and anticipated, to the VWS by the OTP in the CAR II situation will necessitate additional resources for witness protection.

537. The Central African Republic, with its tense security situation and volatile political landscape, continues to be one of the most demanding environments in which the Court operates. This has a direct impact on the resources needed to address the security, health and welfare not only of staff based in the country, but also staff travelling to the Central African Republic on mission. The number of Court personnel stationed permanently in Bangui and those on mission will increase significantly from the previous year.

Mali

538. The level of activities expected in Mali in 2020 and its challenging operational environment will require enhanced investments in both staff and non-staff resources to perform the Registry's mandated responsibilities and to support the work of its clients. Witness protection will continue to be one of the key cost drivers for the Registry's operations in Mali. Likewise, the Country Office (Mali) will be concentrating on outreach and victim participation activities in relation to any developments in the judicial proceedings. While these resources are required whether or not the charges in the *Al Hassan* case are confirmed in the second half of 2019, the proposed investments will nevertheless ensure sufficient capacity to cope with additional support requirements arising from this case should the charges be confirmed.

539. The operating environment in Mali is characterized by a deteriorating security situation with the possibility of international actors being targeted by terrorist groups. In 2019, the office in Bamako moved to the premises of the United Nations peacekeeping operation in Mali (MINUSMA). The additional investments required for the colocation with MINUSMA will allow the country office to benefit from an increased level of security and enable it to streamline many of its processes by having access to the United Nations' administrative services, thus achieving a more efficient running of its operations.

Côte d'Ivoire

540. Through the Country Office (Côte d'Ivoire), DEO will continue to provide logistical and security support to the OTP's active investigation in the CIV II situation. Likewise, the TFV's assistance programme in Côte d'Ivoire relies on the existing capacity in the country office to provide support. With respect to the Registry's mandated responsibilities, the Country Office (Côte d'Ivoire) will continue to communicate actively with the affected communities and the general public on the Court's mandate and work in Côte d'Ivoire.

541. In order to prioritize its resources, and pending further developments in the Gbagbo and Blé Goudé case, DEO has reviewed its operations in Côte d'Ivoire and as a result will reduce resources in particular through the redeployment of staff positions out of the Country Office (Côte d'Ivoire) to support the workload increase in Mali and the Central African Republic. The country offices in Côte d'Ivoire and Mali will continue to be overseen by one Chief of Country Office, thus further facilitating the flexible allocation of resources to respond to emerging needs.

Democratic Republic of the Congo

542. The Country Office (Democratic Republic of the Congo) will, in 2020, continue to support the activities of its clients in the country, especially in relation to the reparations proceedings in the *Lubanga* and *Katanga* cases in the eastern part of the country. The country office will also conduct outreach activities to inform affected communities of judicial developments in the Ntaganda case. This work will be done in a difficult environment where adequate measures need to be taken to ensure the safety and security of staff.

543. While continuing for the time being to maintain offices in both the capital, Kinshasa, and in Bunia in eastern DRC, DEO has taken the first steps to downsize the Registry's presence in the DRC. Staff positions in the office in Kinshasa will be reduced going into 2020 and the Country Office (Democratic Republic of the Congo) as a whole will be overseen by a single Chief of Country Office based in Kampala who will oversee Court operations in the Democratic Republic of the Congo and Uganda. No significant changes in operational needs are planned for the office in Bunia.

Uganda

544. In 2020, the Country Office (Uganda) will continue to focus on activities relating to the Ongwen case, which will possibly be entering the reparations phase. The country office will also continue to provide logistical and security support in relation to the TFV's assistance projects in northern Uganda.

545. In the light of the anticipated decrease in activities over the coming years with regard to the Uganda and the DRC situations, as well as the logistical links and relative proximity of Kampala to the Court's operations in eastern DRC, it is considered that the operations in the two countries can best be overseen by a single Chief of Country Office based in Kampala. In addition, resources for security, outreach and victim participation and reparations activities will continue to be carefully assessed to identify synergies and savings between the two country offices.

Georgia

546. The Country Office (Georgia) will be providing logistical and security support for the OTP's active investigations into the situation, as well as for the TFV's planned activities. The country office will also continue to communicate to affected communities and the general public on the Court's mandate and work in Georgia, as the situation develops. It is proposed that the resources allocated to the country office be maintained at the moderate level achieved for 2019 given the stage of the situation at which no judicial proceedings are yet taking place.

Liaison Office of the International Criminal Court to the United Nations (New York)

547. The Liaison Office of the International Criminal Court to the United Nations in New York ("Liaison Office") ensures accurate and timely reporting on developments relevant for the work of the Court and assists in keeping the diplomatic missions and other key stakeholders in New York abreast of developments at the Court. The Liaison Office also supports the work of the Assembly of States Parties ("the Assembly") and of its Secretariat, and represents the Court in meetings of the Bureau and other subsidiary bodies of the Assembly.

548. The Liaison Office was integrated into the Registry within DEO in 2019 in order to ensure a consolidated strategy across the Court's external representations with respect to communication, external relations and cooperation. The Division will continue to assess the Liaison Office's operations following its transfer to DEO in order to maximize the impact that the Liaison Office can have in raising awareness of and garnering cooperation and support for the work of the Court. In 2020, the Liaison Office will support the needs of the Court in its relations with the United Nations Secretariat, the other principal organs of the United Nations, as well as the diplomatic missions based in New York. In the light of the successful cooperation between the Court and the United Nations, as exemplified by the recent co-location of the Court's Country Office (Mali) within the United Nations compound, the Registry will continue to enhance the Court's interaction and facilitate such cooperation. The Liaison Office plays a leading role by maintaining close contact with key interlocutors and by representing the Court at meetings. The exchange of information between the Liaison Office and its interlocutors can significantly assist the Court in planning its operations and activities in the most efficient and cost-effective manner. The DEO aims to continuously improve the way the Liaison Office services the strategic planning of the Court's work.

Strategic Priorities for 2020

549. The overarching objective of the Division is to ensure strategic coordination and effective implementation of the Registry's external operations. In addition to furthering the Registry's objective as per its new strategic plan, in 2020, DEO will focus, within existing resources, on strengthening and streamlining the following three priority areas.

Development and implementation of cost-effective strategies for operating in volatile environments in situation countries

550. In line with the Registry's strategic priority of undertaking a programme of continuous improvement, the Division will prioritize the identification of efficiencies in its field operations in 2020. The operating environments in the situation countries are marked by a high degree of volatility. This pertains to the various security situations faced by the Court, where the need to provide adequate security to protect the Court's staff, premises

and assets are a major cost driver. The Court's operating environments are also characterized by fluctuations in workloads across the country offices. Likewise, the Court's external representations in situation countries need to be downsized, and ultimately closed, once the phase of the proceedings and the concomitant workload so allow.

551. The Division has taken steps in the current budget proposal to redeploy posts from the country offices in the DRC and Côte d'Ivoire to areas where the workload requirements are higher. In 2020, DEO will continue to develop and implement policies that allow for increased flexibility in the use of both staff and non-staff resources, while fully taking into account staff welfare and mobility. This flexibility is a crucial enabler for DEO to manage field operations sustainably and to ensure adequate security for its work, including the protection of those at risk on account of their involvement with the Court.

Furthering cooperation with the Court in relation to the conclusion of cooperation agreements and the arrest of suspects

552. In 2020, the Division will continue to place emphasis on efforts to conclude framework agreements with States on witness relocation and interim and final release of accused and convicted persons, and also to support the Presidency in the conclusion of further agreements on the enforcement of sentences. Without the appropriate framework enabling States to cooperate with the Court, the Court cannot effectively discharge its mandate. Lack of cooperation also has severe budgetary implications as witnesses are not able to exit the Court's protection programme. Likewise, the Registry may be forced to establish ad hoc arrangements that carry considerable costs should no States be willing to accept on their territory persons granted interim release. Since the launching of a pilot project in 2018 to actively target a number of States for the conclusion of cooperation agreements, three new framework agreements have been signed.

553. The Division, in coordination with the OTP, will also continue to focus on garnering support from States for the arrest of suspects currently at large. The recent successful arrest and transfer operations in relation to the situations in Mali and the CAR demonstrate the results that can be achieved through focused but limited (primarily regarding travel) investments in this area. However, 15 persons for whom warrants of arrest have been issued by the Court remain at large, thus necessitating continued efforts to bring the fugitives to face justice. The Division proposes moderate investments in staff resources with respect to its analytical capacity to enhance the Court's efforts to arrest suspects at large.

Enhancing support for the Court through effective communications and external relations

554. Within its current resources, DEO will enhance its efforts to provide timely and accurate information about the Court and its work to both the general public and key stakeholders, including the affected communities in situation countries, but also lawyers, researchers and students, as well as civil society activists in those countries and beyond. With PIOS leading efforts, DEO will use both social and traditional media to communicate the Court's achievements with the aim of bolstering its positive reputation, while addressing attacks on its reputation and correcting misrepresentations of the Court.

555. The Court's communication efforts must be complemented with effective external relations strategies to foster political support. The NYLO will play a key role in 2020 in maintaining a constructive dialogue between the various organs of the Court on the one hand, and States and international organizations on the other, with a view to identifying concrete areas of cooperation for the ultimate benefit of the Court's investigations and judicial proceedings. In 2020, DEO will also continue to support the Presidency, as well as the Assembly, in enhancing the universality of the Rome Statute and thereby the legitimacy of the Court.

Budget resources for the Division of External Operations €22,986.6 thousand

556. The overall proposed budget for 2020 for DEO amounts to €22,986.6 thousand, representing a net increase of €276.7 thousand (1.2 per cent) as compared to the 2019 approved budget. The slight increase is mostly attributable to the impact of the United Nations Common System (UNCS) of €614.9 thousand on the Division's staff costs.

In other words, without this increase, DEO's proposed budget for 2020 would have presented a net decrease of €338.2 thousand. In addition, the enhanced requirements to support operations in Mali and the Central African Republic have led to proposed additional investments in those country offices. These investments have, however, been fully offset through a stringent revision of the operational capacity required to support the current level of activities in other country offices, leading to reductions and redeployment of resources. In this way, all efforts were successfully made to fund the additional requirements through internal savings, reductions and reallocation of resources.

Staff resources **€16,533.4 thousand**

557. The total proposed increase in staff costs, including other staff costs, amounts to €193.9 thousand (1.2 per cent), resulting from a proposed net increase of €382.8 thousand (2.6 per cent) in established posts. This increase is largely offset by a net reduction of €79.5 thousand (4.7 per cent) in general temporary assistance (GTA) resources, a reduction of €106.4 thousand (100.0 per cent) in TAM and a reduction of €3.0 thousand (100.0 per cent) in overtime. Notably, as the total impact of the UNCS in the Division's proposed staff resources amounts to €614.9 thousand, and the net proposed increase in established posts and GTA resources combined amounts to €303.3 thousand, additional savings and reductions in staff resources have been identified in the amount of €311.6 thousand.

Established posts: Professional and General Service *€14,905.3 thousand*

558. The amount requested for established posts presents a net increase of €382.8 thousand (2.6 per cent) as compared to the 2019 approved budget. The proposed increase in established posts is attributable to the effect of the UNCS, totalling €572.9 thousand. This demonstrates that, when compared to the 2019 approved budget baseline, the DEO proposed budget for established posts presents a reduction amounting to €190.1 thousand, despite the request for a new Associate Analyst (P-2) for 12 months. In total, one new post is requested for 2020, ten posts are requested to be redeployed to another Section or duty station owing to the adjustment of resource needs, and four posts are requested to remain unfunded in 2020.

New post

559. *One Associate Analyst (P-2), 12 months. New.* A new Associate Analyst is requested to be placed in the Country Analysis Unit (CAU), External Operations Support Section (EOSS), in 2020 to cover additional critical resource capacity enabling CAU to further enhance delivery of analysis on priority areas across three situation countries (Sudan, Uganda and Burundi), including the analysis on the situation of the suspects at large. This post is also expected to undertake the analysis on Myanmar and Bangladesh into which the OTP has requested the opening of an investigation concerning the alleged deportation of the Rohingya people from Myanmar to Bangladesh. The requested function has been performed since 2018 by Junior Professional Officer (JPO), therefore the existing staffing levels across CAU cannot reasonably absorb this workload.

Redeployment of posts to different duty stations or sections with the same functions

560. *Redeployment of one Chief of Country Office (P-5) from the DRC to Uganda, 12 months.* In view of the planned adjustment to the resources of the Country Office (Democratic Republic of the Congo) to be in line with the level of activities in 2020 in the DRC and of the anticipated reduced judicial activities in Uganda in 2020, one Chief is considered sufficient to manage the country offices in the DRC (Kinshasa and Bunia) and the Country Office (Uganda). Therefore, the post of Chief of Country Office (Democratic Republic of the Congo) will be redeployed to Uganda to oversee the activities in both the DRC and Uganda. As a result, it is proposed that the position of Chief of Country Office (P-5) in Uganda be abolished, while retaining the vacated P-5 post unfunded in the structure of DEO as a stand-by resource should new developments require the use of the post for other or developing situations (see paragraph 570).

561. *Redeployment of one Field Officer (VPR)(P-3) from the DRC to Uganda, 12 months.* In 2020, the country offices in the DRC will be expected to support ongoing activities in relation to the *Ntaganda* case, as well as the residual reparations and outreach activities in the *Katanga* case and in the *Lubanga* case in eastern DRC. The Country Office (Uganda) will continue to keep the affected communities in Uganda abreast of the judicial developments in the *Ongwen* case. Given the geographical proximity, it is considered more cost effective to redeploy the Field Officer in the DRC to Kampala, Uganda for the management of the victim-related activities taking place in both eastern DRC and in Uganda.

562. *Redeployment of one Field Officer (VPR)(P-3) from Côte d'Ivoire to CAR, 12 months.* Because of the anticipated reduction in judicial activities in Côte d'Ivoire, the post of one Field Officer (VPR) is no longer required for 2020. Therefore, the post of one Field Officer (VPR) in the Country Office (Côte d'Ivoire) will be redeployed to the Country Office (Central African Republic) where the function is currently required. This position will augment the team in the Country Office (Central African Republic) in charge of victims' participation/reparations and outreach-related activities in order to meet the increased demand for activities and output generated by the CAR II proceedings. This position and the existing Field Officer post (P-3) will mutually reinforce each other. Individually, the position will reduce the excessive workload that the existing position currently handles. In combination, the new and existing posts will provide backfill cover for each other's roles during periods of leave and rest and recuperation, thereby ensuring continuity of operational momentum.

563. *Redeployment of one Associate Field Security Officer (P-2) from Côte d'Ivoire to Mali, 12 months.* Because of the anticipated reduced judicial activities in Côte d'Ivoire in 2020, the post of one Associate Field Security Officer will not be required by the Country Office (Côte d'Ivoire) for 2020. Therefore, this post will be redeployed to the Country Office (Mali) to meet requirements in light of the precarious security situation in the country. OTP will continue its investigations in the Mali situation. To be able to respond to the workload and taking into consideration the security situation in Mali, the Country Office (Mali) needs a minimum of two professional security staff. An extra security officer will also allow missions to be conducted outside Bamako and ensure security coverage during times of rest and recuperation and annual leave. This post was approved under GTA resources for 2019 and the level of activity taking place to date in 2019 has indeed proven the necessity of having two professional security staff in place. With the redeployment of this post from the Country Office (Côte d'Ivoire) to the Country Office (Mali), the Registry will no longer request this post under GTA resources.

564. *Redeployment of one Associate Field Case Officer (P-2), from Uganda to Mali. 12 months.* Because of an increased workload in the Mali situation since 2018 as a result of several referrals relating to the *Al Hassan* case, it has become necessary for the VWS to ensure the basic set-up but also the necessary staff resource support in that situation. For that reason, the VWS will redeploy an Associate Field Case Officer in Uganda, where VWS activities have decreased, to Mali to support the workload that has increased since 2019. The basic set-up of the staff structure in Mali was dissolved in 2017 following a reduction in resources in Mali proposed at that time. With the subsequent arrest of Mr Al Hassan in 2018, followed by several referrals by the OTP in the same year, the VWS has managed to reinforce the existing staff with several staff support missions to Mali to assist with the increasing workload as from 2018 to the present. The requested redeployment of the Associate Field Case Officer is required to complete the set-up but, more importantly, to conduct assessments and provide psychosocial support.

565. *Redeployment of one Driver (GS-OL) from Uganda to CAR. 12 months.* Because of the anticipated reduction in judicial activities in the *Ongwen* case in 2020, the post of one Driver in the country office in Kampala, Uganda, will no longer be required for 2020. Therefore, this post will be redeployed to the Country Office (Central African Republic) where needs will increase in 2020. This additional Driver post will satisfy the anticipated increased needs for mission support, mandatory security-related two-vehicle transport requirements for missions outside Bangui and an enhanced level of routine country office activities. An additional Driver will provide greater flexibility for the Country Office

(Central African Republic), reduce overtime driver hours and enable the current Drivers to take leave on a more structured basis.

566. *Redeployment of one Driver (GS-OL) from Kinshasa, DRC to Mali. 12 months.* In view of the planned adjustment of the resources in the country offices in the DRC to be in line with the level of activity in 2020 in the Democratic Republic of the Congo, the post of one Driver in the country office in Kinshasa is no longer required. Therefore, this post will be redeployed to the Country Office (Mali) where needs will increase in 2020. This additional Driver post is required to guarantee operational continuity and is essential to provide increased mission support considering that the number of local activities to be undertaken by staff in the country has already increased from 19 to 30 in 2019. An additional Driver will provide greater flexibility for the Country Office (Mali), reduce driver overtime hours and enable the current Drivers to take leave on a more structured basis.

567. *Redeployment of one Administrative Assistant (GS-OL) from VPRS in DJS to PIOS in DEO. 12 months.* The current working methods in VPRS in DJS have resulted in more efficient management of the administrative support functions in the section whereby only one of the two existing Administrative Assistants (GS-OL) will continue to be required in 2020. It is proposed that the other be redeployed to PIOS in DEO. This redeployment will allow PIOS to cover its administrative support requirements and to repurpose the other existing position of Administrative Assistant (GS-OL), currently vacant, as a Public Information Assistant (GS-OL) (see paragraph 569).

Redeployment of post to undertake different functions

568. *One External Relations and Cooperation Assistant (GS-OL) in EOSS, 12 months, redeployed from Côte d'Ivoire, 12 months.* Because of the anticipated reduction in judicial activities in Côte d'Ivoire in 2020, the post of one Field Assistant is no longer required by the Country Office (Côte d'Ivoire) for 2020. It is proposed that this post be redeployed to Headquarters to the External Relations and State Cooperation Unit (ERSCU) in EOSS. The growing number of cases in various judicial phases (pre-trial, trial, appeals and reparations), as well as the Registry's active external relations efforts to garner political and diplomatic support to achieve full and effective cooperation, necessitate sufficient administrative-level support. There are no administrative support positions currently in ERSCU. The position of External Relations and Cooperation Assistant (GS-OL) is requested to support the unit in drafting standard notes verbales, coordinating the translation of correspondence and maintaining the relevant databases pertaining to international cooperation and judicial assistance, including the asset recovery database. This post is also requested to support the external relations team in drafting standard diplomatic correspondence to States regarding cooperation agreements and in other external relations priority areas.

Repurposed post

569. *One Public Information Assistant (GS-OL), 12 months, repurposed from one Administrative Assistant (GS-OL), 12 months.* In the light of the high volume of the Court's daily judicial filings, it is requested to repurpose the currently vacant post of Administrative Assistant (GS-OL) in PIOS as a Public Information Assistant (GS-OL) to cover the needs to quickly analyse the Court's judicial filings and promptly communicate key judicial developments that are relevant for public information and outreach purposes. This post is also required to assist in drafting responsive lines and to keep information case pages and other public information documents updated. It will be located in the Public Affairs Unit in PIOS under the supervision of the Spokesperson. The administrative support functions in the section will be covered by the Administrative Assistant (GS-OL) redeployed to PIOS from VPRS (see paragraph 567).

Unfunded posts

570. *One Chief of Country Office (P-5). 12 months. Continued and unfunded.* Because of the redeployment of the Chief of Country Office (Democratic Republic of the Congo) to the Country Office (Uganda) to oversee the activities in both the DRC and Uganda, the position

of Chief of Country Office (Uganda) will be abolished. It is however proposed to retain the vacated P-5 post unfunded in the structure of DEO as a stand-by resource should new developments require the use of the post for other or developing situations.

571. *One Senior Case Management Assistant (GS-OL), 12 months. Continued and unfunded.* Because of the anticipated reduction in courtroom activities in 2020, this post will remain unfunded.

572. *One Case Management Assistant (GS-OL), 12 months. Continued and unfunded.* Because of the anticipated reduction in courtroom activities in 2020, this post will remain unfunded.

573. *One Audio-Visual Production Assistant (GS-OL), 12 months. Continued and unfunded.* Because of the anticipated reduction in courtroom activities in 2020, this post will remain unfunded.

General temporary assistance

€1,628.1 thousand

574. The requested resources for GTA within DEO have decreased by €79.5 thousand (4.7 per cent) compared to the 2019 approved budget, despite an increase of €42.0 thousand attributable to the effect of the UNCS on GTA resources. In total, 33 FTE positions are being requested. The new resources requested by DEO for 2020 include one new GTA position proposed for VWS and an additional 13 working months for the three GTA Drivers for the Country Office (Mali) as opposed to the 23 months approved in 2019. The new resources requested are entirely offset by the discontinuation of the three approved GTA positions for the country offices. The 32 FTE GTA positions approved in 2019 will continue to be required in 2020.

575. Because of the adjustment of resources needed, DEO will no longer request the following three GTA positions approved for 2019:

- (a) One Associate Field Security Officer (P-2). (Mali) 12 months;
- (b) One Local Security Assistant (GS-OL) (Uganda). 12 months; and
- (c) One Administrative Assistant (GS-OL) (Uganda). 12 months.

576. The following 33 FTE GTA positions are required in 2020: one new FTE GTA and 32 FTE GTA positions approved in 2019, which will continue to be required for 2020.

577. *One Field Case Management Assistant (GS-OL) (CAR), 12 months. New.* This resource is required to support the Associate Field Case Officer in view of the large number of referrals and anticipated referrals by OTP in the CAR situation. The position will assist contact and liaison with witnesses/victims and their families.

578. *One Associate Confidential Accounts and Planning Officer (P-2), 12 months. Continued.* This position caters for the confidential financial operations related to the protection of Court victims and witnesses especially during international movements. It supports highly secret relocation missions, liaising with external partners, and provides assistance to Team Leaders and handlers during secret operations. This position is a proven long-term need insofar as it is critical to the efficient functioning of the Court's protection programme (ICCPP) which requires the highest level of secrecy. The confidential accounts systems established by VWS incorporate regular interaction with external third parties of the Court and the handling of a significant amount of confidential funds. In addition to these functions, the position also provides the proven long-term support needed in fund monitoring and budget and finance administration responsibilities. The complexity of VWS operations and the importance of having workable policies to achieve efficiencies and savings require continuous monitoring, reviews and analysis while ensuring absolute confidentiality of VWS operations. The continuous need for this position is in line with the centralization of all financial and budget functions within the planning team (including the management of field finances after the abolition of the Field Confidential Accounts Assistant positions), along with the development of a more controlled approach to budget analysis and monitoring and efficiency measures. The position has proven its benefits to VWS and the Registry through better resource management and the creation of significant efficiencies and savings.

579. *One Associate Witness Protection Training Officer (P-2), 12 months. Continued.* This position supports the implementation of VWS's specialized witness protection training and development plan. It is required for the Section to continue its training strategy and to ensure the development, coordination, maintenance and delivery of the VWS training programme to equip staff with a consolidated understanding of protection, risk and case management concepts necessary to implement the Section's mandate. The continuation is justified by the need for new staff, especially in the field, to be equipped with knowledge of the requisite standards of operations, again justified by the constant evolution of confidentiality challenges in the area of witness protection and risk reduction techniques. Furthermore, protection processes should be adapted to changing socio-political situations in any particular region of operations. The continuing professional development of VWS staff members in the area of witness protection is therefore critical to the efficient functioning of the Section and to the protection of Court witnesses and victims.

580. *One Associate Team Leader (P-2) (field) (Mali), 12 months. Continued.* This position is required to provide the necessary support in relation to field case management and protected witnesses and victims. The Mali team is the basic set-up required to serve the increased workload linked to Mali in terms of trials and also to initial response systems (IRS) and other mechanisms necessary for the OTP and judicial activities. The post will lead the VWS field team and assist the Team Leader in the daily management of protection-related issues, manage the IRS and follow up on referrals for protection and support made by the parties. It will conduct threat and risk assessments for inclusion in the ICCPP and recommendations on witness-protection measures, and collect and update witness information for senior managers at Headquarters and for filings to be submitted to Chambers.

581. *One Associate Analyst (P-2), 12 months. Continued.* Resources are required to provide analysis and research work in the Mali situation and other cases. This position provides the necessary support in analysis and information gathering, monitoring and review of the security context in situation countries. The position will assist the situational teams in identifying possible risks in advance and provide advice in relation to protection operations. The position also supports other situations aside from Mali, such as Georgia, Libya and other conflict/post-conflict areas in which the Court operates.

582. *One Team Leader (P-3), 12 months. Continued.* This position leads the Georgia team from Headquarters that constitutes the basic set-up for the Georgia situation. It provides coordination functions from Headquarters and manages the day-to-day operations. The position is required to support the increased workload due to the investigations in Georgia and is related to operational set-up including putting "response systems" and other mechanisms in place that are necessary not only to support OTP activities but also to handle protection and support cases. The position is also in charge of the VWS operational centre at Headquarters, managing all witness and victim movements including the coordination of arrangements necessary for the successful implementation of the international relocation of witnesses and victims.

583. *One Associate Team Leader (field) (P-2) (Georgia), 12 months. Continued.* This position is a component of the basic set-up for the Georgia situation. It is required to support the increased workload linked to recent investigations in Georgia related to operation set-up, response systems and mechanisms necessary to OTP activities. The position leads the VWS field team in the country office, assists the Team Leader in the daily management of protection-related issues, manages the IRS and follows up on referrals for protection and support made by the parties, conducts threat and risk assessments for inclusion in the ICCPP and makes recommendations on witness-protection measures.

584. *One Associate Field Case Officer (field) (P-2) (Georgia), 12 months. Continued.* This position is a component of the basic set-up for the Georgia situation. It is responsible for administering and managing specific referrals from a calling party. It is required to support the increased workload linked to investigations in Georgia related to operation set-up, response systems and mechanisms necessary to OTP activities. This position also ensures the day-to-day management of the VWS operational centre at Headquarters, dealing with all witness and victim movements including the coordination of arrangements necessary for the successful implementation of the international relocation of witnesses and victims.

585. *One Associate Case Development Officer (P-2), 12 months. Continued.* This position responds to a long-term need to provide the continuity necessary in situational case development and information gathering. This unique position within the VWS case development team is required to support the VWS Analyst in monitoring and reviewing the security situation in Uganda, Mali, Georgia, Libya and other conflict/post-conflict areas in which the Court operates. The position specifically brings the necessary military expertise to ensure that threat actors operating in those conflict zones are properly identified, that their military/rebels' strategies, capabilities and modus operandi are analysed and understood, and that the risk they pose to witnesses and victims in hostile environments is assessed accordingly.

586. *Four Field IT Technicians (GS-OL). 12 months each. Continued.* These positions continue to be required for the country offices in Uganda, DRC, the CAR and Côte d'Ivoire (the Field IT Technician in the Country Office (Côte d'Ivoire) also covers the IT needs in Mali). The services they provide are akin to the IMSS Service Desk and the Audio-Visual Assistants. They support daily information and communication technologies (ICT) activities and facilitate general troubleshooting, problem solving and mitigation against ICT risks. In particular, as the Court has transitioned into an e-Court, there is an obvious need for country offices to have a Field IT Technician to support Court proceedings by setting up and supporting video teleconferencing sessions for hearings and for meetings with Headquarters. In addition, the Field IT Technicians are critical to ensuring that the services for internet connectivity, mobile data and printing (where rented) are in accordance with contracts and in line with the operational requirements of the country offices. Field IT Technicians also assist Administration and Operations Officers in the country offices with ICT asset management, advising on end-of-life devices and their disposal. Lastly, with the closure of a country office, the Administration and Operation Officer and the Field IT Technician are the last to leave to ensure that all assets are safe and ready for the next stage.

587. *One Field Security Officer (P-3) (Mali). 12 months. Continued.* The Field Security Officer is required to lead the country office's full security team and to enable the office in Mali, one of the most dangerous countries in which the Court is operating, to provide security support at an adequate level. The Field Security Officer will continue to undertake critical security monitoring and risk assessments, and provide briefings and support to field operations. Given the significant increase in support requests for activities by different entities, and as the context remains one of the most severe and unpredictable, the need for this post continues.

588. *One Local Security Assistant (GS-OL) (Mali). 12 months. Continued.* The position for the Country Office (Mali) continues to be required to support the field security team in Mali. As described for the posts of Field Security Officer and Associate Field Security Officer, the level of Court's activities in Mali have increased significantly and resources to ensure that these activities can be conducted in as safe and secure an environment as possible are urgently required. The Local Security Assistant provides support to the two other members of the field security team.

589. *Two Field Assistants (VPR) and two Field Assistants (Outreach) (GS-OL) (Mali). 12 months each. Continued.* Four posts of Field Assistant (two for VPR, two for Outreach) (GS-OL) are requested for the Country Office (Mali). The posts are needed to support the two Field Officers (Outreach and VPR) (P-3) in performing the Registry's outreach, and with victim participation and reparations responsibilities, in both *Al Mahdi* and *Al Hassan*, including keeping the victims and affected communities abreast of the judicial proceedings. As described above, the profile of activities for the Country Office (Mali) has changed from previous years owing to increased judicial activities in relation to the situation and the resulting need to interact with the victims and affected communities.

590. *One Senior Driver (GS-OL) (Mali). 12 months. Continued.* The requested post would be located in the Country Office (Mali). The significant increase in support to missions requires a Senior Driver to manage and coordinate the other drivers and the vehicle fleet. Recruiting a Senior Driver for the Country Office (Mali) will be in line with the driver support capacity of the country offices in other situation countries.

591. *Three Drivers (GS-OL) (Mali). 12 months each. Continued.* In 2019, only 23 months were approved to be distributed to the three Drivers in the Country Office (Mali). Because

of an increase in field activities for 2020, these positions continue to be required to provide support to users to guarantee the operational continuity and are also required on a full-time basis for 12 full working months. Currently, under the supervision of the Senior Driver, these three Drivers are the only ones who provide transportation services.

592. *One Field Assistant (VPR) and One Field Assistant (Outreach) (Uganda) (GS-OL). 12 months each. Continued.* The requested posts would be required for activities in Gulu, Uganda to be able to support the level of activities and missions expected in 2020 to contact victims and affected communities who have expressed an interest in following the judicial developments.

593. *One Driver (Uganda) (GS-OL). 12 months. Continued.* The requested post would be located in the Country Office (Uganda). The post continues to be required to ensure continued support for activities conducted by the parties and participants to the proceedings, and also for outreach and VPRS missions. The position has been modified from G-2 to G-3 since the G-2 Driver position is no longer used and the G-3 fits the profile of the post.

594. *Two Field Assistants (VPR) (CAR) (GS-OL). 12 months each. Continued.* These posts already formed part of the VPR and outreach team based in the CAR, working under the direct supervision of the Field Officer (Outreach and VPR) (P-3). With an estimated two thousand victims potentially applying to participate in proceedings and/or to receive reparations related to the CAR II situation cases, the Country Office (Central African Republic) needs to maintain its capacity to be able to adequately address the need to support the activities related to victim participation and outreach in 2020. The continuing positions have been, and will be, used to deliver new capabilities (language skills, access to certain communities and improved gender representation) across the full spectrum of VPR and outreach activities that the country office requires to deliver its mandate in a more effective manner.

595. *One Senior Driver (GS-OL) (CAR). 12 months. Continued.* The requested position would continue to be located in the Country Office (Central African Republic) and will continue to enable the country office to provide adequate support to the increased number of missions in 2020, including those to reach out to the high number of victims and affected communities scattered throughout the country. The Senior Driver role enables a more effective and economic use of driver hours and transport assets, thereby reducing compensatory time off and overtime, which will allow timely servicing, repairs and identification of related cost savings and efficiencies.

596. *One Driver (GS-OL) (Côte d'Ivoire). 12 months. Continued.* The position will continue to be required in the Country Office (Côte d'Ivoire). This position is required to ensure adequate transportation support in a context of operations at full staffing capacity and increased field/in-country activities due to OTP's intensified investigations in the CIV II situation, the TFV's implementation of the assistance programme and outreach activities for victims, affected communities and the general public to close communication gaps and address negative perceptions.

597. *One Local Security Assistant (GS-OL) (Georgia), 12 months. Continued.* In the absence of any Field Security Officer post in the Country Office (Georgia), the post of Local Security Assistant (GS-OL) is required to provide adequate security and safety support for the Court's activities in Georgia. The Local Security Assistant will provide services in ensuring the physical safety and security of the Court's staff working permanently or deployed on mission to Georgia. With both the number of deployed personnel as well as staff on mission planned to increase in 2020 as announced by the OTP to intensify investigations in the Georgia situation, the post is crucial to enable the country office to have local knowledge concerning the security landscape in order to assess threats and risks as they arise.

598. *One Administrative Assistant (GS-OL) (Georgia), 12 months. Continued.* The post of Administrative Assistant will continue to support the Chief of Country Office (P-5) in the administration and management of the country office in Tbilisi. The request is in line with the needs of the fully functional Country Office (Georgia) to be able to respond to the Court's increased activities in the country. The position will be used to ensure the efficient budgetary, financial and technical administration of the office.

599. *One Driver (GS-OL) (Georgia). 12 months. Continued.* This is the sole Driver post that provides transportation services to all Court staff on mission or stationed in Georgia. This Driver post will continue to allow the country office to reduce the funds needed for rental vehicles and driver support. In 2020, the Country Office (Georgia) will need to provide an even broader range of services to its clients as compared to 2019. The increase in the number of missions from the previous years makes this a cost-effective solution to provide the required logistical support for the OTP, Registry, TFV and other clients. An in-house driver is also desirable to protect the confidentiality of any sensitive operations.

Temporary assistance for meetings €0.0 thousand

600. The budget for Temporary Assistance for Meetings (TAM) has decreased by €106.4 thousand (100 per cent) as a result of the discontinuation of SSA Witness Assistant contracts as there will be no trial activities in 2020.

Overtime €0.0 thousand

601. DEO will not request any resources for overtime; there will thus be a reduction in overtime of €3.0 thousand (100 per cent) compared to the 2019 approved budget.

Non-staff resources €6,453.2 thousand

602. The proposed non-staff resources in DEO for 2020 have increased by €82.8 thousand (1.3 per cent). The requested non-staff resources are mostly recurrent and will again be required in 2020 to cover the costs of travel, contractual services, training, general operating expenses, supplies and materials, and furniture and equipment. Of the total increase of €82.8 thousand, an increase of €38.7 thousand has been newly requested for travel to the country offices by the Occupational Health Unit (OHU). The remainder of the increase is requested for the Registry's country offices to appropriately accommodate requests for an enhanced volume of services by the OTP, counsel and the TFV.

Travel €1,491.5 thousand

603. The requested resources have increased by €76.3 thousand (5.4 per cent) compared to the approved budget for 2019. Resources are mostly linked to travel requirements within the external offices, and in VWS. Travel resources requested by the external offices (€543.2 thousand) are recurrent in order to support in-country and external missions, security assessment deployment, as well as travel of the country office staff to Headquarters for annual reporting and meetings. Additional resources are requested mainly for the country offices in the CAR and Mali to provide adequate logistical and security support to the OTP, counsel (defence and legal representatives of victims), and the TFV to undertake in-country and external missions. Difficult security situations, notably in the CAR and Mali, require additional security measures, which will incur travel costs in those areas for security assessment.

604. Of the total increase of €80.9 thousand (17.5 per cent) requested for the external offices, the increase of €38.7 thousand results from the OHU's visit to the country offices to monitor the physical and psychological health of the field staff. In accordance with OHU's duty of care, the Medical Officer at Headquarters and/or the Staff Counsellor are expected to visit every country office at least once a year (they will rotate the visits each year). Court staff operates in predominantly remote and inherently hazardous areas. Consequently, staff residing and working in such areas are exposed to considerable health risks (physiological, emotional and mental).

605. The remaining increase of €42.2 thousand (9 per cent) results from an increase in the Registry's external offices mainly associated with additional travel requirements in the CAR and Mali (€78.5 thousand) primarily due to the request for mission support by OTP, counsel (defence and legal representatives of victims), and the TFV, which have been partially offset by reductions in travel requirements in Côte d'Ivoire (€19.1 thousand).

606. Resources required by EOSS (€60.6 thousand) remain at the same level as in the approved budget for 2019 with a marginal increase of €0.1 thousand, which reflect the recurrent activities to execute judicial orders, attendance at or organization of events to raise awareness of the importance of States' cooperation with the Court on asset recovery, financial investigations to verify the indigence of applicants for legal assistance paid by the Court, assessment missions to collect targeted information related to situations as well as preliminary examinations, and negotiations on cooperation agreements with States.

607. The travel resources requested for PIOS (€42.8 thousand) have increased marginally by €0.2 thousand (0.5 per cent) compared to the approved budget for 2019 for recurrent activities. The resources requested by PIOS aim to facilitate effective outreach to the affected communities and key stakeholders, as well as media houses to facilitate accurate coverage in the Mali, Côte d'Ivoire, Georgia and Burundi situations. PIOS will continue to attend meetings to build and maintain networks for cooperation purposes with the United Nations and European Union public information offices. Information sessions will be conducted with regional and local media to counter misperceptions, provide information on the Court's role and activities, as well as build and maintain trust with local and regional media in Europe and North Africa.

608. The VWS proposed travel budget, which amounts to €768.7 thousand, is based on the level of existing field case management activities and projected OTP service requirements. The likely level of referrals indicates active case management of ICCPP witnesses and victims from 2019 into 2020. Altogether, VWS requires resources to support missions for assessment, relocation, resettlement and assisted moves, IRS maintenance missions, and the implementation of local protective measures and missions relevant to risk reduction (RR) locally and (RRI) internationally of existing cases. The amount requested by VWS has increased by a marginal €5.5 thousand (0.7 per cent) from the 2019 approved budget. Increased protection activities in Mali and the Central African Republic, and the assumptions for 2020, indicate increased activities in those situations, in combination with managing cases in all other ongoing situations. The establishment of the Mali and Central African Republic teams, as requested under GTA, will reduce the need to rely excessively on staff who would be brought in on mission status to the said situation countries.

609. The requested resources in travel by VWS will support operational missions but also missions to negotiate relocation agreements and to organize regional seminars to promote relocation of witnesses and victims at risk to other countries.

610. The resources requested by OD-DEO (€76.2 thousand) will decrease by €10.4 thousand since the office will no longer request to cover the visits by OHU to the country offices; the required resources (€38.7 thousand) have been requested for the country offices instead.

Contractual services

€1,158.3 thousand

611. The requested resources have decreased by €11.0 thousand (0.9 per cent). The vast majority of the requested resources continue to be for the external offices (€976.3 thousand). The requested resources are essential for security measures to be implemented in the country offices, transportation and protection services for missions, reimbursement of United Nations peacekeeping support and local police support in the situation countries on a cost-recovery basis, local cost sharing for the United Nations Security Management System and outreach, as well as VPR activities in the field. An increase requested by the country offices in the Central African Republic and Mali is attributable to an increase in estimated armed escort security costs for missions outside of Bangui, security guard servicing of the Country Office (Mali), and an increase in in-country mission days requested by the OTP, counsel (both the defence and legal representatives of victims), and the TFV in Mali or the Central African Republic. Such an increase has been offset by the decrease identified mainly by the Country Office (Democratic Republic of the Congo), Country Office (Uganda) and Country Office (Côte d'Ivoire).

612. The resources requested by PIOS (€169.0 thousand) have decreased by €9.0 thousand (5.1 per cent) owing to budget reorganization. Resources are required for the publication and dissemination of op-eds and press releases worldwide, production of tools for effective public information aiming to increase awareness of the Court, strategical

building of contacts with influencers to multiply the impact of PIOS's work, in line with the Court's social media strategy, and the upgrade and development of the Court website and other related services.

613. The requested amount for EOSS (€13.0 thousand) remains the same as that approved for 2019. The required resources are recurrent to cover consultancy support in relation to EOSS's areas of operation, in particular the third party information services support in relation to suspects at large.

614. VWS will not request resources for 2020, as it is anticipated that no witnesses will be required to appear before the Court.

Training

€182.3 thousand

615. The resources requested for training have increased by €35.1 thousand (23.8 per cent) compared to the 2019 approved training budget mainly owing to the increase of €26.1 thousand requested for the Registry's external offices. The increase mainly results from the reorganization of the budget and partially from the increased number of country office staff who require security training. The amount requested by the country offices aims to facilitate mandatory training necessary to maintain their security capacity, including annual mandatory security training for both field security staff and drivers, which are required under the United Nations Security Management System (RSM), for example firearms certification and defensive driving course for armoured vehicles. The country offices will continue to use cost-effective training means identified in 2018 to meet the training needs of the organization and staff, including through the use of United Nations training opportunities, further coordination among the offices for training programmes and "self-help".

616. Other specialized training is required for the staff in EOSS and PIOS at Headquarters in the areas of communication, judicial cooperation, crisis management and analysis to allow staff to maintain the necessary level of expertise to perform their functions at the optimal level. Among others, funds are requested for: media crisis training to analyse and produce impactful content for social media; presentation training to enhance skills in communicating effectively to journalists and Court visitors; and technical training to improve the quality and efficiency of audio-visual and public information products and services and to create new information products with more visuals. In addition, training resources continue to be required in relation to asset identification and recovery, CAU specialist trainings and trainings in crisis management, security risk/threat assessments and other UNDSS-specific security certification programme training.

617. Resources requested by VWS for its training needs cover fees for external trainers to provide VWS staff at Headquarters and in the country offices with specific training on witness and victim management, such as counter and anti-surveillance training, security in high risk environments for field officers, security-related training and tradecraft. The VWS training plan is intended to ensure continuous staff development and provide staff with up-to-date training and consolidated understanding of concepts in witness protection, risk assessment and risk management, as well as in case management of protected witnesses and victims.

General operating expenses

€3,051.2 thousand

618. The proposed budget for general operating expenses presents a net decrease of €138.4 thousand (4.3 per cent). The resources requested for the external offices (€1,356.7 thousand) aim to cover mainly their running costs including rental of the country office premises and their maintenance, utilities (water and electricity) and other miscellaneous operating costs (such as petty cash expenditures, premises and vehicle fleet insurance and vehicles maintenance). The increased resources requested for the country offices in the CAR, Mali and Georgia aim to accommodate requests from the TFV to increase their personnel as well as requests from the OTP (external travel to be supported by the Country Office (Georgia)), the TFV (in-country missions to be supported by the country offices in the CAR and Georgia), and counsel (external travel to be supported by the Country Office (Central African Republic)) to increase their activities on the ground in 2020. Due to the

worsening security situation in Mali, in early 2019 the Country Office (Mali) finalized the move of its premises to collocate with United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). An increase has been incurred by the shared costs with MINUSMA covering the maintenance of the country office's premises which is higher than the costs of maintaining the previous country office premises. This increase results partially from the increased number of staff from 19 to 30 to be accommodated in the country office.

619. In particular, the Country Office (Georgia) requires additional office space to accommodate the increased number of personnel to be deployed. Because of security considerations, the requested amount is also required for the Country Office (Central African Republic) to lease a secondary plot in the vicinity of the country office to enable secure parking facilities. It is anticipated that this plot will enable containerized equipment which is currently stored in a third party location to be co-located with the parking facilities, thereby reducing costs for another organ of the Court. The aforementioned increase has been largely offset by the reduction in the requested resources for the country offices in the DRC, Uganda and Côte d'Ivoire due to the decreased activities.

620. The proposed resources in PIOS (€29.0 thousand) have increased slightly by €4.0 thousand (16.0 per cent) to enhance the efficiency in the organization of general information visits; maintenance of editing, filming and photography equipment and servers; and for the development and maintenance of an events management system enabling efficient organization of meetings and events at the Court. Funds are also required for recurrent costs such as the rental of equipment for the International Open Day.

621. The resources requested for VWS (€1,665.5 thousand) have decreased by €149.9 thousand (8.3 per cent) compared to the 2019 approved budget. The requested resources will support the protection programmes including IRS, case management and relocation costs, and the enhancement of VWS cooperation with States in order to increase relocation agreements that will eventually result in a reduction of case management costs. However, because of the anticipated increased activities in Mali, the CAR, Darfur, Burundi and Libya while continuing the same level of operations in Georgia, Côte d'Ivoire and Uganda, VWS will face challenges in managing increasing workload with no increase requested compared to the 2019 approved budget.

622. In recent years, VWS has benefited from the policy of staff empowerment and training programmes in the field and at Headquarters, in conjunction with risk reduction measures to reduce case management costs in the medium and long term. VWS will continue to benefit from the centralization of planning and financial functions to achieve a thorough and controlled approach to monitoring budgets that has resulted in efficiencies and savings in the Sections.

Supplies and materials

€515.8 thousand

623. The requested resources have increased by €93.2 thousand (22.1 per cent). The total increase of €93.2 thousand is mainly due to an increase of €95.2 thousand for the external offices which has been partially offset by a decrease of €2.0 thousand requested by PIOS. Resources are required for the external offices (€482.3 thousand) to purchase consumable items to support day-to-day operations, including fuel for vehicles and generators, office supplies, small IT equipment, air conditioners, drinking water and emergency rations. The requested increase primarily concerns the country offices in Mali, Côte d'Ivoire and the Central African Republic in order to be able to cater for the increase in both the level of activity and the increasing number of staff deployed there by the TFV and the OTP. This operational budget line includes essential resources allowing the country offices to support the increasing number of missions on the ground and staff working in the duty stations.

624. Resources will continue to be required by VWS at the 2019 approved level (€4.5 thousand) to renew annual subscriptions of analysis tools and electronic newsletters used by the VWS case development team in their research and to cover the costs of supplies for witness waiting rooms at Headquarters. Furthermore, resources required in EOSS for 2020 will remain at the 2019 approved level (€25.0 thousand) for the Court-wide commercial analysis subscription requirements, and analyst notebook software applications,

consultation, licensing and application. Resources required in PIOS for 2020 (€4.0 thousand) will decrease by €2.0 thousand for recurrent costs.

Furniture and equipment

€54.1 thousand

625. The requested amount has increased by €28.6 thousand (112.2 per cent) as compared to the 2019 approved budget. The requested resources are mostly needed to support the Court's field activities. An increase of €16.0 thousand is requested in PIOS for the requisite upgrades of the AV studio and new equipment purchases for filming and photography. The increase requested by the Country Office (Central African Republic) to provide replacement personal protective equipment and the increase requested by the Country Office (Côte d'Ivoire) to procure additional furniture for the staff to be newly deployed to Côte d'Ivoire in 2020 are partially offset by the decreased resources requested by the country offices in the DRC and Uganda, as the two offices will no longer be making any new adjustments to the office premises and will thereby reduce their maintenance costs.

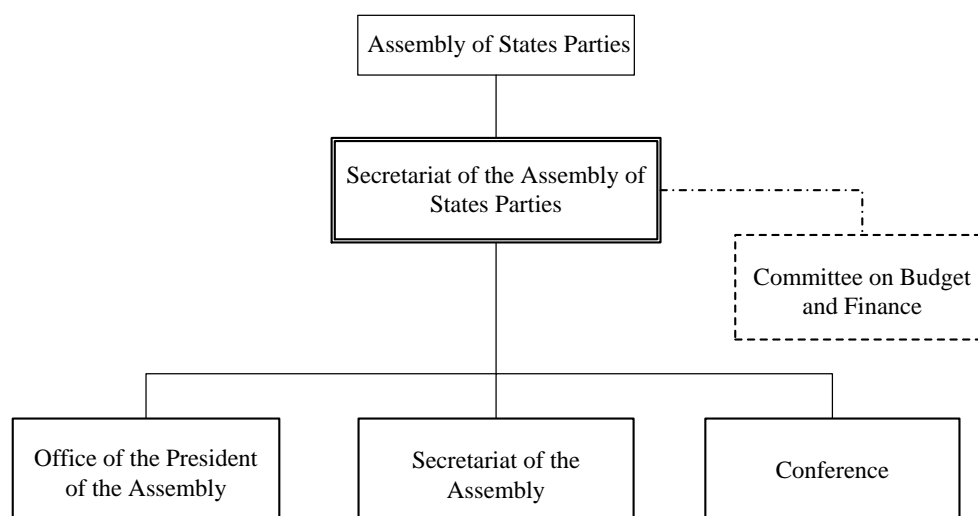
Table 33: Programme 3800: Proposed budget for 2020

3800 Division of External Operations (DEO)	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				10,332.0	264.6	2.6	10,596.6
General Service staff				4,190.5	118.2	2.8	4,308.7
<i>Subtotal staff</i>	<i>15,018.1</i>	<i>76.2</i>	<i>15,094.3</i>	<i>14,522.5</i>	<i>382.8</i>	<i>2.6</i>	<i>14,905.3</i>
General temporary assistance	792.8	-	792.8	1,707.6	(79.5)	(4.7)	1,628.1
Temporary assistance for meetings	28.6	-	28.6	106.4	(106.4)	(100.0)	-
Overtime	2.5	-	2.5	3.0	(3.0)	(100.0)	-
<i>Subtotal other staff</i>	<i>823.9</i>	<i>-</i>	<i>823.9</i>	<i>1,817.0</i>	<i>(188.9)</i>	<i>(10.4)</i>	<i>1,628.1</i>
Travel	1,218.7	293.9	1,512.6	1,415.2	76.3	5.4	1,491.5
Hospitality	-	-	-	1.0	(1.0)	(100.0)	-
Contractual services	953.9	710.8	1,664.7	1,169.3	(11.0)	(0.9)	1,158.3
Training	173.4	5.4	178.8	147.2	35.1	23.8	182.3
Consultants	44.1	-	44.1	-	-	-	-
General operating expenses	2,127.5	51.3	2,178.8	3,189.6	(138.4)	(4.3)	3,051.2
Supplies and materials	296.3	5.7	302.0	422.6	93.2	22.1	515.8
Furniture and equipment	168.0	31.4	199.4	25.5	28.6	112.2	54.1
<i>Subtotal non-staff</i>	<i>4,981.9</i>	<i>1,098.5</i>	<i>6,080.3</i>	<i>6,370.4</i>	<i>82.8</i>	<i>1.3</i>	<i>6,453.2</i>
Total	20,823.8	1,174.6	21,998.4	22,709.9	276.7	1.2	22,986.6

Table 34: Programme 3800: Proposed staffing for 2020

3800	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	1	9	9	34	39	-	92	4	97	101	193
New	-	-	-	-	-	-	-	1	-	1	-	-	-	1
Redeployed	-	-	-	-	-	-	-	-	-	-	-	1	1	1
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	1	9	9	34	40	-	93	4	98	102	195
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	2.00	8.00	-	10.00	-	23.90	23.90	33.90
Continued	-	-	-	-	-	-	2.00	7.00	-	9.00	-	23.00	23.00	32.00
New	-	-	-	-	-	-	-	-	-	-	-	1.00	1.00	1.00
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	2.00	7.00	-	9.00	-	24.00	24.00	33.00

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



Introduction

626. The Secretariat of the Assembly of States Parties (SASP or “the Secretariat”) provides the Assembly of States Parties (“the Assembly”), its Bureau and its subsidiary bodies with administrative and technical assistance in the discharge of their functions under the Rome Statute.⁶⁹ The conference-servicing functions of the Secretariat include planning, preparing and coordinating meetings of the Assembly and its subsidiary bodies and receiving, translating, reproducing and distributing their documents, reports and decisions. The Secretariat also provides substantive services to the Assembly and its subsidiary bodies. Its substantive service functions include, *inter alia*, legal and substantive secretarial services such as the provision of documentation, reports and analytical summaries, and advisory services within the Secretariat on legal and substantive issues relating to the work of the Assembly.

627. The Secretariat has four programmes: Programme 4100 (Conference), Programme 4200 (Secretariat of the Assembly of States Parties), Programme 4400 (Office of the President of the Assembly) and Programme 4500 (Committee on Budget and Finance).

Budget resources

€ 2,837.0 thousand

628. The proposed budget for 2020 represents a decrease of €4.7 thousand (0.2 per cent) in comparison to the 2019 approved budget. The proposed budget contains some costs which occur every three years and are thus not part of the usual Major Programme IV budget: (a) cost of travel of nine members of the Advisory Committee on Nominations of Judges (ACN), a subsidiary body of the Assembly which, in principle, meets on a triennial basis (during the year when the Assembly is to elect six judges), and (b) cost of travel of Secretariat staff to New York to service the nineteenth session of the Assembly for nine working days.⁷⁰

629. Despite the triennial costs referred to above, a 0.2 per cent decrease in resources was attained through a combination of measures, including synergies and readjustments of staff resources, with a view to meeting the actual needs of the Secretariat in a flexible manner while bearing in mind efficiency considerations and synergy effects. This decrease was also made possible by the triennial reduction in the contractual services budget which occurs

⁶⁹ Such bodies include the Bureau and its working groups (the New York and Hague Working Groups), the Advisory Committee on Nominations of Judges, the Committee on Budget and Finance and the Audit Committee. Although it is based in The Hague, the Secretariat provides substantive services to the Presidency of the Assembly, the Bureau and its New York Working Group through the preparation of pre-session and post-session documentation. Furthermore, in 2020 the Secretariat has been mandated by the Bureau to provide support to the Committee on the Election of the Prosecutor (CEP), which may include assuming travel costs for up to 10 persons (five CEP members and five experts).

⁷⁰ The Assembly will meet in New York in the first half of December 2020.

when a session of the Assembly is held in New York and facilities and services costs are paid to the United Nations.

Staff resources **€1,613.7 thousand**

630. The Secretariat has 10 established posts (five Professional-level staff and five GS-level staff) and seven general temporary assistance (GTA) positions at the Professional level (4.18 FTE). The request for a number of short-term GTA staff contained in the 2019 approved budget has been eliminated, as in some cases greater efficiencies and improved working methods allow the work to be undertaken with existing resources or with support from the Secretariat of the United Nations when the Assembly has its sessions in New York.⁷¹

Established posts: Professional and General Service *€1,030.5 thousand*

631. The amount requested for established posts has increased by €26.2 thousand (2.6 per cent) in accordance with the United Nations common system. The Secretariat currently comprises one Director (D-1), one Executive Secretary to the Committee on Budget and Finance (P-5), one Legal Officer (P-4), one Legal Officer (P-3), one Special Assistant to the Director (P-2), one Senior Administrative Assistant (GS-PL), one Documentalist/Archivist (GS-PL), one Meetings and Administrative Assistant (GS-OL) and two Administrative Assistants (GS-OL). With the exceptions below, all Secretariat staff carry out their functions under the supervision of the Director. Secretariat staff provides both substantive services (in the case of Legal Officers) and technical services (in the case of conference-servicing and administrative staff) to the Assembly and its subsidiary bodies.

632. As regards reporting lines, the Special Assistant to the President of the Assembly (GTA) reports directly to the President. The Executive Secretary to the Committee on Budget and Finance reports directly to the Chair of the Committee on Budget and Finance. In addition to the specific duties of the post, the Executive Secretary continues to perform general functions within the Secretariat as a whole, in particular as regards the financing and administration of Major Programme IV. On the recommendation of the Committee on Budget and Finance (“the Committee”), in 2015, the Assembly approved the appointment of the Executive Secretary to the Committee on Budget and Finance as the Secretary to the Audit Committee,⁷² in addition to the above-mentioned duties. The two Administration Officers (see below) and the Senior Administrative Assistant assist the Executive Secretary in servicing the two Committees, as does the rest of the Secretariat, to the extent required.

General temporary assistance *€583.2 thousand*

633. The Secretariat currently has four full-time GTA positions and various other, shorter-term GTA positions serving the Assembly and its subsidiary bodies (€482.1 thousand). The proposed budget represents a net increase of €31.1 thousand (5.5 per cent), due mainly to the increases resulting from the revised General Service salary scale of the UN Common System.

634. One *Senior Legal Officer (P-5), 0.6 months. Continued. Multi-year.* Substantive servicing of the Assembly and its working groups (preparation of pre-session and in-session documentation/papers and draft reports) is provided for a limited number of days by a Senior Legal Officer (P-5). This additional officer supplements the two Legal Officers in the Secretariat’s core staff.

635. One *Legal Officer (P-4), 0.6 months. Continued. Multi-year.* Substantive servicing of the Assembly and its working groups (preparation of pre-session and in-session documentation/papers and draft reports) is provided for a limited number of days by a Legal Officer (P-4). This additional officer supplements the two Legal Officers in the Secretariat’s core staff.

⁷¹ For example, IT support during the session is provided by the Secretariat of the United Nations.

⁷² *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fourteenth session, The Hague, 18-26 November 2015 (ICC-ASP/14/20)*, vol. II, part B.3, para. 145.

636. One *Administration Officer (P-3)*, 12 months. *Continued. Multi-year.* The incumbent assists the Executive Secretary to the Committee on Budget and Finance in preparing for the two sessions of the Committee and in following up on the implementation of Committee recommendations and related matters, including preparation for sessions of the Audit Committee. The presence of this position also provides an opportunity for the Executive Secretary to cover more meetings of the Hague Working Group and to report to the Committee on major issues related to budgetary, financial and administrative matters.

637. One *Administration Officer (P-3)*, one month. *Continued. Multi-year.* The incumbent assists the Executive Secretary to the Committee on Budget and Finance with taking minutes and preparing reports on the two sessions of the Committee and the two sessions of the Audit Committee.

638. One *Legal Officer (P-3)*, 12 months. *Continued. Multi-year.* The incumbent assists the Secretariat with major issues related to budgetary, financial and administrative matters and assists the facilitator with the proposed programme budget.

639. One *Special Assistant to the President (P-2)*, 12 months. *Continued. Multi-year.* The Special Assistant is based in New York and supports the President during visits to New York involving United Nations-related matters concerning the Court. The incumbent provides substantive and technical support to the President in the preparation of statements and correspondence, and in respect of coordination with key stakeholders. The incumbent also assists with the preparation of official communications, coverage of meetings (note-taking, etc.) concerning Assembly-related issues at United Nations Headquarters and continuous engagement with observer States to promote the universality of the Rome Statute. Furthermore, the incumbent provides substantive services to the Bureau and the New York Working Group, and to sessions of the Assembly, under the direction of the Secretariat. Technical servicing will continue to be undertaken by the Court's Liaison Office to the United Nations in New York.

640. One *Special Assistant to the Director (P-1)*, 12 months. *Continued. Multi-year.* The incumbent assists the Director of the Secretariat with, *inter alia*, logistical preparations for the session of the Assembly, the participation of NGO representatives,⁷³ media affairs and the organization of side events. The incumbent also provides assistance with other logistical activities throughout the year and organizes meetings of the Director with Court officials and representatives of States Parties.

Temporary assistance for meetings

€87.1 thousand

641. This includes the cost of interpretation for meetings of the Assembly, the Bureau and subsidiary bodies. The amount requested has decreased by €80.0 thousand (47.9 per cent) because the cost of interpretation for the nineteenth session of the Assembly is subsumed under contractual services as part of the costs incurred with the Secretariat of the United Nations. The Secretariat will seek to limit the financial implications of this change by coordinating with the Registry to use in-house interpreters in The Hague whenever possible.

Overtime

€14.0 thousand

642. The amount proposed for overtime has decreased by €24.0 thousand (63.2 per cent). Overtime is paid to General Service staff, who are required to provide the assistance described above and must necessarily work beyond normal working hours, including weekends, during and in relation to the session of the Assembly and the sessions of the Committees.⁷⁴

⁷³ In 2018, more than 800 NGO representatives requested accreditation for the annual session of the Assembly. For Assembly sessions in The Hague, the Secretariat must produce all the requisite badges for access to the convention centre.

⁷⁴ Unlike Assembly sessions held in The Hague, sessions held at United Nations Headquarters do not involve meetings on Saturdays.

Non-staff resources**€1,223.3 thousand**

643. The amount proposed has increased by €157.3 thousand (14.8 per cent), owing mainly to the travel of nine members of the Advisory Committee on Nominations of Judges to The Hague. Non-staff resources are needed for travel, hospitality, contractual services, training, general operating expenses, supplies and materials and furniture and equipment.

*Travel**€581.6 thousand*

644. The amount proposed for travel has increased by €142.7 thousand (32.5 per cent) owing to the travel of nine members of the Advisory Committee on Nominations of Judges to The Hague and the travel of Secretariat staff to New York to service the nineteenth session of the Assembly.⁷⁵ The travel budget reflects the cost of travel for members of the Committee to attend their sessions; for the Chair of the Committee to attend meetings with the New York and Hague Working Groups and Court officials; and for a few members of the Committee to visit country offices. The travel budget also covers the cost of travel for the Office of the President of the Assembly, including visits to the seat of the Court in The Hague, and to New York.⁷⁶ In addition, it covers the travel of five members of the Audit Committee to The Hague.

*Hospitality**€7.0 thousand*

645. The amount proposed for hospitality remains unchanged. Hospitality resources are mainly used for the two sessions of the Committee and the two sessions of the Audit Committee.

*Contractual services**€585.2 thousand*

646. The amount proposed for contractual services has increased by €16.5 thousand (2.9 per cent), mainly to reflect the actual cost of holding the nineteenth session of the Assembly at the United Nations Headquarters in New York, which includes ancillary services and facilities at the venue, printing, equipment and the outsourcing of translation as well as external printing.

*Training**€7.4 thousand*

647. The amount proposed for training has increased by €0.1 thousand (1.4 per cent). Training is used to keep staff members up to date in their specific fields of work.

*General operating expenses**€22.4 thousand*

648. The amount requested for general operating expenses has decreased by €2.0 thousand (8.2 per cent). General operating expenses cover the cost of mailing documents, notes verbales and publications (to States Parties and to the members of the Committee and the Audit Committee) and occasionally information on seminars promoting universal adoption of the Rome Statute. These materials are sent via regular post, registered mail or courier.

*Supplies and materials**€14.7 thousand*

649. The amount requested for supplies and materials has remained unchanged from 2019. It covers the cost of office supplies, including stationery used by Secretariat staff (paper, toner, pens, memo pads, folders, etc.) and stationery for the two sessions of the

⁷⁵ In recent years, the Assembly has held its annual sessions as follows: two sessions in The Hague, followed by one session at United Nations Headquarters in New York. The latter venue entails a decrease in some budget items (such as contractual services) but an increase in travel costs.

⁷⁶ The President of the Assembly for the period 2018-2020, Mr. O-Gon Kwon, is based in Seoul, Republic of Korea. The three year term of office of President Kwon ends in December 2020, at the conclusion of the nineteenth session of the Assembly.

Committee, the two sessions of the Audit Committee, the annual session of the Assembly and the regular meetings of the Hague Working Group.

Furniture and equipment

€5.0 thousand

650. The amount requested for furniture and equipment has remained unchanged from 2019. The Secretariat continues to promote efficiency through the use of USB flash drives, distributed to delegates attending the Assembly session, which contain pre-session official documents in the official languages, thus saving the cost of printing, transporting, storing and distributing paper copies of such documents. Increased use of this “paper-light” approach and of the Assembly website and extranets may further reduce the need for printed material in the medium term.

Table 35: Major Programme IV: Proposed budget for 2020

Major Programme IV Secretariat of the Assembly of States Parties	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				647.7	10.7	1.7	658.4
General Service staff				356.6	15.5	4.3	372.1
<i>Subtotal staff</i>	<i>1,114.5</i>	<i>-</i>	<i>1,114.5</i>	<i>1,004.3</i>	<i>26.2</i>	<i>2.6</i>	<i>1,030.5</i>
General temporary assistance	345.1	-	345.1	566.3	(84.2)	(14.9)	482.1
Temporary assistance for meetings	151.2	-	151.2	167.1	(80.0)	(47.9)	87.1
Overtime	8.0	-	8.0	38.0	(24.0)	(63.2)	14.0
<i>Subtotal other staff</i>	<i>504.3</i>	<i>-</i>	<i>504.3</i>	<i>771.4</i>	<i>(188.2)</i>	<i>(24.4)</i>	<i>583.2</i>
Travel	314.8	-	314.8	438.9	142.7	32.5	581.6
Hospitality	6.9	-	6.9	7.0	-	-	7.0
Contractual services	736.3	-	736.3	568.7	16.5	2.9	585.2
Training	-	-	-	7.3	0.1	1.4	7.4
Consultants	-	-	-	-	-	-	-
General operating expenses	1.0	-	1.0	24.4	(2.0)	(8.2)	22.4
Supplies and materials	4.7	-	4.7	14.7	-	-	14.7
Furniture and equipment	-	-	-	5.0	-	-	5.0
<i>Subtotal non-staff</i>	<i>1,063.8</i>	<i>-</i>	<i>1,063.8</i>	<i>1,066.0</i>	<i>157.3</i>	<i>14.8</i>	<i>1,223.3</i>
Total	2,682.6	-	2,682.6	2,841.7	(4.7)	(0.2)	2,837.0

Table 36: Major Programme IV: Proposed staffing for 2020

IV	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P-Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	1	1	1	1	1	-	5	2	3	5	10
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	1	1	1	1	1	-	5	2	3	5	10
GTA Positions (FTE)														
Approved 2019	-	-	-	-	0.05	0.05	2.08	1.00	1.00	4.18	-	1.58	1.58	5.75
Continued	-	-	-	-	0.05	0.05	2.08	1.00	1.00	4.18	-	-	-	4.18
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	0.05	0.05	2.08	1.00	1.00	4.18	-	-	-	4.18

Table 37: Programme 4100: Proposed budget for 2020

4100 ASP Conference	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				-	-	-	-
General Service staff				-	-	-	-
<i>Subtotal staff</i>	-	-	-	-	-	-	-
General temporary assistance	171.3	-	171.3	327.2	(90.9)	(27.8)	236.3
Temporary assistance for meetings	89.1	-	89.1	107.1	(80.0)	(74.7)	27.1
Overtime	3.3	-	3.3	20.0	(11.0)	(55.0)	9.0
<i>Subtotal other staff</i>	263.7	-	263.7	454.3	(181.9)	(40.0)	272.4
Travel	9.0	-	9.0	-	64.0	-	64.0
Hospitality	-	-	-	-	-	-	-
Contractual services	697.0	-	697.0	413.0	15.9	3.8	428.9
Training	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-
General operating expenses	0.2	-	0.2	11.0	-	-	11.0
Supplies and materials	4.7	-	4.7	10.0	-	-	10.0
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	710.9	-	710.9	434.0	79.9	18.4	513.9
Total	974.6	-	974.6	888.3	(102.0)	(11.5)	786.3

Table 38: Programme 4100: Proposed staffing for 2020

4100	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	-	-	-	-	-	-	-	-
GTA Positions (FTE)														
Approved 2019	-	-	-	-	0.05	0.05	1.00	-	1.00	2.09	-	1.58	1.58	3.67
Continued	-	-	-	-	0.05	0.05	1.00	-	1.00	2.10	-	-	-	2.10
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	0.05	0.05	1.00	-	1.00	2.10	-	-	-	2.10

651. Programme 4100 (Conference) shows conference costs, *inter alia*, for the Assembly and costs for the regular meetings of the Bureau and its working groups (the New York and Hague Working Groups). Such costs also include temporary assistance for meetings and travel costs.

Table 39: Programme 4200: Proposed budget for 2020

4200 ASP Secretariat	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				498.1	7.8	1.6	505.9
General Service staff				276.7	12.1	4.4	288.8
<i>Subtotal staff</i>	825.3	-	825.3	774.8	19.9	2.6	794.7
General temporary assistance	4.8	-	4.8	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	4.7	-	4.7	18.0	(13.0)	(72.2)	5.0
<i>Subtotal other staff</i>	9.5	-	9.5	18.0	(13.0)	(72.2)	5.0
Travel	23.1	-	23.1	16.0	86.1	538.1	102.1
Hospitality	1.0	-	1.0	1.0	-	-	1.0
Contractual services	-	-	-	-	-	-	-
Training	-	-	-	2.9	-	-	2.9
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	4.7	-	-	4.7
Furniture and equipment	-	-	-	5.0	-	-	5.0
<i>Subtotal non-staff</i>	24.1	-	24.1	29.6	86.1	290.9	115.7
Total	858.8	-	858.8	822.4	93.0	11.3	915.4

Table 40: Programme 4200: Proposed staffing for 2020

4200	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	1	-	1	1	1	-	4	1	3	4	8
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	1	-	1	1	1	-	4	1	3	4	8
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	-	-	-	-	-	-	-	-

652. Programme 4200 (Secretariat of the Assembly of States Parties) shows the resources for the Secretariat, including costs relating to services and work on behalf of the Bureau of the Assembly and the working groups of the Bureau (the New York and Hague Working Groups).

Table 41: Programme 4400: Proposed budget for 2020

4400 Office of the President of the Assembly	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				-	-	-	-
General Service staff				-	-	-	-
<i>Subtotal staff</i>	-	-	-	-	-	-	-
General temporary assistance	77.8	-	77.8	109.3	4.2	3.8	113.5
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	77.8	-	77.8	109.3	4.2	3.8	113.5
Travel	82.7	-	82.7	115.4	0.3	0.3	115.7
Hospitality	-	-	-	-	-	-	-
Contractual services	0.1	-	0.1	12.0	-	-	12.0
Training	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	82.8	-	82.8	127.4	0.3	0.2	127.7
Total	160.6	-	160.6	236.7	4.5	1.9	241.2

Table 42: Programme 4400: Proposed staffing for 2020

4400	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	-	-	-	-	-	-	-	-
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	-	1.00	-	1.00	-	-	-	1.00
Continued	-	-	-	-	-	-	-	1.00	-	1.00	-	-	-	1.00
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	-	1.00	-	1.00	-	-	-	1.00

653. Programme 4400 (Office of the President of the Assembly) includes direct costs relating to the Office of the President of the Assembly, such as the President's travel to The Hague, New York and other destinations, the post of the Special Assistant to the President and contractual services to cover meetings with diplomats and senior officials.

Table 43: Programme 4500: Proposed budget for 2020

4500 Committee on Budget and Finance	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				149.6	2.9	1.9	152.5
General Service staff				79.9	3.4	4.3	83.3
<i>Subtotal staff</i>	289.2	-	289.2	229.5	6.3	2.7	235.8
General temporary assistance	91.2	-	91.2	129.8	2.5	1.9	132.3
Temporary assistance for meetings	62.1	-	62.1	60.0	-	-	60.0
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	153.3	-	153.3	189.8	2.5	1.3	192.3
Travel	200.0	-	200.0	307.5	(7.7)	(2.5)	299.8
Hospitality	5.9	-	5.9	6.0	-	-	6.0
Contractual services	39.2	-	39.2	143.7	0.6	0.4	144.3
Training	-	-	-	4.4	0.1	2.3	4.5
Consultants	-	-	-	-	-	-	-
General operating expenses	0.8	-	0.8	13.4	(2.0)	(14.9)	11.4
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	246.0	-	246.0	475.0	(9.0)	(1.9)	466.0
Total	688.5	-	688.5	894.3	(0.2)	(0.0)	894.1

Table 44: Programme 4500: Proposed staffing for 2020

4500	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	-	1	-	-	-	-	1	1	-	1	2
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	1	-	-	-	-	1	1	-	1	2
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	1.08	-	-	1.08	-	-	-	1.08
Continued	-	-	-	-	-	-	1.08	-	-	1.08	-	-	-	1.08
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	1.08	-	-	1.08	-	-	-	1.08

654. Programme 4500 (Committee on Budget and Finance) includes direct costs relating to the Committee and the Audit Committee, such as interpretation costs, reflected under temporary assistance for meetings; translation costs, reflected under contractual services; travel costs of the members of the Committee and the members of the Audit Committee; the post of the Executive Secretary to the Committee on Budget and Finance; the post of the Senior Administrative Assistant; the 12-month GTA position of Administration Officer; the

one-month GTA position of Administration Officer; hospitality for the sessions of the Committee and the sessions of the Audit Committee; training; and external printing of the recommendations made by the two Committees.

655. As the Audit Committee is now entrusted with making recommendations to the Assembly concerning the nomination of the External Auditors, as set out in the Audit Committee Charter,⁷⁷ Programme 4500 further includes (under contractual services) the fees for external auditing services, namely for the audits of the financial statements of the Court and of the Trust Fund for Victims, and for one performance audit. Programme 4500 will cover the relevant procurement process for the External Auditors and for Certifying Officer-related tasks, while the auditees (such as the Court and the Secretariat of the Trust Fund for Victims) will interact with the External Auditors on substantive matters related to the specific audits and to handle logistical support during the audit missions. Such transfers will be cost-neutral to States Parties.

⁷⁷ Charter of the Audit Committee, para. 60. Available at: https://asp.icc-cpi.int/iccdocs/asp_docs/ASP16/AC-Charter-ENG.pdf.

E. Major Programme V: Premises

Introduction

656. This programme was established to provide for the maintenance of the Headquarters of the International Criminal Court (“Court”) in The Hague. Preventive and corrective maintenance are currently contracted out to Heijmans. The contract is for the three years ending on 31 December 2021, with an option to extend for two successive three-year-periods and one final twelve-month-period.

Budget resources

€3,088.1 thousand

657. The requested amount has increased by €1,288.1 thousand (71.6 per cent), of which €1,243.1 thousand is for planned capital replacements in 2020, as already discussed with the Committee on Budget and Finance. The remaining increase relates to the expected price index increase of 2.5 per cent in the facilities management industry.

General operating expenses

€3,088.1 thousand

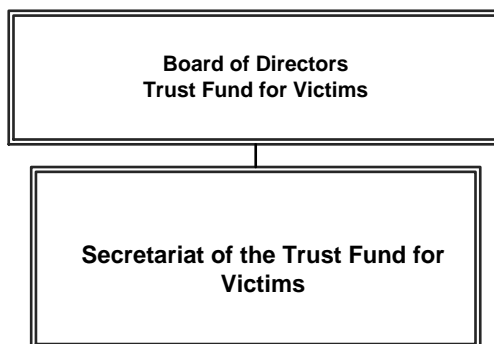
658. The requested amount has increased by €1,288.1 thousand (71.6 per cent) compared to 2019. This increase is proposed mainly to allow for the following two developments: (a) an increase of 2.5 per cent, from €1,800.0 thousand to €1,845.0 thousand, in the amount of the contract for preventive and corrective maintenance, due to the expected price index increase of 2.5 per cent; and (b) capital replacements of €1,243.1 thousand, taking into account the expected 2.5 per cent price index increase in the facilities management industry, for targeted renovations of the following infrastructure components: Building Management System, Security Management System, electromechanical installations and central HVAC (heating, ventilation and air-cooling) technology (see annex XV).

659. The price index increase will be estimated according to paragraph 13.5 of the contract procured competitively by the Court in 2018 and entered into by the Court and the vendor, Heijmans, on 1 January 2019: “The fees and rates indicated in Articles 13.1 and 13.2 may be adjusted once per year, for the first time one (1) year after the Commencement Date (i.e. on 1 January 2020). The adjustment shall be equal to the BDB index for maintenance of the technical installations for office buildings, with base year April 2012, rounded to two decimal places. The indexation is based on the year-on-year method whereby the month of July is the reference month. If the Contractor wishes to make use of the possibility to index the fees and rates, the Contractor shall submit the indexation request in writing to the Court no later than two months before the intended effective date of that indexation.”

Table 45: Major Programme V: Proposed budget for 2020

Major Programme V Premises	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
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	-	-	-	-	-	-	-
General operating expenses	1,498.5	-	1,498.5	1,800.0	1,288.1	71.6	3,088.1
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	1,498.5	-	1,498.5	1,800.0	1,288.1	71.6	3,088.1
Total	1,498.5	-	1,498.5	1,800.0	1,288.1	71.6	3,088.1

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



Introduction

660. The Trust Fund for Victims (“TFV”) at the International Criminal Court (“the Court”) responds to the harm resulting from the crimes under the jurisdiction of the Court by ensuring the rights of victims and their families through the provision of reparations and assistance. The TFV has two mandates: (1) to administer reparations ordered by the Court against a convicted person;⁷⁸ and (2) to use its other resources for the benefit of victims in accordance with article 79 of the Rome Statute.⁷⁹ Both mandates are directed at assisting victims of genocide, crimes against humanity, war crimes and the crime of aggression.⁸⁰

661. Throughout 2018 and 2019, the reparations practice of the Court and the TFV has further matured and taken shape – with the delivery of the first reparations awards – and it will continue to do so in 2020. The information and insights shared with the Committee on Budget and Finance (“the Committee”) in the TFV’s reports,⁸¹ which describe the main stages and participants, probable workload and budgetary impact associated with the reparations phase as a whole, remain relevant as a foundation for the TFV’s proposed programme budget for 2020.

Strategic Goals

662. While the strategies of the Court and the TFV are mutually acknowledged to be interrelated and aligned, the TFV’s strategic goals are specific to its two mandates: assistance and reparations to victims under the jurisdiction of the Court. The TFV is governed by a Board of Directors (“the Board”). The Board is directly accountable to the States Parties for all TFV activities.⁸² Furthermore, the TFV’s victim assistance projects are financed not by assessed contributions, but primarily by voluntary contributions and private donations. Funding for reparations comes from the awards, fines and forfeitures that may be ordered by the Court, which may be complemented by the “other resources of the Trust Fund” if so decided by the Board of Directors.⁸³

663. The TFV’s new strategic plan for 2019-2022 is in development. Formal adoption of the plan by the Board, whose members were newly elected at the Assembly of States Parties (“the Assembly”) in December 2018, is scheduled for 2019. At its meeting in April 2019, the Board decided to maintain and further develop the TFV’s four main strategic goals, and to develop a three-year action plan for each of them. Accordingly, for the purpose of developing the proposed programme budget for 2020, the TFV’s four strategic goals remain in place, as do the TFV Performance Monitoring Plan and the TFV Risk Management Framework.

⁷⁸ Rule 98(2), (3) and (4) of the Rules of Procedure and Evidence.

⁷⁹ Rule 98(5) of the Rules of Procedure and Evidence. For more information on the TFV’s legal basis, see <https://www.trustfundforvictims.org/en/about/legal-basis>.

⁸⁰ As defined in articles 6, 7 and 8 of the Rome Statute.

⁸¹ “Joint Report of the Court and the TFV on foreseeable administrative and operational cost implications of reparations”, CBF/30/8, submitted to the Committee on Budget and Finance ahead of its thirtieth session in April 2018; “Report of the Trust Fund for Victims on foreseeable workload in relation to its organizational structure”, CBF/30/13.

⁸² Regulations of the Trust Fund for Victims (RTFV), ICC-ASP/4/Res 3, regulation 76.

⁸³ RTFV, regulation 56.

664. The TFV's mission is to respond to the harm resulting from crimes under the jurisdiction of the Court by ensuring respect for the rights of victims and their families through the provision of reparations and assistance.

665. The TFV's strategic goals are:

(a) Reparative justice for victims: overcoming harm and transforming lives. Victims and their families overcome harm, lead a dignified life and contribute to reconciliation and peacebuilding within their communities;

(b) Advocacy for victims. The TFV is a powerful public advocate for the rights of victims and their families, in particular within the global justice system and the humanitarian sector;

(c) Financial growth and sustainability. States Parties and donors ensure financial growth and sustainability; and

(d) Creating an effective organizational structure. The TFV, acting in collaboration with the Court and other strategic partners, ensures good governance, accountability and transparency in all its operations.

TFV mandates

Assistance

666. As of 2019, the assistance programmes in the Democratic Republic of the Congo (DRC) and northern Uganda have entered into a new five-year implementation cycle. The assistance programme in Côte d'Ivoire is scheduled to start in 2019 and is envisaged to include a capacity-building component to enhance the national government's performance in the implementation of domestic reparation initiatives.

667. The TFV plans to launch its full assistance programme in the Central African Republic (CAR) in 2020, after an assessment phase and a pilot programme starting in the third quarter of 2019. Since early 2019, the TFV has also been carrying out assessments for programmes in Kenya and Georgia, which are subject to Board approval in December 2019. If Board approval is granted, competitive selection procedures for implementing partners will follow. Furthermore, the TFV will be seeking to develop an assistance programme in the Mali situation to run concurrently with the reparations programme in *Al Mahdi*. New assistance programmes are likely to differ in size and scope, but all will eventually require TFV field capacity to guide and manage their implementation.

668. Launching and managing multiple assistance programmes requires adequate organizational capabilities and well thought-out operational strategies, not least to ensure complementarity with – and possibly to reinforce – existing domestic reparative initiatives, which is an inherent part of the TFV's assistance mandate. The TFV recalls the External Auditor's recommendation that it strengthen its field teams to ensure effective project monitoring and control of TFV activities.

Reparations

669. Three cases before the Court are in the reparations implementation phase: *Al Mahdi* in Mali and *Lubanga* and *Katanga* in the DRC. Reparations proceedings in *Ntaganda* are expected to commence in the last quarter of 2019, following the sentencing phase. Reparations proceedings in *Ongwen* may commence in 2019 or thereafter, subject to a conviction in that case.

670. The TFV's reparations workload is subject to significant increases and/or peak periods during three stages of the reparations process:

(a) *Judicial stage leading up to the reparations order*: More and more cases are reaching the reparations phase. As a key participant in this stage of proceedings before the Court, the TFV dedicates substantial time and resources to legal analysis and operational research in support of its filings on reparations, submitted at the invitation of Chambers;

(b) *Preparation of draft implementation plans by the TFV*: This is a particularly resource-intensive undertaking, drawing heavily on the TFV's legal and operational resources and requiring intensive consultation with victims and stakeholders both in the field and at Headquarters. The assistance and collaboration of Registry sections and Legal Representatives of Victims is also required;

(c) *After the approval of an implementation plan*: This stage of the reparations process generates the most significant increase in workload for the TFV, owing to its overall responsibility and direct involvement as the organization in charge of implementing reparations awards. This involves the following areas: disbursement of individual awards; consultations with victims and their legal representatives regarding access to reparations, and the resulting fine-tuning of collective awards; outreach and identification of new victims, and screening for eligibility for individual and collective awards; and the implementation of collective and symbolic awards. Victim identification and screening (*Lubanga* and *Al Mahdi*) and award implementation –directly by TFV staff or indirectly by implementing partners selected via a costly procurement process – are particularly resource-intensive undertakings that require dedicated operational capacity both in the relevant country offices and at Headquarters.

671. Across the above stages, the TFV notes the occurrence of significant workload peaks related to the reparations implementation phase. Areas in which these peaks occur include:

(a) *Legal work*, to lay the foundation for and guide the implementation of reparations awards, including victim identification and verification on behalf of the Board, and overall functional steering of quality control and reporting to Chambers;

(b) *Procurement of services* of implementing partners and expert consultants. In particular, in respect of the implementation of strictly-defined reparations awards, the international competitive bidding procedure requires a strict approach to achieving best value in often weak services markets and on the basis of a highly detailed scope of work which cannot suffer deviations;

(c) *Field activities*, to support the preparation of draft implementation plans and provide operational and administrative oversight of the implementation of reparations awards. This includes the management of implementing partners, good coordination practices and standard procedures, outreach to (potentially) eligible victims and their communities, and relationships with other stakeholders such as State authorities and other agencies;

(d) *Monitoring and evaluation*, to verify the appropriate and effective implementation of reparations awards. This includes measuring the satisfaction of beneficiaries and reporting to Chambers on progress and outcomes. For evaluation purposes, the TFV relies on external expert services to conduct baseline studies and *ex post facto* evaluations, and to carry out beneficiary satisfaction surveys; and

(e) Where the TFV is to use its other resources to complement the payment of a reparations award because the convicted person is indigent, it is required to undertake intensive, award-specific *fundraising activities* to obtain State contributions and private donations earmarked for that award or for particular parts of it.

672. The TFV recalls resolution 6 of the sixteenth session of the Assembly,⁸⁴ in which the States Parties requested the Court and the TFV to continue developing a strong collaborative partnership, mindful of each other's roles and responsibilities, to implement Court-ordered reparations. In particular, the TFV has been working closely with country offices, the Finance Section, the Procurement Unit, the Victims Participation and Reparations Section (VPRS), the External Relations and State Cooperation Unit, the Counsel Support Section, the Office of Public Counsel for Victims, the Security and Safety Section, and the Public Information and Outreach Section. The TFV highly appreciates the collaboration and assistance that has been provided by the Registry and Legal Representatives of Victims throughout the preparation and implementation of reparations awards in the past year, and wishes to pursue this collaboration further in 2020.

⁸⁴ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Sixteenth session, New York, 4-14 December 2017* (ICC-ASP/16/20), vol. I, part III.A, ICC-ASP/16/Res.6, annex, para. 12(c).

Security

673. The effective delivery of assistance programmes and reparations awards may be severely hampered by insecurity, conflict or the outbreak of infectious diseases such as Ebola in areas where the TFV operates. This is currently apparent in the Ituri Province of the eastern DRC, in northern Mali and in the CAR.

674. Security challenges are inherent to the work of both the Court and the TFV, but they take on particular importance for the TFV, as its assistance and reparations mandates are best pursued in a context of long-term stability where reparation measures can have their full effect, allowing victims and communities to overcome harm, rebuild their lives and contribute to peaceful co-existence.

675. The operational complexities resulting from security challenges may have a number of impacts on the TFV's pace of operations and rate of implementation, forcing reprioritizations and adaptations and complicating the selection and management of suitable implementing partners. Each new challenge may impose a human and financial burden on the TFV, which it will need to absorb in order to continue discharging its obligations to the Court and to the victims. For this reason, the TFV's organizational structure needs to retain its ability to respond flexibly to unexpected developments, including by the rotation of field-based staff and temporary deployment of Headquarters and/or Registry staff to field locations. Finally, the TFV must be able to resort to additional short-term staff to address peak needs.

Organizational development

676. The factors described above require the TFV to develop and maintain an organizational structure that is responsive to its mandates, in particular where its operations are triggered by judicial reparations proceedings.

677. TFV programmes and reparations awards are managed from the country offices by the Programme Managers. Functional steering (standard setting, technical advice and quality control) is the responsibility of the following positions: Legal Adviser, Finance Officer, Monitoring and Evaluation Officer and, to a lesser extent, the Fundraising and Visibility Officer. Administrative processes, including internal control, in support of implementation processes are also handled by or coordinated from the office in The Hague and are mainly the responsibility of the Finance Officer. Legal staff is engaged both in The Hague and in the field (to conduct intermediary training, victim consultations and victim screening, and to assist with the implementation of reparations awards).

Cooperation and synergy with the Registry

678. In March 2019, the Secretariat of the Trust Fund for Victims (STFV) and the Registry agreed on a Cooperation and Assistance Framework ("the Framework"), the purpose of which is twofold: to set out a common understanding of the areas of cooperation and assistance between the Registry and the STFV⁸⁵, and to enable the Registry and the STFV to plan the best possible management of resources and capacity in order to deliver effectively and efficiently on their respective mandates.

679. The Framework covers the following functional working areas: legal services; reporting to oversight bodies; human resources management and development; procurement; finance; budget development, monitoring and reporting; the SAP team; security; communications and outreach; country office support; external relations (including mission planning); fundraising; reparations; information management; counsel support; and language support, including interpretation services.

680. The Framework further sets out the operational modalities of the working relationship between the STFV and the Registry, including operational tools (joint planning and monitoring); focal points; periodicity of meetings; escalation mechanisms to address

⁸⁵ See regulation 19 of the RTFV (ICC-ASP/4/Res.3, adopted 3 December 2005): "Bearing in mind the independence of the Secretariat, it shall consult the Registrar on all administrative and legal matters for which it receives the assistance of the Registry."

bottlenecks and other problems quickly; and coordination and progress review meetings at the senior management level.

681. For example, cooperation with the VPRS and country offices is vital to the design and implementation of the TFV's victim verification procedures, to allow previously unidentified victims to receive the collective reparations awards in *Lubanga* and the individual awards in *Al Mahdi*. The continued availability, experience, expertise and supporting role of the VPRS, in The Hague and especially in the field, will condition the TFV's ability to manage these processes without having to replicate the necessary functions in its own structure.

682. The TFV also relies on the Finance Section, the SAP team and the Procurement Unit for the selection of implementing partners and for the disbursement of awards and other amounts, and to ensure proper financial reporting to relevant stakeholders. The TFV expects to further consolidate this collaboration in 2020 as it continues the implementation of reparations awards and assistance programmes.

683. The TFV must rely increasingly on the services of the Registry to help assess, anticipate and mitigate security challenges which pose a threat to the implementation of assistance programmes and reparations awards.

684. The Framework and the monitoring, consultation and escalation mechanisms for which it provides are expected to further optimize synergies between the STFV and the Registry, including in the country offices, thereby boosting the efficiency and effectiveness of the TFV's operations.

Budget resources

€3,333.0 thousand

685. The requested amount has increased by €202.7 thousand (6.5 per cent). Besides changes to standard staff costs in accordance with the United Nations common system, the proposed increase reflects an incremental increase in staff costs due entirely to the full-time continuation of general temporary assistance (GTA) positions approved in the 2019 budget.

686. In developing the proposed programme budget for 2020, the TFV has opted to plan the recruitment and mobilization of a number of approved GTA positions to year end 2020 in order to moderate budget growth in 2020, while mitigating the budgetary impact of the increase of standard staff costs.

687. No new positions are proposed. Non-staff costs are maintained at the level of the 2019 Approved Budget.

Staff resources

€2,687.0 thousand

688. The amount requested for established posts has increased by €46.9 thousand (4.4 per cent) as compared to the amount in the 2019 Approved Budget. The amount requested for GTA positions has increased by €155.8 thousand (11.0 per cent) as compared to the amount in the 2019 Approved Budget. As outlined above, an increase is needed for the TFV to be able to implement multiple reparations orders while also expanding its assistance programmes to other situation countries.

689. It is proposed that the TFV comprises 9 established posts and 18 GTA positions (15.13 FTE). The amount requested for established posts is €1,113.7 thousand. The amount requested for GTA positions is €1,573.3 thousand.

Established posts: Professional and General Service

€1,113.7 thousand

690. The TFV is managed by an *Executive Director (D-1)*. *Continued.*

691. One *Legal Adviser (P-4)*. *Continued.* This position provides the Board and the STFV with expert legal advice on the development and implementation of the TFV's assistance and reparations mandates. The incumbent's responsibilities include high-level advice on the development of the TFV's legal strategy, management of the process of preparing legal filings before the Court, external representation of the TFV and functional steering of the legal dimension of the implementation of Court-ordered reparations awards.

692. Three *Programme Managers (P-4)*. *Continued*. These positions are based, respectively, in the country offices in Kampala, Uganda; Bunia, DRC; and Abidjan, Côte d'Ivoire. The incumbents are responsible and accountable for the design, implementation and management oversight of TFV programmes and reparations awards. They report directly to the Executive Director.

693. One *Monitoring and Evaluation Officer (P-3)*. *Continued*. This position is based in The Hague, plays a central role in programme coordination, and reports to the Executive Director, the Legal Adviser or the authorized functional deputy. The incumbent is responsible for steering and ensuring quality control in respect of all programme monitoring, evaluation and reporting activities. The incumbent is also responsible for standard setting in monitoring and evaluation through the TFV's Performance Monitoring Plan (PMP).

694. One *Finance Officer (P-3)*. *Continued*. This position ensures enhanced financial oversight, reporting, (internal) control and compliance within the TFV and in respect of implementing partners. The incumbent is also responsible for the management and further development of the SAP Grants Management System and financial policies relating to the TFV's mandates and activities. As the main focal point for assistance- and reparations-related procurement, the incumbent also focuses on the coordination and implementation of procurement processes.

695. One *Administrative Assistant (GS-OL)*. *Continued*. This position has the vital role of handling the administrative workload that comes with the proper functioning of the Board and the STFV.

696. One *Programme Assistant (GS-OL)*. *Continued*. This position is to support the programme management team in The Hague in the development and implementation of assistance programmes and reparations awards.

General temporary assistance

€1,573.3 thousand

697. The amount requested for GTA positions has increased by €155.8 thousand (11.0 per cent) as compared to the amount in the 2019 Approved Budget. As stated above, this growth is limited to what is necessary to accommodate rising standard staff costs and the full-time continuation of positions in the 2019 Approved Budget.

698. In 2019, the TFV had 18 GTA positions (13.87 FTE), which it proposes to continue into 2020 (15.13 FTE).

Headquarters

699. One *Fundraising and Visibility Officer (P-3)*, 12 months. *Continued. Multi-year*. Awareness-building and fundraising go hand-in-hand to create a stronger political and financial foundation for fulfilling the TFV's mandates, mission and goals. The strategic diversification of the TFV's revenue base to include private donors alongside a growing number of States Parties means being able to build on the availability of in-house expertise. Both awareness-raising and resource development are strategic functions of the TFV and require dedicated capacity, which the Fundraising and Visibility Officer will provide.

700. One *Associate Executive Officer (P-2)*, 12 months. *Continued. Multi-year*. The incumbent ensures the smooth functioning of the executive office, which includes providing support and advice to the TFV's Executive Director and Board, and to the Legal Adviser, the Finance Officer and the Fundraising and Visibility Officer. The incumbent engages in relationship management with high-level external stakeholders, and, alongside the Fundraising and Visibility Officer, organizes events to raise the TFV's public profile and encourage more voluntary contributions and private donations.

701. One *Associate Programme Officer (P-2)*, 12 months. *Continued. Multi-year*. This position is based in The Hague. The incumbent supports the work of the Programme Manager on the TFV's assistance and reparations programmes, works closely with the Finance Officer (P-3) on matters related to programme administration (including procurement processes) and oversees administrative support functions at the STFV. The incumbent also works closely with the Monitoring and Evaluation Officer (P-3), and is

responsible for providing support for the development, oversight and reporting of results of TFV programmes under the reparations and assistance mandates in situation countries. The incumbent in this key position maintains direct working relationships with the Programme Managers and Associate Field Programme Officers, and with the Associate Executive Officer in The Hague. The incumbent supports the development of programmatic frameworks, i.e. assessments (under the assistance mandate) and draft implementation plans (under the reparations mandate) undertaken by TFV field staff. Relevant outputs include preparatory research and engagement of experts as required. The incumbent also facilitates the efficiency, effectiveness and transparency of TFV programme operations; of comprehensive, timely and correct reporting on programme results; and of adequate reporting on those results to external stakeholders.

702. *Two Associate Legal Officers (P-2), 12 months each. Continued. Multi-year.* Associate Legal Officers are required to provide research, drafting and reporting capacity throughout the reparations phase, and to maintain working-level relationships with parties and participants in the reparations proceedings as well as with relevant staff at the Court, including in the Judiciary and the Registry. The incumbents' assignments will be case-related on the basis of ongoing reparations proceedings and will specifically include handling the administration of the TFV's victim screening process, e.g. by managing victim files and supporting the Board's eligibility decision-making and subsequent reporting to Trial Chambers. Further responsibilities include the monitoring of cases in the trial phase so that the TFV can be properly informed and positioned at the onset of the reparations phase. The Associate Legal Officers support the work of the Legal Adviser.

703. *One Finance Assistant (GS-OL), 12 months. Continued. Multi-year.* Increased finance capacity is necessary to support the recruitment process, the implementation of assistance programmes and the financial preparation and implementation of individual and collective reparations awards throughout 2020. The incumbent supports the Finance Officer (P-3) in administering finance-related activities and ensuring the internal control of TFV programmes. The need for greater financial support capacity is well illustrated by the expected increase, from 17 to 25, in the number of implementing partners operating under the assistance mandate (in around five situation countries, resulting in five assistance programmes: DRC, Uganda, Côte d'Ivoire, CAR and Georgia). Increased financial support capacity is also needed to accommodate the expected increase in finance-related activities under the reparations mandate in 2020 due to the significant estimated increase in the implementation of both individual and collective reparations awards.

704. *One Programme Assistant (GS-OL). Continued.* This position is to support the programme management team in The Hague in the development and implementation of assistance programmes and reparations awards.

Programme management and field operations

705. *One Programme Manager (P-4), 0.5 month. Continued. Multi-year.* This position is based in Mali. The implementation of reparations in the *Al Mahdi* case (Mali) requires the TFV to operate large-scale, complex and judicially sensitive reparations programmes in a highly volatile security context. The TFV will also be required to consider the possibility of expanding its assistance programmes to Mali. Appropriate professional oversight will be needed on site to develop and oversee complex interventions in conflict-sensitive settings. Due to budgetary considerations, the recruitment and mobilization for this position has been postponed to year-end 2020 in order to moderate budget growth in 2020. Meanwhile, the oversight of reparations and eventual assistance activities in Mali is temporarily ensured by another the TFV Programme Manager based in Abidjan.

706. *Seven Associate Field Programme Officers (P-2), 12 months each. Continued. Multi-year.* These positions are based at the country offices: two in the DRC, one in Uganda, one in Mali, one in Côte d'Ivoire, one in the CAR and one for Kenya (based in Uganda). The incumbents form part of the long-term backbone of the TFV's field capacity, along with the Programme Managers (P-4). They help ensure continuity, consistency and quality control in respect of the implementation of assistance programmes and reparations awards.

707. One *Field Programme Assistant (G-5), 12 months (DRC). Continued. Multi-year.* This position is based in the DRC to support the implementation of reparations awards in *Lubanga* and *Katanga* and the new cycle of the assistance mandate programme. This capacity is needed to ensure essential field-based programme support functions and to support programme staff by collecting, registering and maintaining information on implementation activities, preparing status and progress reports, ensuring that implementing partners' quality controls are aligned with the TFV's rules and procedures, and providing administrative support to the TFV field team.

708. Two *Monitoring and Evaluation Assistants (G-5), 0.50 months each (DRC). Continued. Multi-year.* These positions are crucial to supporting data analysis and verification related to the monitoring, reporting and evaluation of the implementation of assistance programmes and reparations awards (*Lubanga* and *Katanga*), including support for beneficiary satisfaction surveys. The incumbents' work is functionally steered by the Monitoring and Evaluation Officer in The Hague to support the consistency and cohesion of the TFV's monitoring, reporting and evaluation practice, in accordance with the standards and protocols of the TFV's PMP. Due to budgetary considerations, the recruitment and mobilisation for these positions have been postponed to year-end 2020. Meanwhile, the activities are temporarily ensured by field based staff with the possibility of recourse to consultants.

Non-staff resources

€646.0 thousand

709. Non-staff resources are required for travel, hospitality, contractual services, training, consultants, general operating expenses, and supplies and materials. The requested amount remains unchanged, reflecting an extremely conservative approach given the increased levels of activity, with the new cycle of assistance programmes beginning alongside the implementation of the reparations awards in three cases. Non-staff resources are recurrent.

Travel

€352.8 thousand

710. The requested amount remains unchanged and will be required mainly in relation to the TFV's programme activities (reparations and assistance mandates), visibility/fundraising and Board-related initiatives. This amount will cover meetings and field trips of the TFV Board; meetings with donors and other external TFV stakeholders (involving Board members, the Executive Director and other staff as needed); visibility and fundraising; programme design and engagement with implementing partners, authorities and other programme stakeholders; and the TFV annual staff meeting.

Hospitality

€1.0 thousand

711. The requested amount remains unchanged and is required for effective engagement with third parties in the context of the TFV's management of its external relations.

Contractual services

€147.0 thousand

712. The requested amount remains unchanged. Contractual services are needed for external printing in the field and at Headquarters; SAP Grants Management support, including business support services; development of fundraising events and materials, rental of premises in the field, the External Auditor's fee, TFV Board meeting costs and external English-French translation.

Training

€32.2 thousand

713. The requested amount remains unchanged. This amount is required to cater to the training needs of existing and new staff in The Hague and at the country offices, within the newly expanded STFV structure.

Consultants

€105.0 thousand

714. The requested amount remains unchanged. Consultants are needed to assist with technical writing and progress reporting/proposal drafting. Consultants may also be used to promote the TFV's visibility and fundraising activities, and to provide expert advice on reparations.

General operating expenses

€5.0 thousand

715. The requested amount remains unchanged. This amount is required for workshops and meetings at country offices, and for communications materials and mailing costs.

Supplies and materials

€3.0 thousand

716. The requested amount remains unchanged. This amount is required for basic office supplies and other expendable office materials.

Table 46: Major Programme VI: Proposed budget for 2020

Major Programme VI Secretariat of the Trust Fund for Victims	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				935.6	41.1	4.4	976.7
General Service staff				131.2	5.8	4.4	137.0
<i>Subtotal staff</i>	<i>877.0</i>	<i>-</i>	<i>877.0</i>	<i>1,066.8</i>	<i>46.9</i>	<i>4.4</i>	<i>1,113.7</i>
General temporary assistance	578.0	-	578.0	1,417.5	155.8	11.0	1,573.3
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	9.6	-	9.6	-	-	-	-
<i>Subtotal other staff</i>	<i>587.6</i>	<i>-</i>	<i>587.6</i>	<i>1,417.5</i>	<i>155.8</i>	<i>11.0</i>	<i>1,573.3</i>
Travel	360.5	-	360.5	352.8	-	-	352.8
Hospitality	-	-	-	1.0	-	-	1.0
Contractual services	131.4	-	131.4	147.0	-	-	147.0
Training	10.2	-	10.2	32.2	-	-	32.2
Consultants	61.4	-	61.4	105.0	-	-	105.0
General operating expenses	0.0	-	0.0	5.0	-	-	5.0
Supplies and materials	3.2	-	3.2	3.0	-	-	3.0
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>566.7</i>	<i>-</i>	<i>566.7</i>	<i>646.0</i>	<i>-</i>	<i>-</i>	<i>646.0</i>
Total	2,031.3	-	2,031.3	3,130.3	202.7	6.5	3,333.0

Table 47: Major Programme VI: Proposed staffing for 2020

VI	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	1	-	4	2	-	-	7	-	2	2	9
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	1	-	4	2	-	-	7	-	2	2	9
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	1.00	8.24	-	9.24	-	-	-	9.24
Continued	-	-	-	-	-	0.04	1.00	11.00	-	12.04	-	3.08	3.08	15.13
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	0.04	1.00	11.00	-	12.04	-	3.08	3.08	15.13

G. Major Programme VII-2: Permanent Premises Project – Host State Loan

Introduction

717. In 2008, the Assembly of States Parties (“the Assembly”) accepted the host State’s offer of a loan for the Permanent Premises Project 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.⁸⁶

718. In response to requests from the Committee on Budget and Finance and the Assembly, in its approved budget for 2011, the International Criminal Court (“the Court”) established Major Programme VII-2 to report on the interest expected to be paid on the loan amounts received by the Court for the Permanent Premises Project.⁸⁷

719. The financial implications of Major Programme VII-2 are applicable only to those States Parties that did not opt for a one-time payment or did not fully complete their one-time payments.⁸⁸

720. The loan agreement between the host State and the Court stipulates that the interest due from the Court to the host State over the preceding calendar year and/or any repayment to be applied to previous calendar years is to be paid by the Court on the due date (namely on or before 1 February of each calendar year).⁸⁹

721. The impact over the coming years is shown in greater detail below.

Table 48: Interest and loan repayment impact over the coming years (in euros)

	2018	2019	2020	2021	2022
Loan repayment					
Capital and interest	3,585,127	3,585,127	3,585,127	3,585,127	3,585,127
Total payments	3,585,127	3,585,127	3,585,127	3,585,127	3,585,127

722. Repayment of the loan started after surrender of the interim premises leases on 30 June 2016. Capital and interest owed for the period from 1 January to 31 December 2019 will be payable on or before 1 February 2020.

⁸⁶ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Seventh session, The Hague, 14-22 November 2008* (ICC-ASP/7/20), vol. I, part III, ICC-ASP/7/Res.1, para. 2 and annex II.

⁸⁷ *Official Records ... Ninth session ... 2010* (ICC/ASP/9/20), vol. II, part A, section G, para. 466.

⁸⁸ *Official Records ... Seventh session ... 2008* (ICC-ASP/7/20), vol. I, part III, ICC-ASP/7/Res.1, annex III.

⁸⁹ Loan agreement between the State of the Netherlands (Ministry of Foreign Affairs) and the International Criminal Court, dated 23 March 2009, para. 6.1.

Table 49: Major Programme VII-2: Proposed budget for 2020

Major Programme VII-2 Host State Loan	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
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	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-
<i>Host State Loan</i>	3,585.1	-	3,585.1	3,585.1	-	-	3,585.1
Total Including Host State Loan	3,585.1	-	3,585.1	3,585.1	-	-	3,585.1

H. Major Programme VII-5: Independent Oversight Mechanism

Introduction

723. Major Programme VII-5, the Independent Oversight Mechanism (IOM), was established by the Assembly of States Parties (“the Assembly”) at its eighth session⁹⁰ in accordance with article 112(4) of the Rome Statute to provide independent, effective and meaningful oversight of the International Criminal Court (“the Court”). At its twelfth session, the Assembly issued resolution ICC-ASP/12/Res.6, in which it approved the IOM’s mandate to conduct independent inspections, evaluations and investigations.⁹¹ The IOM’s purpose is to assure the Assembly of the effective and comprehensive oversight of the Court in order to enhance its efficiency and economy. The IOM undertakes evaluation and inspection work at the direct request of the Assembly or the Heads of Organ of the Court; it conducts investigations at its own discretion into received reports of misconduct or breaches of the Court’s rules and regulations. The IOM can investigate elected officials under revised rule 26 of the Rules of Procedure and Evidence.

Budget resources

€783.8 thousand

724. The total requested amount, while remaining relatively modest, has increased by €252.7 thousand. This is a small sum in absolute terms, although it represents a significant increase of 47.6 per cent. The increase is due mainly to the heavier investigation workload now that the IOM is fully operational and accommodating a higher volume of reports of possible misconduct. It also stems from the IOM’s need to maintain the operational independence that is central to its mandate.

Staff resources

€638.0 thousand

725. The requested amount has increased by €156.0 thousand (32.4 per cent). The increase is due mainly to the addition of a new Senior Investigator post at the P-4 level. The IOM will comprise five established posts.

Established posts: Professional and General Service

€638.0 thousand

726. In 2019, the IOM comprised the Head of the IOM (P-5), one Senior Evaluation Specialist (P-4), one Associate Investigator (P-2) and one Administrative Assistant (GS-OL).

727. Now that the IOM has become fully operational and has taken on a greater role at the Court, its current structure is no longer conducive to the effective and efficient pursuit of its objectives. This has been indicated to the Bureau of the Assembly throughout the year. Notably, the current structure provides only one staff member (P-2 level) to work full-time on investigations; additional, short-term resources were required in 2019 to allow the IOM to function to an acceptable standard. Furthermore, the IOM has been unable to undertake any work under its inspection mandate for the past two years, owing to limited staff resources. The new Senior Investigator is expected to assist in this regard, if the investigation workload permits it.

Non-staff resources

€145.8 thousand

728. The requested amount has increased by €96.7 thousand (196.9 per cent), nearly doubling the 2019 amount. The requested amount is required for consultants, travel, training, general operating expenses and furniture and equipment. It reflects an increase in travel and training costs. The largest increase is in the cost of consultants. Resources for consultants are non-recurrent; other non-staff costs are recurrent.

⁹⁰ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Eighth session, The Hague, 18-26 November 2009* (ICC-ASP/8/20), vol. I, part II, ICC-ASP/8/Res.1.

⁹¹ *Official Records ... Twelfth session ... 2013* (ICC-ASP/12/20), vol. I, part III, ICC-ASP/12/Res.6, annex, para. 5.

Travel €22.4 thousand

729. The requested amount has increased by €11.8 thousand (111.3 per cent), essentially reflecting the increase in investigation-related work and expected field missions. It is impossible to predict exactly how many investigations will arise or where they will arise, but the request assumes three operational field missions in direct support of oversight activities. It also includes travel for annual meetings of evaluation and investigation professionals.

Training €16.4 thousand

730. The requested amount has increased by €4.9 thousand (42.6 per cent) and is required to enable IOM staff members to participate in training to maintain their substantive skills, ensure that they are conversant with international best practice in their areas of expertise, and assist in maintaining their relevant professional qualifications. The requested amount is based on the assumption that full advantage will be taken of professional fee discounts, discounted or gratis training forums within the international community and locally-sourced training opportunities. It also takes into account the increases associated with the requested addition of one staff member.

Consultants €100.0 thousand

731. The requested amount has increased by €80.0 thousand (400.0 per cent). Consultant resources are required to provide support when specific and additional expert skill sets are needed or when existing resources are not sufficient to address an increased workload. This is particularly the case of investigations for which the exact amount of work and resources required cannot be accurately predicted given the short time for which the IOM has been fully staffed and operational. It is critical that, in order to discharge its assurance obligations to States, the IOM is able to handle unexpected workload increases without having to request support from other Court organs, which could jeopardize or give the appearance of jeopardizing the operational independence that is so critical to its mandate. Accordingly, it is to be expected that the full amount may not be utilized.

General operating expenses €2.0 thousand

732. The requested amount remains unchanged. The amount will cover the costs of supplies and materials to support office activities. The efficient use of already available Court facilities continues to allow a significant cut to be made in expected expenditure. These costs are recurrent.

Furniture and equipment €5.0 thousand

733. No change in expenditure is expected. The minimal requested amount is required for maintenance and modernization of the IOM, using specialized oversight equipment to make its operations more efficient and effective.

Table 50: Major Programme VII-5: Proposed budget for 2020

Major Programme VII-5 Independent Oversight Mechanism	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				409.1	152.8	37.4	561.9
General Service staff				72.9	3.2	4.4	76.1
<i>Subtotal staff</i>	<i>390.5</i>	<i>-</i>	<i>390.5</i>	<i>482.0</i>	<i>156.0</i>	<i>32.4</i>	<i>638.0</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>
Travel	15.6	-	15.6	10.6	11.8	111.3	22.4
Hospitality	-	-	-	-	-	-	-
Contractual services	-	-	-	-	-	-	-
Training	8.9	-	8.9	11.5	4.9	42.6	16.4
Consultants	4.5	-	4.5	20.0	80.0	400.0	100.0
General operating expenses	-	-	-	2.0	-	-	2.0
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	0.3	-	0.3	5.0	-	-	5.0
<i>Subtotal non-staff</i>	<i>29.4</i>	<i>-</i>	<i>29.4</i>	<i>49.1</i>	<i>96.7</i>	<i>196.9</i>	<i>145.8</i>
Total	419.9	-	419.9	531.1	252.7	47.6	783.8

Table 51: Major Programme VII-5: Proposed staffing for 2020

VII-5	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	-	1	1	-	1	-	3	-	1	1	4
New	-	-	-	-	-	1	-	-	-	1	-	-	-	1
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	1	2	-	1	-	4	-	1	1	5
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	-	-	-	-	-	-	-	-

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

Introduction

734. The Office of Internal Audit (OIA) assists the International Criminal Court (“the Court”) in achieving its strategic and operational objectives by rigorously reviewing systems and operations across the entire Court. These reviews (audits) are aimed at identifying how well potential threats and opportunities (risks) are managed, including whether the most effective structures, policies and processes are in place and whether agreed procedures are being adhered to. The OIA also provides advisory services at the request of the Court’s management.

735. In 2020, the OIA will:

(a) Prepare the general OIA workplan and the OIA Information and Communications Technology (ICT) workplan on the basis of the Court’s strategic plans and an analysis of the risks that may affect the achievement of the Court’s objectives;

(b) Perform at least six audits – including, in particular, an audit of the Judicial Workflow Platform, requested by the Committee on Budget and Finance (“the Committee”) at its thirty-first session⁹² – and two advisory services engagements;

(c) Review the implementation status of recommendations twice during the year, in consultation with the operational managers of the Court, and report on the progress made;

(d) Provide advisory services when requested by Court managers;

(e) Implement and update the quality assurance and improvement programme; and

(f) Prepare various reports for the Audit Committee and attend its meetings.

Budget resources

€721.2 thousand

736. The requested amount has increased by €35.6 thousand (5.2 per cent). The increase is mainly attributable to mandatory certification in internal auditing or IT auditing under Training (€0.8 thousand) and the engagement of a consultant for the audit of the Judicial Workflow Platform under Consultants (€20.0 thousand).

Staff resources

€661.9 thousand

737. The OIA comprises four established posts and one general temporary assistance (GTA) position. The OIA is not requesting any additional established posts, but requires that the current GTA position be continued.

Established posts: Professional and General Service

€539.8 thousand

738. One Director, Office of Internal Audit (D-1), who is responsible for the administrative management of the OIA, the formulation of a risk-based audit plan, the supervision of the audit work of auditors and the maintenance of a quality assurance and improvement programme. The Director provides guarantees to the three Heads of Organ concerning the effectiveness and efficiency of governance, risk management and internal controls. In addition, the Director prepares reports for the information of the Audit Committee.

739. One Senior Auditor (P-4) and one Internal Auditor (P-3), who perform audits, provide advisory services, review the implementation of recommendations and carry out additional tasks at the request of the Director.

740. One Internal Audit Assistant (GS-OL), who provides administrative support to the OIA and contributes to the performance of audits. The Internal Audit Assistant also supports the Director in the management of the quality assurance and improvement programme and the drafting of reports for the Audit Committee.

⁹² *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. II, part B.2, para. 100.*

General temporary assistance

€ 122.1 thousand

741. One Auditor (Information Technology) (P-3), 12 months. Continued. Multi-year. The OIA has one Auditor (Information Technology) (P-3), who is an expert in ICT and auditing. The incumbent prepares and updates the yearly workplan for ICT activities and performs ICT audits and advisory services. The Auditor (Information Technology) also follows up on the implementation of ICT audit recommendations, which cannot be done effectively by the other auditors, who hold established posts, on account of their lack of technical knowledge in this field. The Auditor (Information Technology) also contributes to the audits performed by the other auditors when those engagements include ICT-related activities.

742. In the first half of 2020, the Auditor (Information Technology) will perform the audit of the Judicial Workflow Platform requested by the Committee, with the support of the Auditor and an external resource. In the second half of 2020, the Auditor (Information Technology) will review policies of the Office of the Prosecutor (OTP) related to the procurement process for IT goods and will provide advice on the design of internal controls for those policies.

Non-staff resources**€59.3 thousand**

743. Non-staff resources are required for travel (recurrent), training (recurrent) and consultants (non-recurrent). The requested amount has increased by €21.3 thousand (56.1 per cent). This increase relates to the request for funds to contract a consultant to provide expertise for the audit of the Judicial Workflow Platform.

Travel

€10.8 thousand

744. The requested amount has increased by €0.5 thousand (4.9 per cent) to enable the OIA to conduct audits at the Country Offices in accordance with the 2020 Audit Plan (recurrent).

Training

€28.5 thousand

745. The requested amount has increased by €0.8 thousand (2.9 per cent) (recurrent). Auditors are required to undertake regular training to maintain their professional competence. All four auditors of the OIA are certified in internal auditing or IT auditing. The Institute of Internal Auditors and the Information Systems Audit and Control Association require certified auditors to attend 40 hours of continuing professional education (CPE) each year to keep their certifications active. Training courses must be specifically related to the work of auditors and to their skills and experience. Currently, the Court does not offer training courses in governance, risk management, compliance, general auditing, IT auditing, internal control management or other areas of interest to OIA auditors.

746. The cost of a course that provides 25 hours of CPE is approximately €5.0 thousand, depending on its location in Europe. The OIA has contemplated all of the options available to efficiently meet the requirement of 40 hours of CPE. In-house training courses at the Court, conferences, online training and courses given only in the Netherlands were considered. There are, however, limitations to these alternatives (e.g. courses offered only in Dutch and dealing with a limited range of topics). The Court's online training platform can be used by the OIA team, but only for non-audit related training courses that also provide a certificate of attendance.

Consultants

€20.0 thousand

747. The requested amount has increased by €20.0 thousand (100 per cent) to enable the OIA to contract an external consultant. The external consultant is expected to provide expertise for the performance of the audit of the Judicial Workflow Platform requested by the Committee. Owing to the audits tight deadline (June 2020) and wide scope, performance of the audit will be shared between the Auditor (Information Technology), the Auditor and the external consultant, who will be in charge of certain technical aspects of the project.

Table 52: Major Programme VII-6: Proposed budget for 2020

Major Programme VII-6 Office of Internal Audit	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Professional staff				454.9	8.8	1.9	463.7
General Service staff				72.9	3.2	4.4	76.1
<i>Subtotal staff</i>	525.3	-	525.3	527.8	12.0	2.3	539.8
General temporary assistance	93.6	-	93.6	119.8	2.3	1.9	122.1
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	93.6	-	93.6	119.8	2.3	1.9	122.1
Travel	10.2	-	10.2	10.3	0.5	4.9	10.8
Hospitality	-	-	-	-	-	-	-
Contractual services	16.8	-	16.8	-	-	-	-
Training	20.3	-	20.3	27.7	0.8	2.9	28.5
Consultants	-	-	-	-	20.0	-	20.0
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	47.3	-	47.3	38.0	21.3	56.1	59.3
Total	666.2	-	666.2	685.6	35.6	5.2	721.2

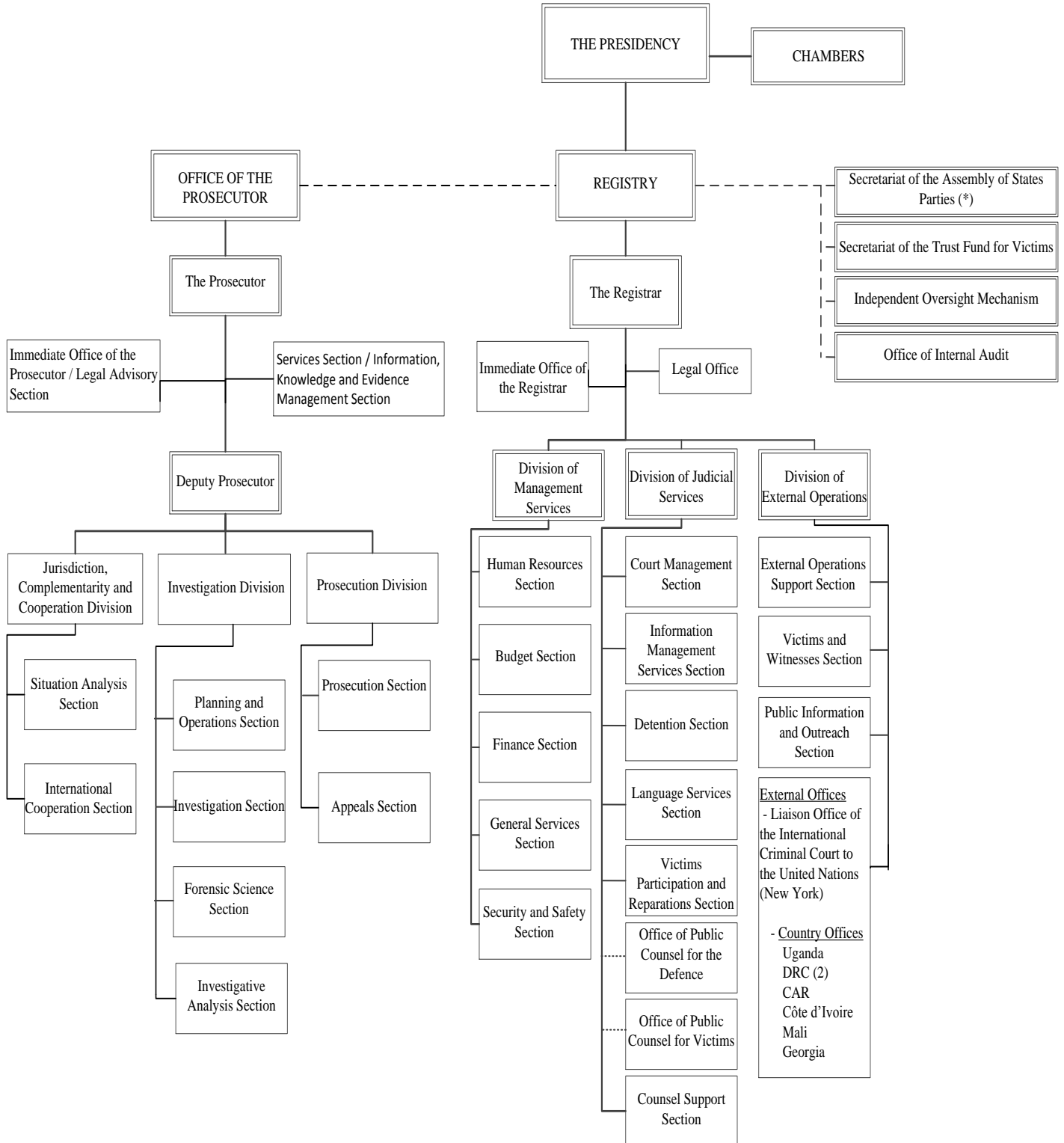
Table 53: Major Programme VII-6: Proposed staffing for 2020

VII-6	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P- Staff and Above	GS-PL	GS-OL	Total GS-Staff	Total Staff
Established Posts														
Approved 2019	-	-	-	1	-	1	1	-	-	3	-	1	1	4
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	1	-	1	1	-	-	3	-	1	1	4
GTA Positions (FTE)														
Approved 2019	-	-	-	-	-	-	1.00	-	-	1.00	-	-	-	1.00
Continued	-	-	-	-	-	-	1.00	-	-	1.00	-	-	-	1.00
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2020	-	-	-	-	-	-	1.00	-	-	1.00	-	-	-	1.00

Annexes

Annex I

Organizational structure of the Court



(*) The Secretariat of the Assembly of States Parties operates under the full authority of the Assembly and reports directly to the Assembly. The Secretariat of the Assembly is an integral part of the International Criminal Court and, for administrative purposes; the Secretariat and its staff are attached to the Registry of the Court.

Annex II

Assumptions and parameters for the 2020 Proposed Programme Budget

Parameter	Assumption	Explanations
1. Number of Court hearing days	0	
2. Number of situations under investigation	11	Burundi, CAR I, CAR II, CIV, DRC, Darfur, Georgia, Kenya, Libya, Mali and Uganda
3. Number of active investigations	9 ¹	Burundi, CAR II, CIV II, Darfur, ² DRC, ³ Georgia, Libya III, Libya IV and Mali ⁴
4. Unsealed warrants of arrest pending execution	16	CIV I <i>bis</i> (1); Darfur I (2), II, IV and V (2) and III (1); DRC IV (1); Kenya Art. 70 (3); Libya I (1), II (1) and III (2); and Uganda (2)
5. Number of preliminary examinations	9	Colombia, Guinea, Iraq/UK, Bangladesh/Myanmar, Nigeria, Palestine, Philippines, Ukraine and Venezuela
6. Number of trial teams ⁵ (Chambers)	4	Trial Chamber VI, Trial Chamber IX (<i>Ongwen</i>), Trial Chamber II Reparations (<i>Lubanga</i> and <i>Katanga</i>), and Trial Chamber VIII Reparations (<i>Al Mahdi</i>)
7. Number of trial teams (OTP)	2	CAR II.b (<i>Yekatom</i> and <i>Ngaïssona</i>) and Mali II (<i>Al Hassan</i>)
8. Number of Registry courtroom support teams	1	
9. Number of defence teams financed by legal aid	11	Trial: <i>Al Hassan</i> , <i>Yekatom</i> , <i>Ngaïssona</i> Appeals: <i>Ntaganda</i> , <i>Ongwen</i> , <i>Gbagbo</i> , <i>Blé Goudé</i> Trial (reduced): <i>Banda</i> Reparations (reduced): <i>Al Mahdi</i> , <i>Katanga</i> , <i>Lubanga</i>
10. Number of victims' representatives financed by legal aid	7	<i>Katanga</i> , <i>Lubanga I</i> , <i>Lubanga II</i> , <i>Al Mahdi</i> , <i>Ongwen</i> , <i>Al Hassan</i> and <i>Yekatom</i> and <i>Ngaïssona</i>
11. Number of LRV teams within the OPCV	4	<i>Ongwen</i> (1), <i>Katanga</i> (1), <i>Lubanga</i> (1) and other proceedings (1) ⁶
12. Number of languages supported in the courtroom	3	1-Acoli, 2-English, 3-French
13. Number of case-related languages supported	33	1-English, 2-French, 3-Acoli, 4-Arabic, 5-Arabic (Sudanese), 6-Swahili (Congolese), 7-Kinyarwanda, 8-Lingala, 9-Dioula, 10-Bambara, 11-Ateso, 12-Alur, 13-Sango, 14-Zaghawa, 15-Tamasheq, 16-Georgian, 17-Russian, 18-Songhai, 19-Lendu, 20-Guééré, 21-Lango, 22-Tigrinya, 23-Fulfulde, 24-Dari, 25-Pashto, 26-Kirundi, 27-Kihema, 28-Mòoré, 29-Amharic, 30-classified (A) 31- Hebrew, 32-Ukrainian, 33-classified (B)
14. Number of languages supported for correspondence with States Parties	7	1-English, 2-French, 3-Arabic, 4-Spanish, 5-Dutch, 6-Georgian, 7-Russian
15. Number of final appeals	1 ⁷	<i>Bemba Art. 70</i> (art. 76)

¹ Nine active investigations, but Darfur and DRC account for 12 months in total.

² Only for the first quarter of 2020.

³ Starting in the second quarter of 2020.

⁴ Not included here is the situation in CAR II.a. As discussed in the document containing the High Level Budget Priorities and Cost Drivers, the situation is likely to be reclassified, e.g. to Investigations Pending Arrest, depending on developments in 2019.

⁵ Trial teams are Chambers teams which may be assigned to handle preparations for upcoming trials, trial hearings, sentence hearings and reparations hearings.

⁶ This team covers the residual proceedings in which the OPCV is involved (*Gaddafi* admissibility, *Comoros* appeal, etc.).

⁷ The nature of the appeals process is such that, until a judgment is issued by a Trial Chamber, it cannot be said that a final appeal is certain. However, it is highly likely that a judgment of a Trial Chamber (be it a conviction or an acquittal) will result in at least one appeal from one or more of the parties.

<i>Parameter</i>	<i>Assumption</i>	<i>Explanations</i>
16. Number of witnesses appearing for testimony	0	Appearance of witnesses is expected to terminate by October 2019
17. Expected maximum duration of stay per witness	10	3 days of preparation + 2 days of familiarization + 2 hearing days + 3 days for weekends and/or breaks = 10 days on average per witness
18. Number of victims applying for participation/reparations	4,250 ⁸	CAR II (2,000), CIV II (1,000), DRC (500), Mali I (250) and Uganda (500)
19. Number of witnesses and victims under protection	170	Witnesses/victims and others at risk on account of testimony under VWS protection, including ICCPP and other forms of protection
20. Number of persons under protection	650	Around 170 witnesses/victims and 480 dependents could be under the protection and care of the VWS in 2020
21. Number of suspects/accused appearing before the Court ⁹	0	
22. Number of suspects, accused or convicted persons in detention	1	Ongwen
23. Number of cells required	6	Renting model is either 6 or 12 cells (for one detainee: one 6-cell block)
24. Number of country offices/presences	8	1 in the CAR (Bangui), 1 in Côte d'Ivoire (Abidjan), 2 in the DRC (Kinshasa and Bunia), 1 in Georgia (Tbilisi), 1 in Mali (Bamako), 1 in Uganda (Kampala) and 1 New York Liaison Office

⁸ Figures represent the number of individual applications expected to be received. Applications for participation and applications for reparations are counted separately. Submissions of additional information are also counted separately where full Registry data entry and legal assessment is required (e.g. where an additional form is received).

⁹ For the purposes of this document only, the term "accused" includes persons who have been acquitted or convicted at first instance and whose cases are awaiting the outcome of a final appeal. Persons appearing before the Court solely for reparations proceedings are outside the scope of this definition.

Annex III

List of potential developments which could impact the 2020 Proposed Programme Budget

1. Procedural developments leading to delays in ongoing proceedings, including:
 - (a) Delays in proceedings due to unexpected evidentiary obstacles (example: (temporary) unavailability of witnesses);
 - (b) Issues subject to interlocutory appeals before the Appeals Chamber: any interlocutory appeals (requiring suspensive effect) in cases at trial, delaying progress in proceedings on the merits; and
 - (c) Temporary abeyance of proceedings due to the unavailability of a judge or a party to the proceedings (or the latter's senior representative) owing to, *inter alia*, disqualification, withdrawal, serious illness or death.
2. Developments currently unforeseeable, including:
 - (a) Arrest or surrender to the Court of persons sought under a warrant of arrest;
 - (b) Opening by the Prosecutor of a *proprio motu* investigation in a new situation (after having sought and obtained leave to do so from the Pre-Trial Chamber);
 - (c) United Nations Security Council referral of a situation to the Court; and
 - (d) State Party referral.

Annex IV

Strategic Goals

Annex IV (a)

List of goals from the International Criminal Court Strategic Plan (2019-2021)

<i>A. Judicial and prosecutorial performance</i>	<i>B. Cooperation and complementarity</i>	<i>C. Organizational performance</i>
<p>Goal 1: Increase the expeditiousness and efficiency of the Court's core activities (preliminary examinations, investigations, trials and reparations) while preserving the independence, fairness and quality of its proceedings, ensuring adherence to the highest legal standards and protecting the safety and well-being of individuals, in particular victims and witnesses</p>	<p>Goal 4: Continue to foster political support and develop modalities of cooperation and operational assistance for all parties as regards preliminary examinations, investigations, protection of witnesses, implementation of warrants of arrest and judicial proceedings</p>	<p>Goal 6: Further increase the level of professionalism, dedication and integrity that is brought to all of the Court's operations</p>
<p>Goal 2: Further develop the Court's approach to victims in all phases of judicial proceedings, including (in cooperation with the Trust Fund for Victims) reparations</p>	<p>Goal 5: Discuss and devise, with States and other stakeholders, new strategic initiatives to better enable the Rome Statute system to manage the shared responsibility to close the impunity gap by, among other things, encouraging domestic implementation of the Rome Statute and other measures of complementarity by States Parties (including provision of support and assistance to victims) and developing a strategy for the completion of situations under investigation</p>	<p>Goal 7: Create and ensure a safe and secure working environment with a focus on staff well-being and continuous improvement</p>
<p>Goal 3: Further develop the mainstreaming of a gender perspective in all aspects of the Court's judicial and prosecutorial work</p>		<p>Goal 8: Achieve more equitable GRGB, particularly in higher-level posts</p> <p>Goal 9: Manage resources in an effective, coherent, transparent, responsible and adaptable manner and further develop the Court's sustainability and resilience in the face of identified risks</p> <p>Goal 10: Build a strategy for the completion of situations under investigation</p>

Annex IV (b)

List of strategic goals from the OTP Strategic Plan (2019-2021)

1. Improving performance in relation to the Office's core activities:
 - (a) *Strategic Goal 1*: Achieve a high rate of success in court;
 - (b) *Strategic Goal 2*: Increase the expediency and efficiency of preliminary examinations, investigations and prosecutions without compromising on quality and wellbeing of staff;
 - (c) *Strategic Goal 3*: Develop with States enhanced strategies and methodologies to increase the arrest rate of persons subject to outstanding warrants of arrest issued by the Court; and
 - (d) *Strategic Goal 4*: Refine and reinforce its approach to victims, in particular for victims of Sexual and Gender-Based Crimes (SGBC) and crimes against or affecting children.
2. Enhancing sound management practises:
 - (a) *Strategic Goal 5*: Increase the Office's ability to manage its resources in an effective, responsible and accountable manner.
3. Contributing to the effective functioning of the Rome Statute System:
 - (a) *Strategic Goal 6*: Further strengthen the ability of the Office and of its partners to close the impunity gap.

Annex IV (c)**List of strategic goals from the Registry Strategic Plan (2019-2021)**

1. In view of the essential services it delivers to the Court, the Registry must ensure that it employs the most productive and capable people available and that it strives for excellence in everything it does. To maximize productivity, the Registry has embarked on a three-year programme aimed at increasing staff engagement. In pursuit of excellence in all respects, the Registry has also commenced a three-year programme of continuous improvement.
2. The Court is committed to improving geographical representation and gender balance among its staff. As the largest employer of staff within the Court, the Registry must naturally prioritize this issue. Accordingly, the Registry is undertaking a three-year programme of action to improve geographical representation and gender balance, focusing in the latter case mainly on higher-level posts.
3. The Registry's three priorities are therefore:
 - (a) continuous improvement;
 - (b) increasing staff engagement; and
 - (c) geographical representation and gender balance.

Annex IV (d)

Major Programme I: Judiciary

Expected results, performance indicators and targets for 2020

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
Objectives 1-4 (Strategic Goals 1-3)		
1. Provide effective Presidency planning and support for the efficient management of judicial proceedings	- Potential issues identified and effectively managed	- 100%
	- Quality of preparation and support for Presidency and judges' meetings	- Fully satisfactory
	- Efficient management of applications/filings before the Presidency	- All decisions issued within agreed timescale
	- Timeliness and quality of advice to the President and Vice-Presidents on administrative and managerial issues	- Fully satisfactory
2. Implement and operate in line with appropriate performance indicators for judicial processes and relevant judicial support	- Continued collection of relevant data in key areas for performance indicator initiative concerning both Court-wide and Judiciary processes	- 100%
	- Use of performance indicators in Court-wide and Judiciary processes	- Fully satisfactory
3. Conduct pre-trial, trial and appellate processes fairly and expeditiously, with full respect for the rights of the accused and due regard for the protection of victims and witnesses	- Time between phases of proceedings shortened, without prejudice to the right of parties, participants and victims to fairness and protection, where applicable	- Measurable improvement in comparison with earlier cases
4. Advance the lessons-learned review of judicial processes, consulting stakeholders as appropriate, with emphasis on changes not requiring amendments to the Rules of Procedure and Evidence	- Continued harmonization of judicial practice	- By end of 2020
Objectives 5-8 (Strategic Goals 4-5)		
5. Transparent and effective communication and information exchange between Judiciary and Working Groups of the Assembly	- Number of HWG/SGG meetings attended by a Presidency/Court representative, as appropriate	- Representation where appropriate
6. Strengthened trust, commitment and support among the Court's external stakeholders through information-sharing at meetings, conferences, etc. regarding the Court's efforts and commitment to provide high-quality justice in an expeditious manner	- Number of high-level meetings held with States, international organizations and civil society by the President/Presidency	- 100+ meetings
	- Presidency participation in meetings of the Assembly, HWG, SGG and the Committee on Budget and Finance, diplomatic and NGO briefings, etc.	- Whenever required
7. Further accessions to/ratifications of the Rome Statute and the Agreement on Privileges and Immunities (APIC) and enhanced communication and cooperation of non-States Parties with the Court	- Coordinate efforts with other stakeholders to draw attention to the importance of universality and the APIC and to encourage States that have not ratified the Rome Statute and APIC to do so	- 1 new accession to Rome Statute and 1 to APIC
8. Conclusion of further sentence enforcement agreements with States	- Sentence enforcement agreements concluded	- 1

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
Objectives 9-11 (Strategic Goals 6-9)	-	-
9. Further improve management of staff performance	- Full MP-I compliance with the Court's performance appraisal system, including appropriate input from line managers and judges	- 100%
	- Provision of requested reports and information in a timely and transparent manner	- 100%
10. Effective resource management including identification and implementation of possible further efficiency measures	- Improvements in timescales of judicial proceedings through implementation of lessons-learned changes	- Measurable improvements
11. Efficient use of Chambers staff resources through central management and flexible deployment to meet changing case workload needs	- Effective central management of staff resources by Head of Chambers' Staff (P-5)	- 100%

Annex IV (e)

Major Programme II: Office of the Prosecutor

A. Programme 2100: Expected results, performance indicators and targets for 2020

1. Sub-programme 2110: Expected results, performance indicators and targets for 2020

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
Court-wide Goal 1			
OTP Strategic Goal 1: Achieve a high rate of success in court	Quality of investigations and prosecutions ensured	Performance Indicator 1.1, 1.2 and 1.3: Prosecutorial Results Review project finalized	Report on investigations' review approved by ExCom
Court-wide Goal 1 and 10			
OTP Strategic Goal 2: Increase the speed, efficiency and effectiveness of preliminary examinations, investigations and prosecutions	Speed and efficiency of preliminary examinations, investigations and trials increased Development of OTP and Court-wide completion strategy	Performance Indicator 7: Productivity of the Office Proposals finalized Timely convening of ExCom meetings and processing of decisions Efficiencies or savings made High quality proposal on completion strategy finalized	Report to improve coherence between workload and resources approved by ExCom Weekly meetings of ExCom, and decision to be produced and circulated to internal stakeholders the same week Office-wide 1% efficiency gain or saving achieved OTP and Court-wide working groups established, Terms of References (TOR) developed, consultations held and first draft produced
Court-wide Goals 2 and 3			
OTP Strategic Goal 4: Refine and reinforce its approach to victims, in particular for victims of Sexual and Gender-Based Crimes (SGBC) and crimes against or affecting children	All preliminary examinations, investigations and prosecutions have a priority focus on SGBC and crimes against or affecting children The policies on SGBC and crimes against and affecting children are fully implemented Contribution to development of an improved approach to victims as part of the Court-wide review	Performance Indicator 4.8: SGBC and Policy on Children Systematic identification and review of these priority crimes done Measures in place versus total set out in policies Proposal finalized	All reporting on core activities show sufficient effort and findings on these priority crimes 100% Report on improved approach approved by ExCom and integrated in other parts of the Court
Court-wide Goals 6, 7, 8 and 9			
OTP Strategic Goal 5: Increase the Office's ability to manage its resources in an effective, responsible and accountable manner	Responsible and accountable management. Improved wellbeing Continuous improvement approach further implemented Improved communication to stakeholders Improved gender/geographical	Performance Indicators 11.1 – 11.4 Financial Planning, Performance and Compliance 8.1 – 8.5 Human Resources - Staff Performance and Development Compliance with Staff Rules and Regulations New performance reporting system developed and implemented Leadership framework (Court-	No major negative findings in administrative appeals Simplified, consolidated performance report shared with stakeholders All milestones achieved All milestones achieved

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
	balance	wide)	
	Staff adequately trained to perform their duties	Staff Well-being Framework (Court-wide), and Staff Engagement survey results follow-up	All milestones achieved
		Gender awareness training	All milestones achieved (e.g.: at least 1 lesson learned after any major investigative or prosecutorial event, > 50% of management attend leadership training)
		Milestones achieved/planned	Report on new communication strategy and model approved by ExCom
		Milestones achieved/planned for the priority projects	All milestones achieved
		Milestones of the gender/geographical action plan achieved/planned	All milestones achieved
		Staff trained/total staff	> 90% of staff took mandatory training

Court-wide Goals 4

OTP Strategic Goal 3: Develop with States enhanced strategies and methodologies to increase the arrest rate of persons subject to outstanding warrants of arrest issued by the Court	To support, review and approve proposals as tabled by the Office towards this goal	Performance Indicator 7: Productivity of the Office Performance Indicators 4.7 International Cooperation	
	Generate ideas and galvanize support and cooperation	Timely response to request for approval of proposals	100% response rate to requests received (positive or negative) within two weeks.
		Participate in related high-level discussions, including in the context of the cooperation facilitation	100% response rate to requests
		Continue advocacy before the United Nations Security Council (UNSC), in other diplomatic forums, and in engagements with States	At four UNSC briefings, at the annual United Nations General Assembly (and during other opportunities presented to call for greater cooperation on arrests and to exchange ideas on the need for arrests and arrests strategies)

Court-wide Goals 5

OTP Strategic Goal 6: Strengthen the ability of the Office and of its partners to close the impunity gap	To support, review and approve proposals as tabled by the Office towards this goal	Performance Indicator 7: Productivity of the Office Performance Indicators 5.1 – 5.4: Quality of Interaction with the Office	
		Timely response to requests for approval of proposals	100% response rate to requests received (positive or negative) within three weeks

2. Sub-programme 2120: Expected results, performance indicators and targets for 2020

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
Court-wide Goal 1			
OTP Strategic Goal 2: Increase the speed, efficiency and effectiveness of preliminary examinations, investigations and	Timely finalization of preliminary examinations, investigations and trials	Performance Indicator 7: Productivity of the Office Milestones achieved/planned	Ensure units are capable of providing services to the OTP in a timely and efficient manner

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
prosecutions	Speed and efficiency of preliminary examinations, investigations and trials increased	Proposals finalized Efficiencies or savings made	(minimize variances: to < 5%. Variance compared to expected time and effort set out in the agreed processes and procedures) Language support provided as per agreed schedule 98% of time Contribute to drafting report to improve coherence between workload and resources to be approved by ExCom Contribute to Office-wide 1% efficiency gain or saving achievement

Court-wide Goals 6, 7, 8 and 9

OTP Strategic Goal 5: Increase the Office's ability to manage its resources in an effective, responsible and accountable manner	Responsible and accountable management	Performance Indicators 11.1 – 11.4 Financial Planning, Performance and Compliance	No major negative findings by auditors.
	Continuous improvement approach further implemented	8.1 – 8.5 Human Resources - Staff Performance and Development Compliance with Financial Rules and Regulations (FRR)	Full compliance with FRR and financially sound implementation of funds (approved budget and CF) within agreed target rates
	Improved wellbeing	New performance reporting system implemented	Contribute to drafting simplified, consolidated performance report to be shared with stakeholders
	Staff adequately trained to perform their duties Risk management improvement	Milestones achieved/planned for the priority projects Staff trained/total staff	All milestones achieved >80% of staff participate in surveys Action plan following survey results developed and implemented Conduct at least 1 lessons learned exercise on flexible working arrangements 100% of performance appraisal forms completed on time All milestones achieved > 90% of staff took mandatory training Update section's Risk Register

3. Sub-programme 2160: Expected results, performance indicators and targets for 2020

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
Court-wide Goal 1			
OTP Strategic Goal 2: Increase the speed, efficiency and effectiveness of preliminary examinations, investigations and prosecutions	Speed and efficiency of preliminary examinations, investigations and trials increased	Performance Indicator 7: Productivity of the Office Proposals finalized	Contribute to drafting report to improve match between workload and resources to be approved by ExCom
		Efficiencies or savings made	Contribute to Office-wide 1% efficiency gain or saving achievement

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
Court-wide Goals 6, 7, 8 and 9			
OTP Strategic Goal 5: Increase the Office's ability to manage its resources in an effective, responsible and accountable manner	Responsible and accountable management	Performance Indicators 11.1 – 11.4 Financial Planning, Performance and Compliance 8.1 – 8.5 Human Resources - Staff Performance and Development	
	Continuous improvement approach further implemented	New performance reporting system implemented	Contribute to drafting simplified, consolidated performance report to be shared with stakeholders
	Improved wellbeing	Milestones achieved/planned	All milestones achieved
	Improved information management	Milestones achieved/planned for the priority projects	All milestones achieved
	Staff adequately trained to perform their duties	Milestones achieved/planned for the priority projects. Staff trained/total staff	All milestones achieved
			Establish an OTP data governance board in order to standardize and adjudicate data and information management-related issues Develop e-learning platform for delivery of internal training Timely and effective registration of evidence and disclosure (within the agreed target range) 90% of staff took mandatory training

B. Programme 2200: Expected results, performance indicators and targets for 2020

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
Court-wide Goal 1			
OTP Strategic Goal 1: Achieve a high rate of success in court	Quality of investigations and prosecutions ensured	Performance Indicator 1.1, 1.2 and 1.3: Prosecutorial Results	
		Results of quality controls (e.g. case review) Review project finalized	Any major quality problem identified and addressed
Court-wide Goal 1			
OTP Strategic Goal 2: Increase the speed, efficiency and effectiveness of preliminary examinations, investigations and prosecutions	Timely finalization of preliminary examinations, investigations and trials Speed and efficiency of preliminary examinations, investigations and trials increased	Performance Indicator 7: Productivity of the Office	
		Milestones achieved/planned Proposals finalized	Any major delay due to OTP identified and addressed Reports to optimize speed and efficiency of each core activity approved by ExCom Contribute to drafting a report to improve coherence between workload and resources to be approved by ExCom At least one milestone report per year per preliminary examination

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
			Annual external relations and cooperation plans drafted, circulated and approved, and steps defined for the relevant period, with >80% implemented Network of operational focal points expanded to 3 partners More than 75% of Request for Further Actions responded to during the period Contribute to Office-wide 1% efficiency gain or saving achievement
		Efficiencies or savings made	
Court-wide Goal 4			
OTP Strategic Goal 3: Develop with States enhanced strategies and methodologies to increase the arrest rate of persons subject to outstanding warrants of arrest issued by the Court	Increased ability to locate and arrest suspects at large	Performance Indicators 4.7 International Cooperation Milestones achieved/planned Proposal on future arrest and tracking strategy and model with partners finalized	Report approved by ExCom and presented to States Parties
Court-wide Goal 2 and 3			
OTP Strategic Goal 4: Refine and reinforce its approach to victims, in particular for victims of Sexual and Gender-Based Crimes (SGBC) and crimes against or affecting children	All preliminary examinations, investigations and prosecutions have a priority focus on SGBC and crimes against or affecting children The policies on SGBC and crimes against and affecting children are fully implemented Contribution to development of an improved approach to victims as part of the Court-wide review	Performance Indicator 4.8: SGBC and Policy on Children Systematic identification and review of these priority crimes done Measures in place versus total set out in policy Proposal finalized	All reporting on core activities show sufficient effort and findings on these priority crimes 100% Report on improved approach approved by ExCom and integrated in other parts of the Court
Court-wide Goals 6, 7, 8 and 9			
OTP Strategic Goal 5: Increase the Office's ability to manage its resources in an effective, responsible and accountable manner	Responsible and accountable management Continuous improvement approach further implemented Improved wellbeing	Performance Indicators 11.1 – 11.4 Financial Planning, Performance and Compliance 8.1 – 8.5 Human Resources - Staff Performance and Development New performance reporting system implemented Milestones achieved/planned Milestones achieved/planned for the priority projects	Contribute to drafting simplified, consolidated performance report to be shared with stakeholders All milestones achieved All milestones achieved Analyse and discuss key findings of Staff Engagement survey, including through divisional meetings, ensure follow-up Review results of pilot arrangements on flexible

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
			working
	Staff adequately trained to perform their duties	Staff trained/total staff	>90% of staff took mandatory training
Court-wide Goal 5 and 10			
OTP Strategic Goal 6: Strengthen the ability of the Office and of its partners to close the impunity gap	Efforts of national investigative and prosecutorial offices supported upon request	Performance Indicators 5.1 – 5.4: Quality of Interaction with the Office Timely response to request for information (on cases and standards)	100% of first responses to requests sent (positive or negative) within 3 months; 80% of substantive responses sent within 6 months
	Contribution to development of OTP and Court-wide completion strategy	Draft proposal prepared	OTP and Court-wide working groups established, TORs developed, consultations held and first draft produced
	Follow up with partners on Evidence preservation standards	Meeting with partners organized	1 round table organized.

C. Programme 2300: Expected results, performance indicators and targets for 2020

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
Court-wide Goal 1			
OTP Strategic Goal 1: Achieve a high rate of success in court	Quality of investigations and prosecutions ensured	Performance Indicator 1.1, 1.2 and 1.3: Prosecutorial Results Results of quality controls (e.g. case review) Review project finalized	Any major quality problem identified and addressed Report on investigations' review approved by ExCom
Court-wide Goal 1			
OTP Strategic Goal 2: Increase the speed, efficiency and effectiveness of preliminary examinations, investigations and prosecutions	Timely finalization of preliminary examinations, investigations and trials Speed and efficiency of preliminary examinations, investigations and trials increased	Performance Indicator 7: Productivity of the Office Milestones achieved/planned Proposals finalized Efficiencies or savings made	Any major delay due to OTP identified and addressed Reports to optimize speed and efficiency of each core activity approved by ExCom Report to improve coherence between workload and resources approved by ExCom Completion strategy developed for 2 situations Contribute to Office-wide 1% efficiency gain or saving achievement
Court-wide Goal 4			
OTP Strategic Goal 3: Develop with States enhanced strategies and methodologies to increase the arrest rate of persons subject to outstanding warrants of arrest issued by the Court	Increased ability to locate and arrest suspects at large	Performance Indicators 4.7 International Cooperation Milestones achieved/planned Proposal on future arrest and tracking strategy and model with partners finalized	Improved internal functioning implemented on time Report approved by ExCom

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
Court-wide Goal 2 and 3			
OTP Strategic Goal 4: Refine and reinforce its approach to victims, in particular for victims of Sexual and Gender-Based Crimes (SGBC) and crimes against or affecting children	All preliminary examinations, investigations and prosecutions have a priority focus on SGBC and crimes against or affecting children	Performance Indicator 4.8: SGBC and Policy on Children Systematic identification and review of these priority crimes done	All reporting on core activities show sufficient effort and findings on these priority crimes
	The policies on SGBC and crimes against and affecting children are fully implemented	Measures in place versus total set out in policies	100%
Court-wide Goals 6, 7, 8 and 9			
OTP Strategic Goal 5: Increase the Office's ability to manage its resources in an effective, responsible and accountable manner	Responsible and accountable management	Performance Indicators 11.1 – 11.4 Financial Planning, Performance and Compliance 8.1 – 8.5 Human Resources - Staff Performance and Development New performance reporting system implemented	Simplified, consolidated performance report shared with stakeholders
	Continuous improvement approach further implemented	Milestones achieved/planned	All milestones achieved
	Improved wellbeing	Milestones achieved/planned for the priority projects	All milestones achieved
	Staff adequately trained to perform their duties	Staff trained/total staff	90% of staff took mandatory training
Court-wide Goal 5 and 10			
OTP Strategic Goal 6: Strengthen the ability of the Office and of its partners to close the impunity gap	Efforts of national investigative and prosecutorial offices supported upon request	Performance Indicators 5.1 – 5.4: Quality of Interaction with the Office	
	Reduced requirement for the OTP's intervention	High quality proposal finalized	Completion strategy defined for 2 situations

D. Programme 2400: Expected results, performance indicators and targets for 2020

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
Court-wide Goal 1			
OTP Strategic Goal 1: Achieve a high rate of success in court	Quality of investigations and prosecutions ensured	Performance Indicator 1.1, 1.2 and 1.3: Prosecutorial Results	
		Results of quality controls (e.g. case review) Review project finalized	Any major quality problem identified and addressed Report on investigations review approved by ExCom
Court-wide Goal 1			
OTP Strategic Goal 2: Increase the speed, efficiency and effectiveness of preliminary examinations, investigations and prosecutions	Timely finalization of preliminary examinations, investigations and trials Speed and efficiency of preliminary examinations,	Performance Indicator 7: Productivity of the Office	
		Milestones achieved/planned Proposals finalized	Any major delay due to OTP identified and addressed Reports to optimize speed and

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
	investigations and trials increased	Efficiencies or savings made	efficiency of each core activity approved by ExCom Report to improve coherence between workload and resources approved by ExCom Completion strategy developed for 2 situations Contribute to Office-wide 1% efficiency gain or saving achievement
Court-wide Goal 4			
OTP Strategic Goal 3: Develop with States enhanced strategies and methodologies to increase the arrest rate of persons subject to outstanding warrants of arrest issued by the Court	Increased ability to locate and arrest suspects at large	Performance Indicators 4.7 International Cooperation Milestones achieved/planned Proposal on future arrest and tracking strategy and model with partners finalized	Improved internal functioning implemented on time Report approved by ExCom
Court-wide Goal 2 and 3			
OTP Strategic Goal 4: Refine and reinforce its approach to victims, in particular for victims of Sexual and Gender-Based Crimes (SGBC) and crimes against or affecting children	All preliminary examinations, investigations and prosecutions have a priority focus on SGBC and crimes against or affecting children The policies on SGBC and crimes against and affecting children are fully implemented	Performance Indicator 4.8: SGBC and Policy on Children Systematic identification and review of these priority crimes done Measures in place versus total set out in policies	All reporting on core activities show sufficient effort and findings on these priority crimes 100%
Court-wide Goals 6, 7, 8 and 9			
OTP Strategic Goal 5: Increase the Office's ability to manage its resources in an effective, responsible and accountable manner	Responsible and accountable management Continuous improvement approach further implemented Improved wellbeing Staff adequately trained to perform their duties	Performance Indicators 11.1 – 11.4 Financial Planning, Performance and Compliance 8.1 – 8.5 Human Resources - Staff Performance and Development New performance reporting system implemented Milestones achieved/planned Milestones achieved/planned for the priority projects Staff trained/total staff	Simplified, consolidated performance report shared with stakeholders All milestones achieved All milestones achieved 90% of staff took mandatory training
Court-wide Goal 5 and 10			
OTP Strategic Goal 6: Strengthen the ability of the Office and of its partners to close the impunity gap	Efforts of national investigative and prosecutorial offices supported upon request Reduced requirement for the OTP's intervention	Performance Indicators 5.1 – 5.4: Quality of interaction with the Office Timely response to request for information (on cases and standards) High quality proposal finalized	Completion strategy defined for 2 situations

Annex IV (f)

Major Programme III: Registry

A. Office of the Registrar

OTR: Expected results, performance indicators and targets for 2020

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020¹</i>
- Provision of legally sound and client-oriented advice	- % of advice provided within agreed timescales	- n/a
- Timely preparation and submission of high-quality filings	- % of filings submitted within established timescales	- n/a

B. Division of Management Services (DMS)

DMS: Expected results, performance indicators and targets for 2020

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020²</i>
- Provision of a sound SAP environment through timely resolution of technical issues	- Average number of days to resolve SAP service tickets	- n/a
- Reduction in health risks incurred by staff at work (Occupational Health Unit)	- Staff absence % (annual trend)	- n/a
- Safe and secure working environment on Court premises	- Number of security and safety incidents having a negative impact on the use of the Court's premises or occasioning delays in judicial proceedings (annual trend)	- n/a
- Effective and timely security clearance process	- % of security clearances completed on time	- n/a
- Timely provision of accurate and complete accounting records	- No "qualification" of audit opinion for reasons within Finance Section control	- n/a
- Streamlined financial processes	- Number of processes streamlined, including automation through SAP	- n/a
- Timely submission of an accurate budget document	- Number of corrigenda issued (annual trend) - Timeliness of submission - Number of months for budget preparation	- n/a
- Accurate and timely reports on budget implementation and forecasting	- % of reports provided on time	- n/a
- Procurement: timely purchase of value-for-money goods and services through a fair and transparent process	- Time and cost of a procurement process (annual trend)	- n/a
- Procurement: purchase of value-for-money goods and services through a fair and transparent process	- % of purchase order value put up for competitive tender - % of sole-source procurements that are fully justified and documented	- n/a
- Premises: proper maintenance and efficient operation, for all users, of the Court's permanent premises	- % of requests to Facilities Management Unit service desk fulfilled on the agreed workday - Number of instances in which part of the building is not fully operational - % of staff satisfied	- n/a

¹ KPIs will be measured in 2020 without specific targets. In accordance with the Registry Strategic Plan, data will be gathered and benchmarked, and Registry clients and Sections will be consulted in time for the setting of targets in the budget proposal for 2021.

² See footnote 1, above.

- Official travel: timely arrangement of official travel	- % of travel expense reports completed within 3 working days of receipt of the fully completed travel plan	- n/a
- Asset management: maintenance of an accurate and complete database of registered assets	- % of assets registered in the database within 3 working days of completion of the goods-received report in SAP	- n/a
- Timely and cost-effective recruitment of an inclusive workforce	- Duration of recruitment (annual trend) - Cost of recruitment (annual trend) - Geographical representation and gender parity (annual trend)	- n/a
- Promotion of a culture of high staff engagement	- Staff engagement survey (annual trend)	- n/a
- Promotion of a culture of trust based on continuous performance and development conversations	- % of performance conversations and reviews completed on time	- n/a

C. Division of Judicial Services (DJS)

DJS: Expected results, performance indicators and targets for 2020

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020³</i>
- Timely provision of high-quality translations of documents required for judicial proceedings and the administrative work of the Court	- % of proceedings or other Court activities cancelled owing to lack of translation	- n/a
- Provision of high-quality interpretation of judicial proceedings and non-judicial events at Headquarters and in the field	- % of proceedings or events cancelled owing to unavailability of interpretation	- n/a
- Accurate assessment of legal aid entitlements	- Rate of successful appeals	- n/a
- Timely responses to defence requests for assistance	- % of responses provided within agreed timescale	- n/a
- Availability of core systems maintained	- % of availability of core systems, including % of incidents in courtrooms resolved within agreed timescales	- n/a
- Prompt responses to information security incidents to minimize harm and reduce risk of future security breaches	- Average response time (in minutes) for priority 1 (critical) and priority 2 (high) incidents	- n/a
- Detainees are kept safe and secure	- Incidence of escape attempts or injuries (annual total)	- n/a
- Detainees arrive at the Court on time	- Number of delays in judicial proceedings caused by late arrival from the detention centre (annual trend)	- n/a
- Accurate and timely identification of victims for participation in active judicial proceedings	- % of victim application analyses which are accepted in the proceedings versus the total number of victim application filings transmitted	- n/a
- Timely submission of Victims Participation and Reparations Section filings	- % of filings submitted by the Chamber's deadline	- n/a
- Availability of courtrooms for hearings	- Number of hearings cancelled owing to unavailability of key support staff - Number of hearings cancelled owing to non-publication on the Court's calendar (Electronic Court System, Intranet and website) - Number of hearings cancelled owing to lack of testing by Court Management Section teams	- n/a
- Availability of public filings, evidence and transcripts on the Court's external website	- % of documents made available within agreed timescales	- n/a
- Timely provision of services to defence teams	- % of defence requests for assistance satisfactorily	- n/a

³ See footnote 1, above.

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020³</i>
	resolved within 24 hours	
- Timely submission of filings by the Office of Public Counsel for the Defence	- % of filings submitted by deadlines	- n/a
- Timely provision of services to counsel for victims	- % of counsel requests satisfactorily resolved within agreed timescales	- n/a
- Timely submission of filings by the Office of Public Counsel for Victims	- % of filings submitted by deadlines	- n/a

D. Division of External Operations (DEO)

DEO: Expected results, performance indicators and targets for 2020

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020⁴</i>
- Witnesses called to appear before a Chamber give their evidence on time	- % of necessary logistical solutions and assessment reports to the Chamber delivered within agreed timescales	- n/a
- Effective reduction of risks to witnesses and victims	- Time and cost of witness and victim placement	- n/a
- Timely provision of accurate integrated analytical assessments	- % of assessments delivered within agreed timescales	- n/a
- Increase in cooperation agreements; promotion of universality	- Number of new cooperation agreements in negotiation and concluded - Number of new States ratifying or taking steps to ratify the Rome Statute	- n/a
- Timely cooperation by States Parties, other States, regional organizations and international organizations	- % of issues triggering cooperation requests receiving a positive response - Time taken from transmission of cooperation request to final reply - % of operations completed successfully (arrest, surrender, in situ visits/hearings and new situation country assessments)	- n/a
- Effective integrated mission planning and safe travel	- % of missions approved with travel plans	- n/a
- Promotion of public access to the Court's work	- Number of new followers annually on all social media platforms - Number of visits to the Court - Number of visitors to the Court's website	- n/a
- Victims and affected communities in situation countries are informed of the judicial activities relevant to them	- Number of people attending outreach activities in situation countries	- n/a
- All clients receive adequate logistical and security support from Country Offices	- Number of missions supported - Number of security and assessment reports conducted	- n/a
- Timely responses by host country authorities, and other stakeholders, to cooperation requests from the Court	- % of issues triggering cooperation requests receiving a positive response - Time taken from transmission of cooperation request to final reply	- n/a

⁴ See footnote 1, above.

- Access to justice for victims and affected communities	- Number of planned events conducted with victims and affected communities	- n/a
	- Number of affected communities reached through direct and indirect outreach	

Annex IV (g)

Major Programme IV: Secretariat of the Assembly of States Parties

Expected results, performance indicators and targets for 2020

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
Objective 1 Conference held as planned	- Meetings run smoothly and end on time; reports are adopted - All agenda items are considered - Participants receive substantive and logistical support at meetings, including registration assistance and the provision of documentation and language services - Session participants are satisfied with the arrangements made and information provided	- n/a
Objective 2 Quality edited and translated documents released for processing, production and distribution in a timely manner	- States receive and are satisfied with the quality of conference services, including the editing, translation and timely issuance of documents in four official languages, ¹ which fully support them in their functions - States receive the required assistance, in particular with obtaining information and documentation about the Assembly and the Court	- n/a
Objective 3 Quality legal advice provided to the Assembly and its subsidiary bodies	- States receive substantive legal services, including the provision of documentation, which facilitate and support their work - Members of the Assembly and relevant bodies are satisfied with the sessions	- n/a
Objective 4 Effective dissemination of documentation and information to States Parties (online and otherwise)	- The website and extranets of the Assembly, Bureau, Committee on Budget and Finance, and Audit Committee are used frequently	- n/a

Annex IV (h)

Major Programme VII-5: Independent Oversight Mechanism

Expected results, performance indicators and targets for 2020

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
Objective 1 Contribute to the effective oversight of the Court through timely and professional investigations of allegations of misconduct	- Percentage of cases handled within 6 months of reporting	- 60%

Annex IV (i)

Major Programme VII-6: Office of Internal Audit

Expected results, performance indicators and targets for 2020

¹As of 2009, official documents for the Assembly are issued in four official languages only: Arabic, English, French and Spanish.

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2020</i>
Objective 1 Contribute to achieving the Court's strategic and operational objectives by providing assurance to management on the effectiveness and efficiency of governance, internal control frameworks and risk management through audit/advisory work.	Number of audits and advisory services engagements performed, as against the validated OIA workplan	Minimum of 6 engagements (audits and advisory services combined)

Annex V

Staffing information

Annex V (a)

Proposed Court staffing in 2020 by major programme

<i>Total Court</i>	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	<i>Total P-Staff and Above</i>	GS-PL	GS-OL	<i>Total GS-Staff</i>	Total Staff
Major Programme I	-	-	-	-	3	3	21	12	-	39	1	11	12	51
Major Programme II	1	1	-	3	20	34	77	79	25	240	1	79	80	320
Major Programme III	-	1	-	3	23	44	83	90	5	249	15	312	327	576
Major Programme IV	-	-	-	1	1	1	1	1	-	5	2	3	5	10
Major Programme VI	-	-	-	1	-	4	2	-	-	7	-	2	2	9
Major Programme VII-5	-	-	-	-	1	2	-	1	-	4	-	1	1	5
Major Programme VII-6	-	-	-	1	-	1	1	-	-	3	-	1	1	4
Grand Total	1	2	-	9	48	89	185	183	30	547	19	409	428	975

Annex V (b)

List of reclassifications 2020

<i>Level</i>				<i>Functional Title</i>		
<i>Number of Posts</i>	<i>Current</i>	<i>New/Requested</i>	<i>Organ/Section</i>	<i>From</i>	<i>To</i>	
1	P-4	P-5	Immediate Office of the Prosecutor / Legal Advisory Section	Chef de Cabinet	Chef de Cabinet	
1	P-4	P-5	Jurisdiction, Complementarity and Cooperation Division	International Cooperation Adviser	Senior Legal Adviser	
1	G-6	G-5	Investigation Division	Field Operations Assistant	Field Operations Assistant	
8	P-1	P-2	Prosecution Division	Assistant Trial Lawyer	Associate Trial Lawyer	
Total OTP Reclassifications:		11				
1	P-3	P-4	Registry/OD-DEO	Administration Officer	Administrative Officer and Risk Management Coordinator	
Total Registry Reclassifications:		1				

Annex V (c)**Changes to the staffing table**

<i>Number of Posts</i>	<i>Level</i>	<i>Functional Title</i>	<i>From 2019 Approved Budget</i>	<i>To 2020 Proposed Budget</i>
1	P-5	Chief of Field Office	Country Office – Democratic Republic of the Congo	Country Office – Uganda
1	P-5	Chief of Field Office	Country Office – Uganda	Country Office – Democratic Republic of the Congo
1	P-3	Field Officer (VPR)	Country Office – Côte d’Ivoire	Country Office – Central African Republic
1	P-3	Field Officer (VPR)	Country Office – Democratic Republic of the Congo	Country Office – Uganda
1	P-2	Associate Field Security Officer	Country Office – Côte d’Ivoire	Country Office – Mali
1	GS-OL	Administrative Assistant	Victims Participation and Reparations Section	Public Information and Outreach Section
1	GS-OL	Field Assistant as External Relations and Cooperation Assistant	Country Office – Côte d’Ivoire	External Operations Support Section
1	G-3	Driver	Country Office – Uganda	Country Office – Central African Republic
1	G-3	Driver	Country Office – Democratic Republic of the Congo	Country Office – Mali
Total Registry Redeployments:		9		

Annex VI

Salaries and entitlements for 2020 (thousands of euros)

Annex VI (a)

Judges' salary and entitlements for 2020 (thousands of euros)

<i>Presidency:</i>	<i>Costs</i>
Special allowance President and Vice-Presidents	28.0
<i>Subtotal Presidency</i>	<i>28.0</i>
Chambers: 18 judges	
Standard salary costs: 18 full-time judges	3,240.0
Judges' pensions*: 18 full-time judges	1,574.4
<i>Subtotal Chambers</i>	<i>4,814.4</i>
Accruals for annual leave	126.0
Accruals for relocation	225.0
Estimates of home leave and education grant expenses	287.5
Service-incurred injury insurance: Court requirement	36.0
<i>Subtotal additional requirements</i>	<i>674.5</i>
Total Judges' salary and entitlements for 2020	5,516.9
Revision of judges' remuneration (subject to States Parties' determination)**	580.9
Total revised judges' salary and entitlements for 2020	6,097.8

* Estimate based on notional assumptions about the terms of the performance agreement which will commence on 1 January 2020. This estimate will need to be updated once details of the agreement are available.

** This amount, which is consistent with the revised amounts included in the 2017, 2018 and 2019 proposed programme budgets, would align the judges' salaries with those of the judges of the International Court of Justice and other international courts and tribunals.

Annex VI (b)

Standard salary costs for 2020 - Professional and General Service staff at Headquarters (thousands of euros)

<i>Post level</i>	<i>Net salary</i>	<i>Common staff costs</i>	<i>Representation allowance</i>	<i>Total</i>
	(1)	(2)	(3)	(1)+(2)+(3)=(4)
USG	171.7	71.8	4	247.5
ASG	157.5	65.8	3	226.3
D-1	137.2	57.3		194.5
P-5	119.5	49.9		169.4
P-4	103.7	43.4		147.1
P-3	86.1	36.0		122.1
P-2	69.3	29.0		98.3
P-1	69.3	29.0		98.3
GS-PL	65.3	27.3		92.6
GS-OL	53.7	22.4		76.1

Delayed recruitment factors:

- | | | |
|-----|---|--------------|
| (a) | Existing Professional and General Service posts in MP I: | 5 per cent; |
| (b) | Existing Professional and General Service posts in MP II: | 8 per cent; |
| (c) | Existing Professional and General Service posts in MP III, IV and VI: | 10 per cent; |
| (d) | Existing Professional and General Service posts in MPs VII-5 and VII-6: | 0 per cent. |

<i>Post level</i>	<i>Delayed recruitment factors</i>			
	(0%)	(5%)	(8%)	(10%)
USG	247.5	235.1	227.7	222.8
ASG	226.3	215.0	208.2	203.7
D-1	194.5	184.8	178.9	175.1
P-5	169.4	160.9	155.8	152.5
P-4	147.1	139.7	135.3	132.4
P-3	122.1	116.0	112.3	109.9
P-2	98.3	93.4	90.4	88.5
P-1	98.3	93.4	90.4	88.5
GS-PL	92.6	88.0	85.2	83.3
GS-OL	76.1	72.3	70.0	68.5

Annex VII

Proposed 2020 budget for the African Union Liaison Office (AULO)

1. In line with part IX of resolution ICC-ASP/9/Res.4 of the Assembly of States Parties,¹ no resources have been allocated to the African Union Liaison Office in the proposed programme budget for 2020. Should the African Union agree to the request of the International Criminal Court (“the Court”) to open a Liaison Office in Addis Ababa, the Court will notify the Committee on Budget and Finance of the need to have access to the Contingency Fund for up to the amount in the Court’s proposed budget for 2020 of €371,400 in order to proceed with the establishment of such a Liaison Office.

1320 African Union Liaison Office	2018 Expenditures (thousands of euros)			2019 Approved Budget	Resource Changes		Proposed 2020 Budget
	Total	Cont. Fund	Total incl. CF		Amount	% (thousands of euros)	
<i>Judges</i>							
Professional staff							171.7
General Service staff							65.6
<i>Subtotal staff</i>							237.3
General temporary assistance	-	-	-	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	-	-	-	-	-	-	-
Travel	-	-	-	-	-	-	15.2
Hospitality	-	-	-	-	-	-	1.0
Contractual services	-	-	-	-	-	-	15.6
Training	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	49.6
Supplies and materials	-	-	-	-	-	-	5.0
Furniture and equipment	-	-	-	-	-	-	47.7
<i>Subtotal non-staff</i>	-	-	-	-	-	-	134.1
Total	-	-	-	-	-	-	371.4

¹ Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Ninth session, New York, 6-10 December 2010 (ICC-ASP/9/20), vol. I, part III, ICC-ASP/9/Res.4.

Annex VIII**2020 estimated income statements****Least-Developed Countries Trust Fund (euros)**

Estimated income 2020	
Donor contributions	25,000
<i>Subtotal income</i>	<i>25,000</i>
Estimated expenditure 2020	
Travel	21,100
Administration costs	3,900
<i>Subtotal expenditure</i>	<i>25,000</i>
Net income 2020	0

Annex IX

Information Technology

Annex IX (a)

Information Technology and Information Management (IT/IM) at the International Criminal Court: Five-Year Strategy (2017-2021)

1. The 2019 Proposed Programme Budget of the International Criminal Court (“the Court”), presented to the Committee on Budget and Finance (“the Committee”) for consideration at its thirty-first session in September 2018, included, as requested at the Committee’s thirtieth session, a total picture of Court-wide investment in staff and non-staff costs for the Court’s Five-Year IT/IM Strategy. This annex, based on the 2020 Proposed Programme Budget, gives an updated overview of the total investment for 2017-2021, forecasts of Information Management Services Section (IMSS) annual operating costs to support the relevant systems during and after the implementation of the Strategy and a breakdown of the resources required for Strategy projects in 2020. Information on specific Strategy projects and related actual expenditure in 2018 will be presented for consideration at the Committee’s thirty-third session in a separate report. The information provided in this annex is limited to the total Strategy investment per cost centre and the total Court-wide requested investment per Strategy work stream.

2. The following table is based on actual figures for 2017 and 2018, the Approved Programme Budget for 2019, the Proposed Programme Budget for projects in 2020 and forecasts for 2021. Forecasts will continue to be updated yearly and reported to the Committee with a detailed explanation of actual expenditure. The report to the Committee in advance of its thirty-third session will contain details of actual expenditure per project and the corresponding efficiencies or benefits.

Table 1: Total investment in the Court-wide Five-Year IT/IM Strategy for 2017-2021 (thousands of euros)

<i>Cost Centre</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>Total for Duration of Strategy</i>
Staff costs						
MP III: Registry						
DMS	-	100.0	100.0	100.0	100.0	400.0
DJS	-	146.5	61.9	146.5	146.5	501.4
Total staff costs	-	246.5	161.9	246.5	246.5	901.4
Staff costs delta from previous year	-	+246.5	-84.6	+84.6	-	-
Non-staff costs						
MP II: OTP	-	135.0	180.0	180.0	180.0	675.0
MP III: Registry						
DJS	664.0	824.0	1,592.0	1,601.0	1,763.0	6,444.0
DMS	-	225.0	150.0	20.0	370.0	765.0
Total MP III: Registry	664.0	1,049.0	1,742.0	1,621.0	2,133.0	7,209.0
Total non-staff costs	664.0	1,184.0	1,922.0	1,801.0	2,313.0	7,884.0
Non-staff costs delta from previous year	-	+520.0	+738.0	-121.0	+487.0	-
Total Court-wide investment	664.0	1,430.5	2,083.9	2,047.5	2,559.5	8,785.4
Total delta from previous year	-	+766.5	+653.4	-36.4	+512.0	-

3. The approved Court-wide Strategy investment for 2018 was €1,206.5 thousand, including €960 thousand in non-staff costs and €246.5 thousand in staff costs. The actual Court-wide Strategy investment in 2018 was €1,430.5 thousand, €224 thousand over the approved Strategy allocation. Table 1, above, shows actual figures per cost centre with updates to the differentials between actual expenditure in 2017 and approved expenditure for 2019. The increases are due to approved scope extensions for key projects such as the Mission Planning System to ensure confidentiality requirements are met and increases in product pricing of systems and hardware for Office of the Prosecutor (OTP) and Information Security projects. The additional funds required were drawn from savings achieved elsewhere in the Court.

4. The proposed 2020 IMSS budget consists of:

(a) Lights-on costs of €9,643.1 thousand, which is €38.1 thousand more than the forecast amount of €9,605 thousand presented to the Committee for consideration at its thirty-first session. However, the previous forecast of lights-on costs did not include additional staff costs: general temporary assistance (GTA), temporary assistance for meetings (TAM) and overtime. For 2020 these costs amount to €101.1 thousand. The previous forecast should have been €9,703 thousand, taking into account the additional staff costs for 2018 of €98.0 thousand. This will be corrected in the updated reporting of all lights-on staff costs, but it does not impact the forecasts for the total IMSS budget or Court-wide IT/IM expenditure; and

(b) The IMSS portion of the proposed investment in the Court's Five-Year IT/IM Strategy for 2020 is €1,601.0 thousand, which is €25.0 thousand less than the previously provided forecast.

5. The total Court-wide proposed investment in Strategy projects for 2020 is €2,047.5 thousand, including €246.5 thousand and €1,801.0 thousand in staff and non-staff costs, respectively. The requested amount is €25.0 thousand less than the forecast amount of €2,072.5 thousand. The total is to be distributed among the OTP (€180.0 thousand), the Registry's Division of Management Services (DMS) (€120.0 thousand) and the Registry's Division of Judicial Services (DJS) (€1,747.5 thousand), which includes the Court Management Section (CMS) (€146.5 thousand) and IMSS (€1,601.0 thousand). The table below breaks down staff and non-staff costs for each work stream of the Strategy per cost centre.

Table 2: Summary of investment for 2020 in Court-wide Five-Year IT/IM Strategy projects (thousands of euros)

2020 Funding for Strategy	MP II: OTP	MP III: Registry		Total Stream
		DMS	DJS	
Staff				
Judicial	-	-	146.5	146.5
Administrative	-	100.0	-	100.0
<i>Total staff</i>	-	100.0	146.5	246.5
Non-staff				
Prosecutorial	180.0	-	220.0	400.0
Judicial	-	-	709.0	709.0
Administrative	-	20.0	-	20.0
Information Management	-	-	-	-
Information Security	-	-	172.0	172.0
Optimizing IT	-	-	500.0	500.0
<i>Total non-staff</i>	180.0	20.0	1,601.0	1,801.0
Total	180.0	120.0	1,747.5	2,047.5

6. The requested €1,747.5 thousand for the IMSS budget covers strategic projects across the Judicial, Information Security and Optimizing IT work streams. Strategy projects specific to the OTP are co-funded by IMSS and OTP for €220.0 and €180.0 respectively. The Administrative work stream for 2020 is funded solely by DMS and has staff and non-staff components. CMS has an ongoing requirement for staff costs to continue the GTA position of eCourt Project Manager in connection with work on the Judicial Workflow Platform. Information Management projects in 2020 will utilize existing staff resources and therefore require no further investment for the year.

7. Table 3, below, presents the individual strategic projects for each work stream in 2020 that require an investment in staff and non-staff resources:

(a) OTP – The workplan for 2020 consists of four proposed projects, co-funded by OTP and DJS to continue enhancements in the collection of forensic evidence, deliver a new investigation and witness management solution for OTP, and use the Court’s rapid development platform to implement two custom databases for managing contacts and coordinating interpretation services;

(b) Judicial – The requested investment of €855.5 thousand is for the continued delivery of the Judicial Workflow Platform, with €146.5 thousand required for the eCourt Project Manager and the remaining €709.0 thousand for the development of the platform in accordance with the Court’s requirements;

(c) Administration – The requested investment of €120.0 thousand (€100.0 thousand staff costs and €20.0 thousand non-staff costs) is for the on-going implementation of IT/IM Strategy projects to further automate and digitize the administration as well as for the creation of a roadmap to SAP S/4 HANA. The current SAP ERP system, which is almost fifteen years old, needs to undergo a considerable and mandatory upgrade before the end of 2025. The upgrade consists of two elements: a new database platform (HANA) and an updated SAP ERP system (S/4 HANA). The roadmap to SAP S/4 HANA will propose the best approach to manage this major database and system upgrade;

(d) Information Security – The proposed workplan for 2020 leverages the Court’s investments from 2017 to 2019 in the Threat Intelligence Platform, continued penetration testing and the completion of the Court’s Information Security Management System. The last proposed project is the implementation of a new system for applying security classifications to Court records and marking them accordingly; and

(e) Optimizing IT – The sole project consists of replacing end-of-life storage hardware in line with the Court’s tiered storage model (implementation of 2017 Strategy investment).

Table 3: Breakdown of investment for 2020 in Court-wide Five-Year IT/IM Strategy projects (thousands of euros)

	<i>Initiative</i>	<i>MP II: OTP</i>		<i>MP III: Registry</i>		<i>Total</i>	
				<i>DMS</i>	<i>DJS</i>		
		<i>Staff</i>	<i>Non-staff</i>	<i>Staff</i>	<i>Non-staff</i>		
Prosecutorial	Open Source Intelligence Improvements (forensic data acquisition)				125.0	125.0	
	OTP investigation and witness management	75.0			75.0	150.0	
	Automated Transcription	60.0			20.0	80.0	
	OTP Contacts Database	25.0				20.0	
	OTP Interpretation Coordination System	20.0				20.0	
	<i>Subtotal</i>	<i>180.0</i>			<i>220.0</i>	<i>400.0</i>	
Judicial	Judicial Workflow Platform - Unified Information Repository				415.0	415.0	
	Judicial Workflow Platform - Evidence and Case Record Gateway			146.5	150.0	296.5	
	Judicial Workflow Platform - Litigation Platform				144.0	144.0	
	<i>Subtotal</i>			<i>146.5</i>	<i>709.0</i>	<i>855.5</i>	
Administration	SAP S/4 HANA road map preparation	100.0	20.0			120.0	
	<i>Subtotal</i>	<i>100.0</i>	<i>20.0</i>			<i>120.0</i>	
Security	Implementation of Information Security Management System				70.0	70.0	
	Extension of Threat Intelligence Platform				50.0	50.0	
	Penetration Testing				20.0	20.0	
	Implementation of information classification and security marking solutions				32.0	32.0	
	<i>Subtotal</i>				<i>172.0</i>	<i>172.0</i>	
Optimizing IT	Virtual Infrastructure Renewal				500.0	500.0	
	<i>Subtotal</i>				<i>500.0</i>	<i>500.00</i>	
Total		180.0	100.0	20.0	146.5	1,601.0	2,047.5

Annex IX (b)

Court-wide Information Technology and Information Management (IT/IM) costs

1. The International Criminal Court (“the Court”) submitted Court-wide figures for IT/IM-related non-staff costs to the Committee on Budget and Finance (“the Committee”) for consideration at the thirty-first session in September 2018.¹ The subsequent report of the Committee recommended that the Court provide as an annex to the 2020 Proposed Programme Budget a Court-wide breakdown of IT/IM staff and non-staff costs.² The present annex details IT/IM staff and non-staff expenditure across all of the Court’s Major Programmes and includes actual expenditure figures for 2017 and 2018. The figures for 2019 reflect the 2019 Approved Programme Budget; figures for 2020 reflect the Court’s 2020 Proposed Programme Budget; and figures for 2021 and 2022 have been forecast on the basis of the Court’s currently known programmatic and operational requirements. The figures contained in this annex were submitted by each Section of the Court to the Information Management Services Section (IMSS) for compilation and analysis and are provided as submitted.

2. Lights-on IT/IM spending includes the established posts and general temporary assistance (GTA) positions in the Registry and in the Office of the Prosecutor (OTP) which are required to support the Court’s IT/IM systems and services. The IMSS budget also includes temporary assistance for meetings (TAM) and overtime. Non-staff lights-on IT/IM expenditure is defined as all expenditure required to support the current state of Court operations and activities; this includes expenditure for contractual services, general operating expenses (on communications, rental of furniture and equipment, maintenance of furniture and equipment, etc.) and expenditure for supplies, furniture and equipment, training and travel specific to the maintenance of the Court’s IT/IM systems.

Table 1: Total Court-wide costs by cost centre (thousands of euros)

<i>Cost Centre</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>Total</i>
Lights-on							
Staff costs	5,887.5	5,946.1	6,050.6	6,081.2	5,946.2	5,946.2	35,857.8
Non-staff costs	5,930.1	6,459.4	5,915.7	5,973.5	6,140.6	7,132.9	37,552.2
<i>Total lights-on</i>	<i>11,817.6</i>	<i>12,405.5</i>	<i>11,966.3</i>	<i>12,054.7</i>	<i>12,086.8</i>	<i>13,079.1</i>	<i>73,410.0</i>
<i>Total delta from previous year</i>		+587.9	-439.2	+88.4	+32.1	+992.3	
IT/IM Strategy							
Staff costs		246.5	161.9	246.5	246.5	0.0	901.4
Non-staff costs	664.0	1,184.0	1,922.0	1,801.0	2,313.0	0.0	7,884.0
<i>Total Strategy</i>	<i>664.0</i>	<i>1,430.5</i>	<i>2,083.9</i>	<i>2,047.5</i>	<i>2,559.5</i>	<i>0.0</i>	<i>8,785.4</i>
Total Court-wide IT/IM	12,481.6	13,836.0	14,050.2	14,102.2	14,646.3	13,079.1	82,195.6
<i>Total delta from previous year (including Strategy)</i>	-	+1,354.4	+214.2	+52.0	+544.1	-1,567.2	-

3. Table 1 provides a high-level overview of actual and forecast Court-wide IT/IM costs on the basis of: the 2017 and 2018 Approved Programme Budgets (for staff costs) and actual expenditure (for non-staff costs); the 2019 Approved Programme Budget; the 2020 Proposed Programme Budget; and forecasts for 2021 and 2022. Further itemization per cost centre is provided in table 2. Year-on-year increases are expected from 2018 to 2021, but the Court’s total IT/IM staff and non-staff costs are forecast to decrease from 2018 actual

¹ Report of the Court on its Five-Year IT/IM Strategy, CBF/31/12/Rev.3.

² *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. II, part B.2, para. 108.

expenditure to €13,079 thousand in 2022, after the completion of the Five-Year IT/IM Strategy. The information in table 1 can be summarized as follows:

(a) In 2017, total Court-wide IT/IM costs amounted to €12,481.6 thousand, of which €664 thousand was the actual expenditure for the Five-Year IT/IM Strategy and €11,817.6 thousand was lights-on costs, including €5,887.5 thousand in staff costs and €5,930.1 thousand in non-staff costs;

(b) In 2018, total Court-wide IT/IM costs were €13,836.0 thousand, of which €1,430.5 thousand was investment in Year 2 of the Court's Five-Year IT/IM Strategy. The remaining €12,405.5 thousand included €5,946.1 thousand in staff costs and €6,459.4 thousand in non-staff costs. The Committee will receive a report on actual spending per IT/IM project for consideration at its thirty-third session. The increase from the preceding year will be detailed in that report;

(c) The total of €14,050.2 thousand for 2019 includes the forecast investment of €2,083.9 thousand in Year 3 of the Court's Five-Year IT/IM Strategy. This figure is lower than in the 2019 Approved Programme Budget owing to the seven-month vacancy of the position of eCourt Project Manager in the Court Management Section (CMS). The originally approved figure of €2,168.5 thousand was reduced by €84.6 thousand to reflect the vacancy. The remaining costs for 2019 consist of the approved staff budget of €6,050.6 thousand and forecast non-staff costs of €5,915.7 thousand;

(d) The Court's total forecast IT/IM costs of €14,102.2 thousand for 2020 include the proposed investment of €2,047.5 thousand in Year 4 of the Court's Five-Year IT/IM Strategy, which is €25 thousand less than the forecast considered at the Committee's thirty-first session. The remaining forecast expenditure of €12,054.7 includes €6,081.2 thousand in staff costs and €5,973.5 thousand in non-staff costs;

(e) The total forecast amount for 2021 is €14,646.3 thousand, including €2,559.5 thousand in staff and non-staff costs for the fifth and final year of the Court's Five-Year IT/IM Strategy. The remaining €12,086.8 thousand forecast for Court-wide IT/IM expenditure consists of €5,946.2 thousand in staff costs and €6,140.6 thousand in non-staff costs. Forecast staff cost figures for 2021 use estimates based on the previous year's figures. It is not possible at this stage to give an exact figure, as step increases and changes in other common staff cost indexes are not known at this point. The same applies to forecast staff cost figures for 2022; and

(f) The Committee requested at its thirty-first session to receive a forecast of Court-wide IT/IM costs after the implementation of the Five-Year IT/IM Strategy (2017-2021). The requested figure is €13,079.1 thousand, including €5,946.2 thousand in staff costs and €7,132.9 thousand in non-staff costs.³ The budget for IMSS includes a forecast expenditure of €600.0 thousand to replace obsolete infrastructure.

Table 2: Total Court-wide lights-on staff costs by Major Programme cost centre (thousands of euros)

Programmes	2017	2018	2019	2020	2021	2022	Total
	(Actuals)	(Actuals)	(Approved Budget)	(Forecast)	(Forecast)	(Forecast)	
Staff costs							
MP II: OTP	767.7	783.5	773.2	777.9	777.9	777.9	4,658.1
MP III: Registry							
DJS – IMSS	4,358.9	4,444.7	4,526.3	4,592.0	4,457.0	4,457.0	26,835.9
DJS – CMS	190.8	196.8	196.8	137.0	137.0	137.0	995.4
DJS – VPRS	87.7	90.0	88.7	88.5	88.5	88.5	531.9
DMS – SAP	298.8	306.2	304.6	315.4	315.4	315.4	1,855.8
DEO – Country Offices	110.7	124.9	161.0	170.4	170.4	170.4	907.8

³ 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. II, part B.2, para. 108.

<i>Programmes</i>	2017 (Actuals)	2018 (Actuals)	2019 (Approved Budget)	2020 (Forecast)	2021 (Forecast)	2022 (Forecast)	Total
MP IV – Secretariat of the ASP	72.9	0.0	0.0	0.0	0.0	0.0	72.9
Total staff costs	5,887.5	5,946.1	6,050.6	6,081.2	5,946.2	5,946.2	35,857.8
<i>Delta from previous year</i>	-	+58.6	+104.5	+30.6	-135.0	0.0	-
Non-staff costs							
MP II: OTP	389.4	96.0	73.4	73.4	73.4	253.4	959.0
MP III: Registry							
DJS – IMSS	4,492.0	5,496.1	5,005.5	5,051.1	5,158.7	5,982.7	31,186.1
DJS – CMS	0	34.7	8.9	0.0	0.0	0.0	43.6
DJS – LSS	31.3	5.3	0.0	0.0	0.0	0.0	36.6
DJS – VPRS	0	5.7	0.0	0.0	0.0	0.0	5.7
DJS – Detention	21.6	21.6	18.0	18.0	18.0	18.0	115.2
DMS – SAP	454.0	382.0	417.0	449.0	432.0	460.0	2,594.0
DMS – GSS	82.5	50.3	100.0	50.2	56.8	40.2	380.0
DMS – SSS	15.8	78.5	63.6	63.6	63.6	63.6	348.7
DEO – Country Offices	54.7	33.1	52.3	57.6	51.6	53.6	302.9
DEO – EOSS	12.1	23.3	12.2	32.0	32.0	32.0	143.6
DEO – VWS	202.7	161.4	53.1	0	0	0	417.2
DEO – PIOS	59.8	69.4	81.6	80.0	154.1	154.1	599.0
Total MP III: Registry	5,426.5	6,361.4	5,812.2	5,801.5	5,966.8	6,804.2	36,172.6
MP VI – Secretariat of the TFV	114.1	1.9	30.0	98.6	100.4	75.4	420.4
Total non-staff	5,930.0	6,459.3	5,915.6	5,973.5	6,140.6	7,133.0	37,552.0
<i>Delta from previous year</i>	-	+529.3	-543.7	+57.9	+167.1	+992.4	-

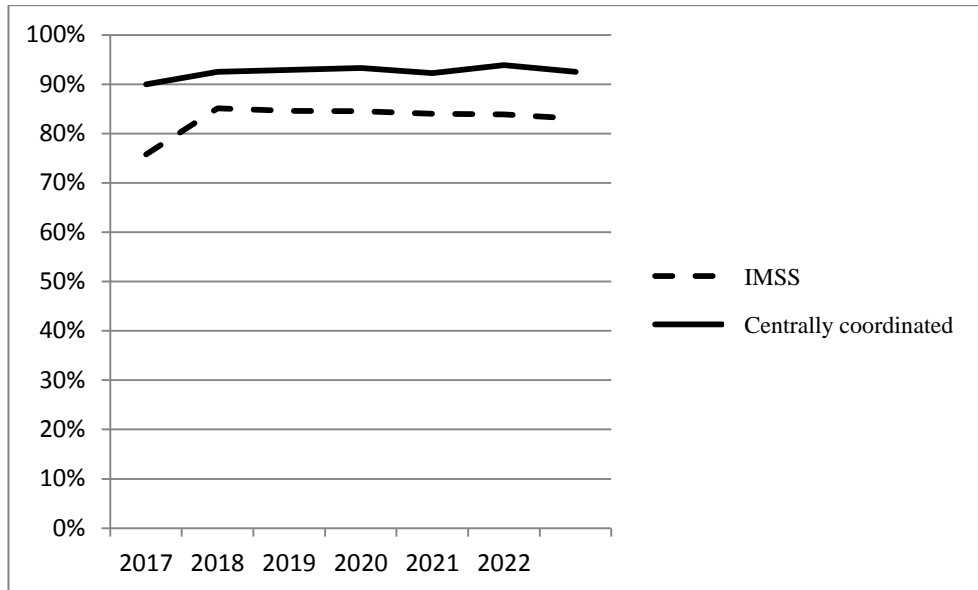
4. The functions and IT/IM services provided by IMSS and other Sections do not overlap and the division of responsibilities is documented in a matrix to prevent any duplication or gaps in systems support and services. The provision of daily operational support (lights-on services) is documented by IMSS, OTP, CMS, the Division of Management Services (DMS) and VPRS using RACI (Responsible, Accountable, Consulted, Informed) matrices. These are living documents that are updated for new systems or services. Provided that the scope of services and systems supported across the Court remains consistent, there is no forecast increase in established posts or GTA positions to meet daily operational needs. While the Court does not foresee any increase in headcount as a result of its Five-Year IT/IM Strategy, the skill set of IT/IM staff in IMSS and other Sections will have to evolve in step with technological changes.

5. Forecasting non-staff costs is more challenging, particularly for a horizon of three years or more. While the Court uses multi-year contracts to control IT/IM non-staff costs and, wherever possible, leverages other United Nations common system contracts to obtain more favourable pricing and commercial teams, the market for hardware and software changes rapidly. Thus, when contracts come up for renewal or when there are acquisitions in the marketplace that impact hardware or software used by the Court, the pricing structure and hence the costs often change, usually increasing. It is therefore difficult to predict with absolute certainty operating costs several years in the future. Forecasts will continue to be updated with each budgetary planning cycle according to the Court's IT/IM ecosystem and its contractual obligations to maintain the systems concerned.

6. The majority of non-staff costs are within the IMSS (central IT/IM) budget. In 2017, the IMSS budget accounted for 76 per cent of the total expenditure. In 2018, with further

centralization being part of the Court-wide synergies exercise, this figure increased to 85 per cent. This percentage is expected to remain consistent for the entire forecast period to 2022, with the exception of 2020, in which it is expected to decline slightly to 84 per cent of total Court-wide non-staff lights-on costs. IMSS plans and coordinates expenditure annually with OTP and the SAP team in DMS. When these three cost centres are taken together, the coordinated central expenditure as a percentage of non-staff costs is: 90 per cent and 92 per cent on the basis of 2017 and 2018 actual figures, respectively; 93 per cent in the 2019 approved budget; 93 per cent in the proposed 2020 budget; and 92 per cent in the 2021 forecast, which is expected to increase to 94 per cent after the completion of the Five-Year IT/IM Strategy. This trend is represented graphically in Figure 1, below.

Figure 1: Percentage of non-staff IT/IM lights-on costs centralized in IMSS (dashed line) and centrally coordinated with OTP and DMS SAP



7. The IT/IM expenditure that is not coordinated between IMSS, OTP and the DMS SAP team belongs to two main categories. The first category consists of IT/IM equipment and supplies purchased locally for use by country offices and specialized equipment and supplies specific to services not supported centrally by IMSS. For example, the Audio-Visual Production Unit in the Public Information and Outreach Section (PIOS) uses Mac OS, the industry standard for audio-visual production. Compatible hardware and software is purchased and managed by PIOS throughout the equipment lifecycle. The second category is subscriptions to software services that are embedded in a Section’s operations and do not require any infrastructure support from IMSS, thus remaining under that Section’s annual operating budget. Two notable examples of such solutions are the mass notification system used by the Security and Safety Section to keep staff informed in the event of an emergency and the Planon system used by the General Services Section to support its facilities and logistics operations. In 2017 and 2018, the largest IT/IM expenditure outside of centrally coordinated cost centres was incurred in the Victims and Witnesses Section for the purchase of systems to support improved witness management, monitoring and reporting.

8. Besides lights-on costs, the other component of Court-wide IT/IM expenditure is the investment in the Court’s Five-Year IT/IM Strategy (2017-2021). Table 3, below, breaks down the investment per cost centre for the duration of the Strategy. The figures for 2018 have been updated to reflect actual expenditure. The forecast for 2019 is less than the approved budget amount, owing to the vacancy of the eCourt Project Manager post in CMS for the first seven months of the year. The forecast for 2020 has been reduced slightly in comparison to the forecast prepared in 2018. Further details of the proposed 2020 strategic investments per project are available in annex IX(a). The forecast total investment is €8,785.4 thousand, which is €114.4 thousand more than the previously presented figure of €8,671.0 thousand over five years. A progress report on the implementation of the Court’s

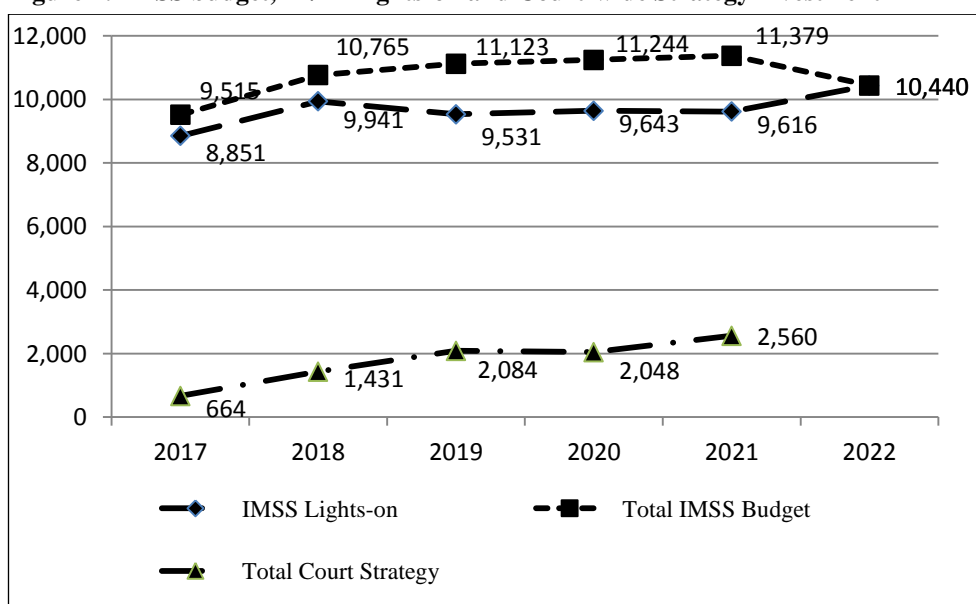
Five-Year IT/IM Strategy will be provided to the Committee in advance of its thirty-third session

Table 3: Total Court-wide Five-Year IT/IM Strategy investment (staff and non-staff costs) (thousands of euros)

Cost Centre	2017	2018	2019	2020	2021	Total
Staff						
CMS		146.5	61.9	146.5	146.5	501.4
DMS		100.0	100.0	100.0	100.0	400.0
<i>Total Strategy staff</i>		<i>246.5</i>	<i>161.9</i>	<i>246.5</i>	<i>246.5</i>	<i>901.4</i>
Non-Staff						
IMSS	664.0	824.0	1,592.0	1,601.0	1,763.0	6,444.0
DMS		225.0	150.0	20.0	370.0	765.0
OTP		135.0	180.0	180.0	180.0	675.0
<i>Total Strategy non-staff</i>	<i>664.0</i>	<i>1,184.0</i>	<i>1,922.0</i>	<i>1,801.0</i>	<i>2,313.0</i>	<i>7,884.0</i>
Total Strategy investment	664.0	1,430.5	2,083.9	2,047.5	2,559.5	8,785.4
<i>Total delta from previous year</i>	<i>-</i>	<i>+766.5</i>	<i>653.4</i>	<i>-36.4</i>	<i>+512.0</i>	<i>-</i>

9. Figure 2, below, illustrates the impact of the Court's Five-Year IT/IM Strategy investment on the IMSS (central IT/IM) budget. The line at the bottom of the graph shows the Court-wide staff and non-staff investment in the Strategy for its full duration. The upper lines pertain solely to the IMSS budget. The upper short-dashed line (with squares) is the total IMSS budget including all staff costs (established posts, GTA, TAM and overtime) and non-staff recurrent lights-on costs. The lights-on figures are higher than what was presented for consideration at the Committee's thirty-first Committee session, since previous figures did not include GTA, TAM and overtime. However, this has not impacted total IMSS budget figures.

Figure 2: IMSS budget, IT/IM lights-on and Court-wide Strategy investment



Annex X

2020 Proposed Programme Budget Baseline

1. In line with the recommendation of the Committee on Budget and Finance (“the Committee”),¹ the International Criminal Court (“the Court”) presents, below, a table showing the allocated budget in 2019 compared to the request for the 2020 proposed programme budget, in the same format as the table presented to the Committee at its thirty-first session. The purpose of the table is to compare baseline resources between 2019 and 2020. The first four columns show the 2019 Approved Programme Budget, 2019 Contingency Fund notifications to date, reductions to the baseline from identified Court-wide savings and efficiencies as reported in annex XVI, and the impact of the United Nations Common System increase, which is an additional cost in the Court’s 2019 approved budget baseline. The total 2019 baseline is then compared to the 2020 Proposed Programme Budget, and the variance between the two shows a global increase in the baseline requirement of €473.4 thousand.

2. The last columns are currently empty as they are related to a possible addendum. They are nonetheless included in order to respect the instruction of the Committee to present a table in the same format as the table presented previously, which did include addendum-related data.

Table 1: 2019 and 2020 Baseline Comparison

Major Programme		APB (Contingency Fund) 2019	Additional Resources (Contingency Fund)*	Reductions to the baseline**	Impact of UNCS changes	Baseline	2020 PPB	Variance 2020 PPB - Baseline	Variance 2020 PPB - 2019 APB	Resource changes in 2020 PPB to 2020 PPB	Resource changes after Addendum	Total 2020 PPB after Addendum
Entity		[a]	[b]	[c]	[d]	[e = a+b+c+d]	[f]	[g = f-e]	[h = f-a]	[i]	[j = i-h]	[k = a+j]
MP I	Judiciary	12,107.6	-	(237.0)	103.4	11,974.0	12,094.8	120.8	(12.8)	-	-	12,094.8
MP II	Office of the Prosecutor	46,802.5	-	(11.5)	722.1	47,513.1	47,936.3	423.2	1,133.8	-	-	47,936.3
MP III	Registry	76,651.2	2,127.9	(2,299.1)	1,448.1	77,860.1	76,145.5	(1,782.6)	(505.7)	-	-	76,145.5
MP IV	Secretariat of the Assembly of States Parties	2,841.7	-	(102.0)	35.3	2,775.0	2,837.0	62.0	(4.7)	-	-	2,837.0
MP V	Premises	1,800.0	-	-	-	1,800.0	3,088.1	1,288.1	1,288.1	-	-	3,088.1
MP VI	TFV Secretariat	3,130.3	-	-	105.9	3,236.2	3,333.0	96.8	202.7	-	-	3,333.0
MP VII-5	Independent Oversight Mechanism	531.1	-	-	8.9	540.0	783.8	243.8	252.7	-	-	783.8
MP VII-6	Office of Internal Audit	685.6	-	-	14.3	699.9	721.2	21.3	35.6	-	-	721.2
Total Court Wide		144,550.0	2,127.9	(2,649.6)	2,438.0	146,398.3	146,939.7	473.4	2,389.7	-	-	146,939.7
MP VII-2	Host State Loan	3,585.1	-	-	-	3,585.1	3,585.1	-	-	-	-	3,585.1
Total Court Wide		148,135.1	2,127.9	(2,649.6)	2,438.0	149,983.4	150,524.8	473.4	2,389.7	-	-	150,524.8

* Includes Contingency Fund amounts for Gbagbo and Blé Goudé and Yekatom and Ngaïssona.

** Result of savings, non-recurrent costs and additional cost reductions.

¹ ICC-ASP/18/5, para. 15.

Annex XI

Strategic dynamic evolution of judicial activities by situation

Table 1: Strategic dynamic evolution of judicial activities by situation (thousands of euros)

Budget per situation: in thousands euros ⁽¹⁾⁽²⁾	Operational Support (CIS and FOPs)	Uganda	DRC	Darfur	CAR	Kenya	Libya	Cote D'Ivoire				Mali	Georgia	Burundi
2015 Approved	30,078.3 (21 cases)	980.9 (1 case)	8,264.3 (6 cases)	336.0 (4 cases)	7,052.7 (2 case)	4,180.9 (2 cases)	622.8 (3 cases)	5,404.9 (2 cases)	4,752.4 (2 cases)			-	-	
2016 Approved	32,826.4 (22 cases)	4,373.9 (3 cases)	8,287.4 (2 cases)	519.4 (3 cases)	8,372.3 (4 case)	4,826.9 (2 cases)	733.6 (3 cases)	5,699.3 (3 cases)	4,186.1 (2 cases)			-	-	
2017 Approved	33,157.9 (23 cases)	3,010.5 (3 cases)	6,660.8 (2 cases)	1,399.9 (3 cases)	8,447.3 (4 cases)	2,362.7 (2 cases)	1,568.0 (3 cases)	6,390.0 (3 cases)	2,483.1 (2 cases)	3,666.0 (1 case)			-	
2018 Approved	36,226.1 (23 cases)	3,024.5 (3 cases)	6,969.4 (2 cases)	1,270.3 (3 cases)	8,822.7 (4 cases)	965.7 (2 cases)	1,689.5 (3 cases)	6,104.7 (3 cases)	2,313.8 (2 cases)	3,168.1 (1 case)			-	
2019 Approved	36,276.0 (23 cases)	2,681.1 (2 cases)	1,869.1 (2 cases)	1,364.0 (3 cases)	7,425.7 (4 cases)	268.2 (2 cases)	2,286.9 (3 cases)	5,876.8 (3 cases)	3,316.0 (2 cases)	3,614.5 (1 case)	2,159.8 (1 case)			
2020 Proposed	33,470.9 (21 cases)	2,602.3 (2 cases)	2,957.3 (2 cases)	1,156.1 (3 cases)	7,834.4 (3 cases)	32.4 (2 cases)	3,663.3 (3 cases)	5,618.0 (2 cases)	3,803.2 (2 cases)	4,254.2 (1 case)	3,237.6 (1 case)			

⁽¹⁾ Excludes costs attributable to court-in-session (CIS) but includes costs attributed to court-in-session operations (CIS-Ops)

⁽²⁾ Excludes contingency fund notifications

Table 2: Breakdown of staff allocation per situation

Staff per situation ⁽¹⁾⁽²⁾	Operational Support (CIS and FOPs)		Uganda		DRC		Darfur		CAR		Kenya		Libya		Cote D'Ivoire		Mali		Georgia		Burundi	
	EP ⁽³⁾	GTA ⁽⁴⁾	EP ⁽³⁾	GTA ⁽⁴⁾	EP ⁽³⁾	GTA ⁽⁴⁾	EP ⁽³⁾	GTA ⁽⁴⁾	EP ⁽³⁾	GTA ⁽⁴⁾	EP ⁽³⁾	GTA ⁽⁴⁾	EP ⁽³⁾	GTA ⁽⁴⁾	EP ⁽³⁾	GTA ⁽⁴⁾	EP ⁽³⁾	GTA ⁽⁴⁾	EP ⁽³⁾	GTA ⁽⁴⁾	EP ⁽³⁾	GTA ⁽⁴⁾
2015 Approved	197 (21 cases)	95.93 (1 case)	14 (6 cases)	1.67 (4 cases)	61 (2 case)	23.77 (2 cases)	10 (3 cases)	- (4 cases)	17 (2 cases)	34.62 (2 cases)	47 (3 cases)	11.69 (3 cases)	6 (2 cases)	2.42 (3 cases)	32 (3 cases)	21.30 (2 cases)	10 (2 cases)	21.44 (1 case)	-	-	-	-
2016 Approved	210 (22 cases)	78.90 (3 case)	39 (2 cases)	17.47 (3 cases)	55 (4 case)	12.65 (2 cases)	4 (3 cases)	1.12 (4 case)	43 (2 cases)	25.13 (3 cases)	24 (3 cases)	3.94 (3 cases)	1 (3 cases)	1.00 (3 cases)	38 (3 cases)	8.03 (2 cases)	12 (2 cases)	8.41 (1 case)	-	-	-	-
2017 Approved	303 (23 cases)	60.60 (3 cases)	24 (2 cases)	7.91 (3 cases)	42 (4 cases)	3.11 (2 cases)	19 (3 cases)	7.30 (4 cases)	56 (2 cases)	17.39 (3 cases)	6 (3 cases)	0.55 (3 cases)	14 (3 cases)	4.30 (3 cases)	45 (3 cases)	11.19 (2 cases)	2 (2 cases)	5.55 (1 case)	21 (1 case)	18.44 (1 case)	-	-
2018 Approved	287 (23 cases)	61.87 (3 cases)	28 (2 cases)	6.52 (3 cases)	52 (4 cases)	4.10 (2 cases)	10 (3 cases)	1.43 (4 cases)	57 (2 cases)	15.10 (3 cases)	- (2 cases)	1.08 (3 cases)	10 (3 cases)	5.00 (3 cases)	46 (3 cases)	9.87 (2 cases)	20 (2 cases)	5.98 (1 case)	18 (1 case)	18.41 (1 case)	-	-
2019 Approved	277 (23 cases)	70.60 (2 cases)	25 (2 cases)	9.96 (3 cases)	45 (4 cases)	4.75 (2 cases)	7 (3 cases)	2.33 (4 cases)	43 (2 cases)	17.00 (3 cases)	2 (3 cases)	0.00 (3 cases)	14 (3 cases)	5.33 (3 cases)	42 (3 cases)	12.08 (2 cases)	11 (2 cases)	16.40 (1 case)	19 (1 case)	13.50 (1 case)	14 (1 case)	5.50 (1 case)
2020 Proposed	270 (21 cases)	59.18 (2 cases)	25 (2 cases)	7.00 (3 cases)	51 (3 cases)	7.08 (2 cases)	9 (3 cases)	0.17 (3 cases)	35 (2 cases)	17.75 (3 cases)	0 (2 cases)	0.00 (3 cases)	20 (3 cases)	10.58 (2 cases)	39 (2 cases)	11.58 (2 cases)	16 (2 cases)	16.04 (1 case)	22 (1 case)	17.59 (1 case)	18 (1 case)	8.00 (1 case)

⁽¹⁾ Excludes staff attributable to court-in-session (CIS) but includes costs attributed to court-in-session operations (CIS-Ops)

⁽²⁾ Excludes staff from contingency fund notifications ⁽³⁾ Based on headcount from the budget per situation ⁽⁴⁾ Based on FTE from the budget per situation

Annex XII

Yearly increases in Approved Programme Budgets 2013-2019 (thousands of euros)

<i>Major Programme</i>	<i>Approved Budget 2013</i>	<i>Approved Budget 2014</i>	<i>Approved Budget 2015</i>	<i>Approved Budget 2016</i>	<i>Approved Budget 2017</i>	<i>Approved Budget 2018</i>	<i>Approved Budget 2019</i>	<i>2013-2019 increase</i>
MPI: Judiciary								
Total	10,697.9	10,045.8	12,034.1	12,430.6	12,536.0	12,712.0	12,107.6	1,409.7
Variance previous year	413.9	-652.1	1,988.4	396.4	105.4	176.0	-604.4	
Variance previous year in %	4.0%	-6.1%	19.8%	3.3%	0.8%	1.4%	-4.8%	13.2%
Actual expenditure	9,874.5	10,529.8	11,023.8	12,702.8	12,232.3	12,168.7	11,744.4	1,869.9
Implementation rate in %	92.3%	104.8%	91.6%	102.2%	97.6%	95.7%	97.0%	Aver. 97.3%
MPII: 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 previous year	542.0	4,954.3	6,392.6	3,621.1	1,740.5	1,017.6	810.7	
Variance previous year 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	44,432.0	43,735.0	46,977.3	18,052.4
Implementation rate in %	102.3%	98.5%	102.4%	97.1%	98.8%	95.1%	100.4%	Aver. 99.2%
MPIII: 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 previous year	-520.8	1,772.2	-1,267.2	7,733.3	3,873.4	509.9	-491.3	
Variance previous year in %	-0.8%	2.7%	-1.9%	11.9%	5.3%	0.7%	0.6%	18.8%
Actual expenditure	64,203.0	65,738.0	67,988.3	73,278.6	78,811.5	75,956.2	79,786.8	15,583.8
Implementation rate in %	99.5%	99.2%	104.6%	100.7%	102.8%	98.5%	104.1%	Aver. 101.3%
MPVI: 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 previous year	129.4	5.8	229.9	68.8	290.0	367.0	588.8	
Variance previous year in %	8.9%	0.4%	14.5%	3.8%	15.4%	16.9%	23.2%	98.1%
Actual expenditure	1,432.0	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%	85.0%	87.1%	78.4%	79.9%	88.3%	Aver. 85.6%

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

Annex XIII

Budget allocation per active investigation in Major Programme II

Table: Budget allocation per active investigation in Major Programme II (in thousands of euros)

<i>Situation</i>	<i>2020 estimated budget allocation</i>	<i>2019 budget allocation</i>
1 Burundi	3,139.2	2,118.7
2 Central African Republic II (a)	3,908.2	2,939.6
Central African Republic II (b)		2,138.1
3 Côte d'Ivoire II	3,259.5	3,291.3
4 Darfur (*)	1,086.1	1,319.9
5 Democratic Republic of Congo	1,359.9	
6 Georgia	3,349.6	2,938.9
7 Libya (III and IV)	3,567.3	2,119.2
8 Mali	1,434.4	

(*) The Office of the Prosecutor will prioritize a total of nine active investigations (eight simultaneously) in 2020: Burundi, CAR II, Côte d'Ivoire, Darfur (first quarter only), DRC (starting second quarter), Georgia, Libya (two investigations) and Mali (see paragraph 110). The table in the annex reflects the data in the budget system (BPC). However, the budget system does not allow to allocate the same resources to multiple active investigations during the year. Therefore, the table presents a static situation as at the beginning of the year, as if it continued at unchanged levels throughout the entire 2020. Instead, starting in the second quarter of 2020, the resources allocated to Darfur will be redeployed to other active investigations. This caveat is necessary to better understand the comparison between the two years for the Darfur situation.

Annex XIV

Proposed capital investments (2019-2022)

1. As requested by the Committee on Budget and Finance (“the Committee”), the International Criminal Court (“the Court”) has identified its capital investment costs and presented them to the Assembly of States Parties (“the Assembly”) to ensure a better understanding of their Court-wide implications and to avoid any surprises when a clearly identifiable amount falls due.¹ The table below provides an overview of these costs for the 2019-2022 period. In line with past practice, the amounts required for capital investment under the Court’s 2019 Proposed Programme Budget have been organized by priority and reduced to a minimum.

Table: Four-Year Capital Investment Plan (2019-2022)

<i>Capital investment</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>
Vehicles	335,000	420,500	420,250	465,000
Investments related to the Court’s Five-Year IT/IM Strategy	50,000	500,000	50,000	
Total capital investment	385,000	920,500	470,250	465,000

A. Vehicles

2. The costs indicated in the table above are based on the replacement plan for vehicles in the field for the 2019-2022 period. Vehicles distributed and transferred among country offices depending on operational needs range in age from 8 to 16 years old.

B. Investments related to the Court’s Five-Year IT/IM Strategy

3. According to industry standards, storage and virtual infrastructure components have a lifespan of three to five years and need to be replaced within that period. As stated in the Court’s Five-Year IT/IM Strategy, a capital investment amount of €100.0 thousand split between years 2019 and 2021 is required to renew the Court’s virtual infrastructure. A larger investment of €500.0 thousand is required for SAN (Storage Area Network) storage replacement in the data centre to maintain the Court’s storage capacity.

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Tenth session, New York, 12-21 December 2011* (ICC-ASP/10/20), vol. II, part B.II, para. 22.

Annex XV

Maintenance, operating costs and mid-term capital replacement plan of the Court's premises in 2020

1. Overtime is required for facilities management technicians who respond to emergency calls to perform actions such as urgent repairs or operations outside working hours.
2. Maintenance of premises includes costs such as cleaning, landscaping, adjustments to premises, waste management and pest control.
3. Utilities costs comprise electricity, heating/cooling and sewage charges.
4. Maintenance of furniture and equipment involves repairs to furniture and soft furnishings.
5. Supplies and materials include crockery and cutlery for the cafeteria, and supplies for small repairs carried out directly by the Court's facilities management staff.
6. Furniture is replaced when broken beyond repair. This amount concerns the Headquarters building only.

Table 1: Maintenance, operating costs and mid-term capital replacement plan of the Court's premises in 2020 (in thousands of euros)

General Services Section	
Overtime	36.0
Maintenance of premises	1,212.0
Utilities	783.0
Maintenance of furniture and equipment	38.0
Supplies and materials	7.4
Furniture	36.5
<i>Subtotal General Services Section</i>	<i>2,112.9</i>
Major Programme V– Premises	
Capital replacements 2020	1,243.1
Preventive and corrective maintenance	1,845.0
<i>Subtotal Major Programme V– Premises</i>	<i>3,088.1</i>
Total	5,201.0

7. The table below provides the details for the year 2020 of the Five-Year Plan (2020-2024) which was discussed with the CBF at its thirty-second session (ICC-ASP/18/5, paras. 76 to 83).

Table 2: The year 2020 of the Five-Year Plan (2020-2024) (in thousands of euros)

Building Management System (BMS)	130.2
Security Management System (SMS)	895.7
Electromechanical installation	174.9
Central HVAC building technology	42.3
Total	1,243.1

Annex XVI

Savings and efficiencies achieved in 2019 and estimates for 2020

1. In accordance with the requests tabled by the Assembly of States Parties and the Committee on Budget and Finance, this annex provides detailed information on savings, efficiencies, non-recurrent costs and additional cost reductions. For the background on this initiative please refer to the relevant sections of the requests on Savings and Efficiencies.¹

A. Savings

<i>Description (2020 PPB)</i>	<i>Achieved Output (2020 PPB)</i>	<i>2019 Savings (thousands of euros)</i>	<i>2020 Reduction in Baseline (thousands of euros)</i>	<i>2020 Costs Avoided (Baseline Maintained) (thousands of euros)</i>
Commencing in January 2019, field interpretation accreditation processes and focused training were conducted remotely where the technical and operational circumstances permitted.	Time taken to process trips reduced by 1 day (GS-OL) and funds spent on trips (travel, DSA, terminal expenses, etc.) reduced by €11,500 per year.	11.5	11.5	0.3
In the Investigation Division, as of 2018, Europe-based witnesses travel to HQ as opposed to having 2 investigators and 1 interpreter travel to the location of the witness (security permitting).	Funds required for travel reduced, resulting in a saving of €85,320 in 2018 and a reduction in the baseline of €94,800 in 2019 (on the basis of 20 interviews).	-	-	94.8
In the Investigation Division, as of 2018, investigative capacity has been created in the field (security permitting).	Funds required for travel reduced, resulting in a saving of €112,804 in 2018 and a reduction in the baseline of €209,338 in 2019.	-	-	209.3
In the Investigation Division, and since 2018, the most economical solution for staff accommodation in Bangui has been sought. Subject to security and protection requirements, staff will stay in apartments and not at the Ledger hotel.	Fund required for travel reduced, resulting in a saving of €181,300 in 2018 and a reduction in the baseline of €181,300 in 2019.	-	-	181.3
In 2018, the Office of the Director (SAP team) reviewed and renegotiated SAP licenses across all ERP applications.	Increase of €117,000 for yearly SAP licences maintenance cost avoided and brought down to an increase of only €15,000 by consolidating licences for the use of new and existing SAP software.	-	-	102.0
The Office of the Director (Occupational Health Unit - OHU) terminated a Field Paramedical Support contract with an external service provider and the annual cost of the service is being used to fund one in-house GS-PL Senior Nurse and one GS-OL Field Paramedic instead.	The difference between the yearly cost of the external contract and the cost of internal resources represents a saving of €14,900. In addition to savings, the increased internal capacity of OHU is used to cope with increased activities, which led to a reduction in the baseline in 2019.	-	-	14.9
The General Services Section expected an increase in annual costs of €30.0 thousand for supplies and stationery in 2019. This was offset by splitting the new contract	Zero increase in costs for supplies and stationery at HQ.	-	-	30.0

¹ Official Records ... Fifteenth session ... 2016 (ICC-ASP/15/20), ICC-ASP/15/Res.1, para. L.1.- L.2.; ICC-ASP/16/10, paras. 38-51 and annex X.; ICC-ASP/16/Res.1, section K, para. 2; ICC-ASP/17/5, para. 17.

<i>Description (2020 PPB)</i>	<i>Achieved Output (2020 PPB)</i>	<i>2019 Savings (thousands of euros)</i>	<i>2020 Reduction in Baseline (thousands of euros)</i>	<i>2020 Costs Avoided (Baseline Maintained) (thousands of euros)</i>
between various vendors.				
Each year, the General Services Section reviews all applicable facilities management contracts and renegotiates them during procurement processes.	The garbage removal contract was renegotiated. Funds required for general operating expenses (GOE) reduced, resulting in a reduction in the baseline of €7,000 in 2019.	-	-	7.0
In 2019, the General Services Section switched to a new maintenance contractor, eliminating the need for one GTA Handyman (GS-OL).	Decrease in the GTA baseline of €72,900 in 2019.	-	-	72.9
The General Services Section has reviewed the process for managing freight. Where possible, several shipments will be consolidated into one.	Funds required for GOE reduced, resulting in a reduction in the baseline of €15,000 in 2019.	-	-	15.0
Following the increasing digitization of data and despite increasing activities, the General Services Section has reduced the estimated demand for paper.	Reduction in the baseline of €10,000 in 2019.	-	-	10.0
The General Services Section continuously seeks to improve energy use at HQ, constantly adjusting and recalibrating the Court's building technology.	Reduction in the baseline of €94,000 in 2019.	-	-	94.0
In 2018, the Safety and Security Section reviewed the vetting process and eliminated a number of steps that reduced the need for required outsourced services.	Funds required for vetting-related contractual services remained at a reduced level of €22,500, at the 2019 baseline level.	-	-	22.5
In 2019, taking advantage of available cross-trained staff in other Court Management Section teams and considering the low level of hearing activity, the Section will not recruit for some of its vacant Court support staff posts and will keep them vacant.	2 posts are kept vacant (1 GS-OL and 1 P-2).	122.8	-	88.5
Long-term reduction in satellite communication costs for country offices in the CAR and the DRC: leveraging more competitive pricing of UN entities in the situation countries. Long term is over the life of the 5-year contract which starts at different times for the CAR and the DRC.	From 2021, an estimated 10% in savings per year for new contract duration, approximately €95,000 over 6 years.	15.83	-	-
Consolidation and optimization of Microsoft licensing for the Court's infrastructure.	Additional costs in 2020 avoided for the annual Microsoft licensing true-up.	19.5	19.5	-
The Information Management Services Section decommissioned ISDN lines as backup for the voice services at HQ.	Reduction in the baseline of €25,000 in 2019.	-	-	25.0
The Information Management Services Section decommissioned redundant network equipment in country offices.	Reduction in the baseline of €14,000 in 2019.	-	-	14.0
The Information Management Services Section replaced the existing two-factor authentication system with a more economical one.	Reduction in the baseline of €12,000 in 2019.	-	-	12.0

<i>Description (2020 PPB)</i>	<i>Achieved Output (2020 PPB)</i>	<i>2019 Savings (thousands of euros)</i>	<i>2020 Reduction in Baseline (thousands of euros)</i>	<i>2020 Costs Avoided (Baseline Maintained) (thousands of euros)</i>
Historically, the Court has used two satellite telecommunications providers in the field. In 2017, a decision was made to use a single provider.	Reduction in the baseline of €10,000 in 2019.	-	-	10.0
The Information Management Services Section renegotiated the agreement for landline phone communications at HQ.	Reduction in the baseline of €30,000 in 2019.	-	-	30.0
The upgrade of the Court's email system no longer requires Enterprise Vault to archive emails.	The decommissioning of Enterprise Vault for email archiving results in an annual recurrent saving of €10,000.	10.0	10.0	-
Thanks to the streamlining of administrative work processes, increased use of IT technology and workflow adjustments, the need for one GS-OL in the Victims Participation and Reparations Section could be obviated through efficiency gains in the light of the projected activities in 2020.	Reduction of VPRS budget by one GS-OL. The post has been redeployed to another Registry Section with no budget impact.	-	-	68.5
In 2018, the Office of Public Counsel for Victims commenced the use of video link in Bunia, DRC, to meet victims in the <i>Katanga</i> reparations proceedings.	Funds required for travel reduced the 2019 baseline by €3,000 (on the basis of 18 interviews) in 2019. The same figure is expected for 2020.	-	-	3.0
In 2017, the Victims and Witnesses Section reviewed the contract structure established with vendors who assist with witness protection initial response systems. The new contracts no longer contain monthly retainers but focus on payments aligned with work delivered. In 2019, the estimated saving to the GOE baseline was €52,000.	The new contract structure reduces the overall costs associated with initial response systems.	-	-	52.0
The Country Office (DRC) is required to provide SSAFE training to its staff. Until recently, staff was required to travel to HQ for this training. However, negotiations with the UNDSS now enable DRC staff to attend this training in the DRC.	Increase in travel costs avoided by €30,000 for 2020.	-	-	30.0
Online English training started in 2018 eliminated the need for DRC staff members to attend classroom-based courses for which the costs were comparatively higher and which staff were not always able to attend on account of workload and operational priorities. Flexibility offered by the online training sessions in terms of time management is highly appreciated by staff members.	Flexible training delivery schedule has increased participation rates: close to 100% attendance. Given that training is online, time is saved commuting from the country office to the training venue. The overall cost of online training is lower than that provided by DRC-based institutes.	-	-	6.8
Registry to rent a multi-bedroom apartment (as is already done by OTP) for mission travellers. This apartment can also be used as a business continuity alternative office location, if necessary, or sublet if not occupied for a period of time. The alternative currently used is the Ledger hotel.	The rental cost of a 3-bedroom apartment is estimated at €6,000 per month. The DSA for the current alternative hotel is €271. Considering the high volume of missions planned in 2020, it is estimated that the apartment would be utilized at full capacity for 10.5 months (or 945 nights, for	-	97.6	-

<i>Description (2020 PPB)</i>	<i>Achieved Output (2020 PPB)</i>	<i>2019 Savings (thousands of euros)</i>	<i>2020 Reduction in Baseline (thousands of euros)</i>	<i>2020 Costs Avoided (Baseline Maintained) (thousands of euros)</i>
	3 travellers, 30 nights per month). This leads to a saving of €97,564 for the whole year with the apartment, while providing a continuity alternative.			
Bangui has a number of UNDSS security-cleared hotels. One hotel, the Ledger, has a DSA rate that is considerably higher than other security-cleared hotels. When staff are posted to Bangui, their settling-in allowance is calculated on a rate for accommodation other than at the Ledger, since other hotels can be used while searching for permanent accommodation. The Country Office (CAR) in Bangui will now recommend that, unless there are specific validated reasons why accommodation other than the Ledger cannot be used, mission DSA rates to Bangui are paid at a rate based on accommodation other than at the Ledger.	Expected reduction of DSA rate is €86. According to historical trends and planned number of missions for 2020, this measure is expected to be applicable to about 350 missions (taking into account the 945 nights planned in the rented apartment, not affected by this DSA reduction), leading to a saving of approximately €30,530.	-	30.5	-
The Country Office (Côte d'Ivoire) implemented a new strategy of pooling vehicles to minimize mileage and better coordinate the use of vehicles.	Funds required for maintenance of and fuel for vehicles, calculated at €15,000, on average, have been reduced by 10%.	-	-	15.0
The Country Office (Côte d'Ivoire) implemented a change in process for coordinating joint in-country missions for Outreach, VPRS, OPCV and TFV, which provides economies of scale in relation to fuel and vehicle maintenance costs.	Overall number of missions was halved, resulting in a saving of €11,250 in fuel and vehicle maintenance costs.	-	-	11.3
The Country Office (Côte d'Ivoire) is implementing new approaches by which UN presences in-country and managers of sub-offices of the National Human Rights Council of Côte d'Ivoire are used to undertake prior in-country mission evaluations and market surveys before outreach campaigns.	Reduction of about €15,000 per year in mission costs such as fuel, maintenance and DSA for in-country pre-mission assessments (usually carried out by Court staff).	15.0	15.0	-
With the co-location of the Country Office (Mali) with MINUSMA (UN Peacekeeping Mission) in Bamako, it is anticipated that MINUSMA's Mission Support will successfully replace the third party contracted previously by the Court, to ensure anonymity representation, for the provision of major operating services on a cost recovery basis + 14% administrative fees/commission, as opposed to the 20% commission paid to the third party. In addition, the third party was paying 18% VAT, which was claimed and reimbursed by the Court. MINUSMA is exempted from paying taxes, resulting in saving the 18% VAT for most operating services, which will represent an administrative efficiency.	Saving of €25,000 on operating costs as compared to when the Court was relying on a third party.	25.0	25.0	-
		219.6	209.1	1,220.1

B. Efficiencies

<i>Description (2020 PPB)</i>	<i>Achieved Output (2020 PPB)</i>	<i>2019 Efficiencies (thousands of euros)</i>	<i>2020 Costs Avoided (Baseline Maintained) (thousands of euros)</i>
Commencing in July 2019, a new automated workflow system is being introduced for submitting and managing translation and transcription requests.	Time taken processing language requests and extracting data for reporting purposes reduced across multiple posts by a cumulative equivalent of 5 days of a GS-OL per month, starting October 2019.	4.2	16.8
Commencing in April 2019, a centralized Contacts Database was introduced to manage all of LSU's external contacts (e.g. language experts, academics, examiners).	Time taken sourcing experts and managing contact information reduced by 6 days per year (typically at P-2). Enhanced sharing of information and eliminated risk of duplicate contacts.	1.4	2.2
In 2018, the Office of the Director (SAP team) automated SAP support requests through existing software used by the IMSS.	Time taken to generate, track and close SAP service requests has been reduced by 10 days per year (GS-OL) resulting in an efficiency allowing the Court to avoid a cost increase of €2,732.2.	-	2.7
In 2018, the Office of the Director (SAP team) and the Finance Section automated aspects of IPSAS reporting. This improved the process for reconciling budget results and accounting results and removed the need to manually combine data from 2 different sources within SAP's financial and budget modules.	Time taken to generate reports for auditing has been reduced by 10 days per year (GS-OL) resulting in an efficiency allowing the Court to avoid a cost increase of €2,732.2.	-	2.7
In 2018, the Office of the Director (SAP team) and the Finance Section automated DSA deductions in the SAP travel module.	Calculations are more accurate. In addition, time taken to generate DSA deductions has been reduced by 10 days per year (GS-OL) resulting in an efficiency allowing the Court to avoid a cost increase of €2,732.2.	-	2.7
In 2018 the Finance Section, in line with the External Auditor's recommendation, implemented the automation of IPSAS-compliant financial statements in SAP, providing a full and transparent audit trail from financial statements to the underlying data, integrating internal control inherent in the system, and reducing manual work required to prepare financial statements.	Time taken to administer this process for 2 staff (P-3 and GS-OL) has been reduced by a total of 5 days each per year.	-	3.6
The General Services Section has reviewed the maintenance contract for the HQ building.	Zero nominal growth was achieved in the review from 2018 to 2019 through competitive procurement of services, whereas an estimated increase of 5% was expected for the same period.	90.0	90.0
Expertise retention: continuous promotion of mobility, optimization of human resources directly linked to hearing support during periods of low hearing activity in particular through assistance from Court Management Section staff to other teams in the Section, within the Registry, within the Court or with other international organizations (through staff exchanges).	In 2019 the Court Management Section will lend a G-4 Text Processor (French) to VPRS from 30 April until 31 December, thereby incurring efficiencies and savings for VPRS not having to recruit and in expertise retention for CMS. The Section will also assist another organization (ICJ), by way of a reimbursable loan, with a G-4 Text Processor (French) (30 days over Q1 and Q2).	-	-
Multi-year Judicial Workflow Platform (JWP) project: the Court Management Section is taking advantage of reduced hearing activity to mobilize staff resources on this cross-organ project (resource intensive phase for the user group consisting	In 2019 the Court Management Section will benefit from assistance (11 weeks) for the JWP by way of a staff exchange with the Kosovo Special Chambers.	2.0	2.0

<i>Description (2020 PPB)</i>	<i>Achieved Output (2020 PPB)</i>	<i>2019 Efficiencies (thousands of euros)</i>	<i>2020 Costs Avoided (Baseline Maintained) (thousands of euros)</i>
of extensive testing and finalizing user requirements).			
The Court Management Section added a new functionality to the eCourt Operating System (ECOS) to automate the distribution of documents to participants in proceedings. This also eliminated the need to enter various information into three different databases that have since been decommissioned.	Time taken to administer this process by 6 staff (GS-OL) has been reduced by 29 hours per month.	7.9	7.9
The Court Management Section added a new functionality to ECOS to automate the administration of access, security controls and notification of Court documents.	Time taken to administer this process by 6 staff (GS-OL) has been reduced by 29 hours per month.	7.9	7.9
Automation of application deployment sequences reduces the time to implement change requests and new software releases by 80%.	This frees up staff to focus on developing solutions and reduces the time for deployment to the clients. Efficiencies have reduced the staff time from 5 hours per month to less than 1 hour. The end result is that the team has re-allocated staff to activities such as improvements in the infrastructure, including information security.	1.7	1.7
Implementation of telephone communication manager (CUCM) system which automates the provision of the Court's desk phones.	Reduced time to deliver the service and re-allocation of team members to support network improvements. IMSS saves 4 days per month of GS-OL and this time is now allocated to performing preventive maintenance on the network systems that would otherwise require support from an external vendor.	13.1	13.1
Implement remote out-of-band management to troubleshoot and manage IT infrastructure in country offices from HQ.	Reduction in time required for IMSS from HQ to address IT infrastructure issues remotely. Allows IMSS to improve services without requiring additional missions.	-	-
Use of free inter-library loan for requests of materials not in the Court library, which allows the library to obtain more materials for its users at no additional charge to the Court.	In the absence of the service and to meet the research needs of the users, the library would need to purchase the materials rather than borrow from another library.	-	-
Mandatory information security training for all Court staff and phishing awareness campaign.	Reduction of information security incidents due to malware and viruses, allowing the Information Security team to focus on more value-added activities such as implementing security controls in the Court network and systems. This efficiency is difficult to quantify as it depends on the types of incidents, with very different time savings.	-	-
Process improvements which has allowed the IMSS application support team to support 28 applications (25% increase from the 21 applications in 2015).	The increase in workload has been accommodated without a need for additional staff resources. It is estimated that 1 additional GS-OL would have been requested without these improvements.	-	68.5
The VPRS Victims Application Management System (VAMS) has been (a) Made accessible to the Trust Fund for Victims for reparations/victim assistance activities in a total of three cases; and (b) Adjusted to the TFV's special needs per case.	While the most important efficiency gains from this lie with the TFV, the adjustment of VAMS has also led to a more efficient handling of the tool for Registry-specific tasks. This has led to work-time gains of 2 hours per week (GS-OL and P-2).	-	7.9

<i>Description (2020 PPB)</i>	<i>Achieved Output (2020 PPB)</i>	<i>2019 Efficiencies (thousands of euros)</i>	<i>2020 Costs Avoided (Baseline Maintained) (thousands of euros)</i>
VAMS continues to be upgraded gradually from a Windows-based to a web-based platform: this will result in better accessibility for field staff and easier information extraction for relevant stakeholders (Chambers, legal representatives, OPCV).	Workflows between HQ and the field are becoming more effective through relevant time gains as information access does no longer has to be requested and becomes increasingly automatic. Time reduced by 1 hour (GS-OL and P-2) per week. As this is a gradual process, further time gains are expected in 2020/2021.	-	3.9
The online application system for victims in Court proceedings has been approved in the Mali situation and the CAR situation; victims can now carry out the application process completely online.	For applications thus received, their electronic format facilitates processing. Time reduced by 2 hours (GS-OL) per month (owing to comparably low response rate in 2019 at the time of writing).	3.3	3.3
The Public Information and Outreach Section has implemented an Online Visits Registration System which will provide an efficient way for visitors to book visits to the Court online and receive immediate confirmation. It simplifies the process of receiving management information on a number of requests received and declined and number of visitors received as well as the information on geographical representation and profile.	Improved service to external visitors and efficiency in the time and effort to book a visit at the Court. It is estimated that approximately 6 hours less will be spent by staff members (GS-OL) per month on visit registrations.	2.6	2.6
The Country Office (Côte d'Ivoire), in cooperation with the UNDP, improved its capacity to gain favourable procurement terms, conditions and rates.	Funds required for contractual services reduced, resulting in a reduction in the baseline of €5,000 in 2019.	-	5.0
The Country Office (Mali) increased its use of videoconference facilities.	Funds required for travel reduced by €4,810 in the 2019 baseline.	-	4.8
The Country Office (Mali) reviewed its cooperation with service providers for the procurement of goods and services.	Funds required for contractual services reduced by €4,950 in the 2019 baseline.	-	5.0
Respective TFV reports have different reporting periods: (i) "Annual Report of the Board to the Assembly of States Parties" (1 July Year 1 until 30 June Year 2) (ii) TFV Annual Progress Report (1 Jan - 31 Dec) The reporting periods for both reports will be aligned from 1 Jan until 31 Dec, reducing time spent preparing the data.	Reduced time to prepare the reports for Secretariat staff. The time spent by staff differs depending on the task, but it is estimated that the time required will be reduced, leading to an efficiencies improvement of €31,000.	31.3	31.3
		165.6	285.7

C. Non-recurrent costs

<i>Description (2020 PPB)</i>	<i>Achieved Output (2020 PPB)</i>	<i>2020 Impact to Baseline (thousands of euros)</i>
Temporary savings for PPB 2020 as the Strategic Optimizing IT initiative to replace the SAN storage removes the need to purchase additional storage in 2020.	Annual storage expansion not required for 2020. This will be included in the lights on forecast from 2021 onwards.	120.0
Decrease in Contractual Services due to the nineteenth session of the Assembly being held at the United Nations Headquarters in New York.	Reduction of Contractual Services due to the Assembly being held in New York, for €100,000.	100.0
		220.0

D. Additional cost reductions

<i>Description (2020 PPB)</i>	<i>Achieved Output (2020 PPB)</i>	<i>2020 Impact to Baseline (thousands of euros)</i>
Following the expected end of the <i>Gbagbo and Blé Goudé</i> and the <i>Ntaganda</i> cases in 2019, two judges will be leaving the Court and will not be replaced.	Cost of two judges who were extended in 2019 will not be required in 2020: €237,000.	237.0
As a result of the reduction in expected hearing days thereby requiring less support in the security of the courtrooms, the Security and Safety Section reduced its related staff resources.	Reduction in GTA staffing (7 GTA posts) and in overtime (€38,800).	347.5
Taking advantage of the assumed low level of judicial hearing activity the Court Management Section will defund some of its posts related to courtroom support and will redeploy as many as possible of the incumbents of the unfunded posts to other functions, if necessary in other Sections of the Court. In 2019, taking advantage of the low level of hearing activity and thanks to available cross-trained staff in other Court Management Section teams, the Section will not recruit some of its vacant Court support staff and will keep posts vacant.	For 2020, 4 posts are unfunded (3 established posts GS-OL and 1 GS-OL GTA), 3 posts are discontinued (3 GS-OL GTA) and TAM is reduced, for 72.9 thousand.	488.4
Taking advantage of the assumed low level of judicial hearing activity the Information Management Services Section will defund some of its posts related to courtroom support and will redeploy as many as possible of the incumbents of the unfunded posts to other functions, if necessary in other Sections of the Court.	1 post is unfunded (1 GS-OL).	68.5
Taking advantage of the assumed low level of judicial hearing activity the Language Services Section will defund some of its posts related to courtroom support and will redeploy as many as possible of the incumbents of the unfunded posts to other functions, if necessary in other Sections of the Court.	3 posts are unfunded (3 P-3).	329.7
Taking advantage of the decrease in judicial activities, the Languages Services Section has reduced its provision for TAM services in support of courtroom hearings.	Reduction of TAM used for judicial hearings of €443,000.	443.0
Taking advantage of the decrease in judicial activities, the OPCD has reduced the level of judicial support provided.	Reduction of 6 months of a P-3.	61.1
Taking advantage of the assumed low level of judicial hearing activity, the Victims and Witnesses Section will defund some of its posts related to courtroom support and will redeploy as many as possible of the incumbents of the unfunded posts to other functions, if necessary in other Sections of the Court.	2 posts are unfunded (2 GS-OL).	137.0
Taking advantage of the decrease in judicial activities, the Victims and Witnesses Section has reduced its provision for TAM witness assistant services in support of courtroom hearings.	Reduction of TAM used for judicial hearings of €106,400.	106.4
The Secretariat of the Assembly has reduced the estimated demand for GOE.	Funds required for GOE in 2020 reduced, resulting in an additional cost reduction of €2,000.	2.0
		2,220.6

Annex XVII

ICC Five-Year Time-Series Assumptions and Parameters:
2016-2020

Comparison of assumptions and parameters: 2016-2020

Parameter	2016 Approved and Actuals		2017 Approved and Actuals			2018 Approved and Actuals			2019 Approved		2020 Proposed	
	Approved	Actuals	Approved	Actuals	Description	Approved	Actuals	Description	Approved	Description	Proposed	Description
1 Number of Court hearing days	465	276	440	298	Before the approval of the 2016 Proposed Programme Budget, the number of trials planned was reduced from 3 to 2 (owing to the Trial Chamber's decision in <i>Ruto and Sang</i>), which resulted in a decrease from the original number of planned Court hearing days of 465 to 310	400	93	<i>Gbagbo and Blé Goudé</i> (103), <i>Ntaganda</i> (77), <i>Ongwen</i> (113), <i>Bemba et al.</i> (1), <i>Katanga</i> (1), <i>Al Bashir</i> (1), <i>Al Mahdi</i> (1) and <i>Lubanga</i> (1)	294	2 courtrooms	0	
								2 courtrooms CIV: 160 days; Uganda: 160 days; DRC: 80 days for the end of the Defence case		<i>Gbagbo and Blé Goudé</i> (CIV): 124 days; <i>Ongwen</i> (Uganda): 160 days; <i>Al Hassan</i> (Mali II): 10 days		
2 Number of situations under investigation	8	9	11	11	Georgia was added as a new situation country in 2016	10	11	CAR I, CAR II, CIV, DRC, Georgia, Kenya, Libya, Mali, Uganda and Comoros	11	Burundi, CAR I, CAR II, CIV, DRC, Darfur, Georgia, Kenya, Libya, Mali and Uganda	11	Burundi, CAR I, CAR II, CIV, DRC, Darfur, Georgia, Kenya, Libya, Mali and Uganda
3 Number of active investigations	5	6	6	6	A new investigation in Georgia was added in 2016; budget resources were equivalent to 4.5 teams, although they were deployed in 6 situations; Georgia was covered by the Contingency Fund.	6	7	CAR II.a (Séléka), CAR II.b (anti-Balaka), Libya III, CIV II, Georgia and Darfur	8	Burundi, CAR II.a (Séléka), CAR II.b (anti-Balaka), CIV II, Darfur, Georgia and Libya (III and IV)	9 ¹	Burundi, CAR II, CIV II, Darfur, ² DRC, ³ Georgia, Libya III, Libya IV and Mali ⁴
4 Number of article 70 investigations	-	-	-	-	N/A	-	-	N/A	-	N/A	-	N/A
5 Unsealed warrants of arrest pending execution ⁵	9	9	13	14 ⁶	Libya I (1); Darfur I, II and IV; Darfur III (Banda); CIV I <i>bis</i> (SG); Mali I (Aguelok); DRC IV (Mudacumura); Kenya article 70; and Uganda (Kony)	14	15	Libya I (1); Libya II (1); Libya IV (1); Darfur I (2); Darfur II and IV (2); Darfur III (1); CIV I <i>bis</i> (SG) (1); DRC III and IV (1); Kenya article 70 (3); and Uganda (1)	-	CIV I <i>bis</i> (1); Darfur I (2), II, IV and V (2) and III (1); DRC IV (1); Kenya article 70 (3); Libya I (1), Libya II (1); Libya III (2); and Uganda (2)	16	CIV I <i>bis</i> (1); Darfur I (2), II, IV and V (2), III (1); DRC IV (1); Kenya article 70 (3); Libya I (1), Libya II (1); Libya III (2); and Uganda (2)

¹ Nine active investigations, but Darfur and DRC account for 12 months in total.² Only for the first quarter of 2020.³ Starting in the second quarter of 2020.⁴ Not included here is the situation of CAR II.a. As discussed in the document containing the High Level Budget Priorities and Cost Drivers, the situation is likely to be reclassified, e.g. to Investigations Pending Arrest, depending on developments in 2019.⁵ This parameter was called "Number of hibernated investigations" in 2015 and 2016.⁶ The increase from 13 to 15 is attributable to: Libya I – Saif Al-Islam Gaddafi and Abdullah Al-Senussi (the latter warrant remains outstanding although the case has been ruled inadmissible); Libya II – Al-Tuhamy Mohamed Khaled; and Libya IV – Mahmoud Mustafa Busayf Al-Werfalli.⁷ This is the joinder of Darfur I with Darfur II and IV.

Comparison of assumptions and parameters: 2016-2020

Parameter	2016 Approved and Actuals		2017 Approved and Actuals		2018 Approved and Actuals		2019 Approved		2020 Proposed				
	Approved	Actuals	Approved	Actuals	Approved	Actuals	Approved	Description	Proposed	Description			
6 Number of preliminary examinations	9	10	3 new preliminary examinations were added: Burundi, Comoros and Gabon; the examination in Honduras was closed; Georgia was moved to the next phase as a new active investigation	10	10	Afghanistan, Burundi, Colombia, Gabon, Guinea, UK/Iraq, Nigeria, Palestine, Comoros and Ukraine	8-10	11	Afghanistan, Colombia, Gabon, Guinea, Iraq/UK, Nigeria, Palestine, Ukraine and 9 and 10 TBD	9	Colombia, Gabon, Guinea, Iraq/UK, Nigeria, Palestine, Philippines, Ukraine and Venezuela ⁸	9	Colombia, Guinea, Iraq/UK, Bangladesh/Myanmar, Nigeria, Palestine, Philippines, Ukraine and Venezuela
7 Number of trial teams ⁹ (Chambers)	6	9	Trial Chamber I (<i>Gbagbo and Blé Goudé</i>); Trial Chamber II Reparations (<i>Lubanga, Katanga and Ngudjolo</i>); Trial Chamber III (<i>Bemba</i>); Trial Chamber V(A) (<i>Ruto and Sang</i>); Trial Chamber VI (<i>Ntaganda</i>); Trial Chamber VII (<i>Bemba et al.</i>); Trial Chamber V(B) (<i>Kenyatta</i>); Trial Chamber VIII (<i>Al Mahdi</i>); Trial Chamber IX (<i>Ongwen</i>)	3 for trial hearings; 1 for sentencing; 3 for reparations	3 for trial hearings; 1 for sentencing; 3 for reparations	Trial Chamber I (<i>Gbagbo and Blé Goudé</i>); Trial Chamber VI (<i>Ntaganda</i>); Trial Chamber IX (<i>Ongwen</i>); Trial Chamber VII (<i>Bemba et al.</i>); Trial Chamber II Reparations (<i>Lubanga and Katanga</i>); Trial Chamber III Reparations (<i>Bemba</i>); Trial Chamber VIII Reparations (<i>Al Mahdi</i>)	5	7	Trial Chamber I (<i>Gbagbo and Blé Goudé</i>); Trial Chamber VI (<i>Ntaganda</i>); Trial Chamber IX (<i>Ongwen</i>); Trial Chamber II Reparations (<i>Lubanga</i>); Trial Chamber III Reparations (<i>Bemba</i>)	6	Trial Chamber I (<i>Gbagbo and Blé Goudé</i>); Trial Chamber VI Reparations (<i>Ntaganda</i>); Trial Chamber IX (<i>Ongwen</i>); Trial Chamber II Reparations (<i>Lubanga and Katanga</i>); Trial Chamber VIII Reparations (<i>Al Mahdi</i>); Al Hassan ¹	4	Trial Chamber VI; Trial Chamber IX (<i>Ongwen</i>); Trial Chamber II Reparations (<i>Lubanga and Katanga</i>); Trial Chamber VIII Reparations (<i>Al Mahdi</i>)
8 Number of trial teams (OTP)	5	6	In 2016, 2 additional trial teams were needed to continue to support in the main trial in CAR (<i>Bemba</i>) and to cater for the new trial in Mali (<i>Al Mahdi</i>); the resources originally allocated to the trial team for Kenya were redeployed to other cases	3	3	CIV (<i>Gbagbo and Blé Goudé</i>); DRC (<i>Ntaganda</i>); Uganda (<i>Ongwen</i>)	3	3	DRC (<i>Ntaganda</i>); CIV (<i>Gbagbo and Blé Goudé</i>); Uganda (<i>Ongwen</i>)	3	CIV I (<i>Gbagbo and Blé Goudé</i>); Uganda (<i>Ongwen</i>); Mali II (<i>Al Hassan</i>) ¹	2	CAR II.b (<i>Yekatom and Ngaïssona</i>); Mali II (<i>Al Hassan</i>)
9 Number of Registry courtroom support teams	2 teams	2 teams		2 teams	2 teams	2 full courtroom teams to ensure maximum use of courtroom capacity with minimal increases in required resources	2	2	2 full courtroom teams to ensure maximum use of courtroom capacity with minimal increases in required resources	2	2 full courtroom teams to ensure maximum use of courtroom capacity	1	

⁸ Nine situations under preliminary examination in 2018, without prejudice to situations in 2019.

⁹ Trial teams are Chambers teams which may be involved in preparation for upcoming trials, trial hearings, sentence hearings and reparations hearings.

Comparison of assumptions and parameters: 2016-2020

Parameter	2016 Approved and Actuals		2017 Approved and Actuals			2018 Approved and Actuals			2019 Approved		2020 Proposed		
	Approved	Actuals	Approved	Actuals	Description	Approved	Actuals	Description	Approved	Description	Proposed	Description	
14 Number of final appeals	1	1	2 ¹¹	6 ¹²	<i>Bemba et al.</i> (article 70) – conviction and sentence; <i>Bemba</i> (main case) – conviction and sentence; <i>Katanga</i> – reparations; <i>Al Mahdi</i> – reparations	9 ¹³	8 ¹⁴	<i>Bemba</i> (main case) – conviction and sentence; <i>Bemba et al.</i> (article 70) – conviction and sentence; <i>Ntaganda</i> (conceivable); <i>Katanga</i> – reparations; <i>Al Mahdi</i> – reparations; <i>Lubanga</i> – reparations; potentially 1 more reparations appeal	5 ¹⁵	<i>Ntaganda</i> (article 74 and article 76); <i>Gbagbo and Blé Goudé</i> (article 74 and article 76); <i>Bemba</i> article 70 (article 76)	1 ¹⁶	<i>Bemba</i> article 70 (article 76)	
15 Number of witnesses appearing for testimony	100	97	88 for OTP; 7 for Defence; 2 for Chambers	81	134	134 witnesses in 3 trials: <i>Ntaganda</i> (29); <i>Gbagbo and Blé Goudé</i> (52); <i>Ongwen</i> (53)	132	39	Average time: 3 days per witness	103	Average time: 2.5 days per witness	0	Appearance of witnesses is expected to terminate by October 2019
16 Expected maximum duration of stay per witness	15	30	On average, the duration of testimony in 2016 did not exceed 15 days; however, the actual maximum duration of stay per witness under the care of the VWS for appearance purposes in 2016 was 30 days in the <i>Ntaganda</i> case, owing to lengthy preparation by the Prosecution	15	15	5 preparation days + 5 hearing days + 3 familiarization days + 2 days (1 weekend) = 15 days on average per witness	14	12	8 preparation and/or familiarization days + 3 hearing days + 3 days (weekends/possible breaks) = 14 days on average per witness	10	5 preparation and/or familiarization days + 2 hearing days + 3 days (weekends/possible breaks) = 10 days on average per witness	10	3 preparation days 2 familiarization days + 2 hearing days + 3 days (weekends/possible breaks) = 10 days on average per witness

¹¹ Number of trial judgments being appealed.

¹² Number of trial judgments being appealed. In all, 16 appeals have been filed by the parties in respect of the following decisions: *Bemba* main case (Accused appealing conviction; Accused and Prosecutor appealing sentence); *Bemba et al.* article 70 case (five Accused appealing conviction; three Accused and Prosecutor appealing sentence); *Katanga* (Accused, OPCV and LRV appealing reparations decision); *Al Mahdi* (LRV appealing reparations decision).

¹³ Number of trial judgments being appealed. In all, 18 appeals have been filed by the parties in respect of the following decisions: *Bemba* main case (Accused appealing conviction; Accused and Prosecutor appealing sentence; one appeal against reparations decision); *Bemba et al.* article 70 case (five Accused appealing conviction; three Accused and Prosecutor appealing sentence); *Ntaganda* (conceivably one appeal); *Katanga* (Accused, OPCV and LRV appealing reparations decision); *Al Mahdi* (LRV appealing reparations decision).

¹⁴ Number of trial judgments being appealed. In all, 19 appeals have been filed by the parties in respect of these decisions: *Bemba* main case (Accused appealing conviction; Accused and Prosecutor appealing sentence); *Bemba et al.* article 70 case (five Accused appealing conviction; three Accused and Prosecutor appealing sentence; one party appealing resentencing decision); *Katanga* (Accused, OPCV and LRV appealing reparations decision); *Al Mahdi* (LRV appealing reparations decision); *Lubanga* (two parties appealing reparations decision).

¹⁵ Number of trial judgments being appealed. A given judgment may be appealed by more than one party, resulting in a higher workload.

¹⁶ The nature of the appeals process is such that, until a judgment is issued by a Trial Chamber, it cannot be said that a final appeal is certain. However, it is highly likely that a judgment of a Trial Chamber (be it a conviction or an acquittal) will result in at least one appeal from one or more of the parties. Accordingly, on the basis of a strict certainty criterion, this figure would at present be 0 but would be extremely likely to increase as trial judgments are handed down in 2019.

Comparison of assumptions and parameters: 2016-2020

Parameter	2016 Approved and Actuals			2017 Approved and Actuals			2018 Approved and Actuals			2019 Approved		2020 Proposed	
	Approved	Actuals	Description	Approved	Actuals	Description	Approved	Actuals	Description	Approved	Description	Proposed	Description
20 Number of suspects/accused appearing before the Court ¹⁹	11	12	Ruto; Sang; Ongwen; Ntaganda; Bemba; L. Gbagbo; Blé Goudé; Al Mahdi; Kilolo; Arido; Mangenda; Babala	9	9	Bemba; Kilolo; Arido; Mangenda; Babala; Ntaganda; L. Gbagbo; Blé Goudé; Ongwen	9	9	Bemba; Kilolo; Arido; Mangenda; Babala; Ntaganda; L. Gbagbo; Blé Goudé; Ongwen	8	Al Hassan; ¹ Bemba; Kilolo; Mangenda; Ntaganda; L. Gbagbo; Blé Goudé; Ongwen	0	
21 Number of suspects, accused or convicted persons in detention	7	6	Bemba; Ntaganda; L. Gbagbo; Blé Goudé; Ongwen; Al Mahdi	6	6	Bemba; Ntaganda; L. Gbagbo; Blé Goudé; Ongwen; Al Mahdi	6	8	Bemba; Ntaganda; L. Gbagbo; Blé Goudé; Ongwen; Al Mahdi	5	Ntaganda; L. Gbagbo; Blé Goudé; Ongwen; Al Hassan	1	Ongwen
22 Number of cells required	6	6	In addition to the 6 required cells, a witness (P-435) was held in the Detention Centre for 28 days in October 2016, and the Court was required to rent additional cells to meet this unforeseen need	6	6	Cells come in blocks of 6	6	6 ²⁰	Renting model is either 6 or 12 cells; for 5 detainees: one 6-cell block	6	Renting model is either 6 or 12 cells; for 5 detainees: one 6-cell block	6	Renting model is either 6 or 12 cells; for one detainee: one 6-cell block
23 Number of defence teams financed by legal aid	15	14	Following the Trial Chamber's decision in the <i>Ruto and Sang</i> case, the Defence team for Sang left in June 2016, reducing the total to 14; the teams remaining through the end of 2016 were: Ntaganda, Bemba (article 5 and article 70), Kilolo, Mangenda, Babala, Arido, L. Gbagbo, Blé Goudé, Lubanga, Katanga, Banda, Ongwen and Al Mahdi	14	14	Ntaganda, Bemba (2 teams), Kilolo, Babala, Mangenda, Arido, Ongwen, L. Gbagbo, Blé Goudé, Banda (reduced activity), Lubanga, Katanga and Al Mahdi	12	15	Lubanga, Katanga, Bemba, Al Mahdi and Ongwen	10	Pre-Trial: Al Hassan (if declared indigent); Trial: Ntaganda, L. Gbagbo, Blé Goudé and Ongwen; Appeals: Bemba (article 70), Kilolo and Mangenda; Reparations: Katanga and Lubanga	11	Trial: Al Hassan, Yekatom and Ngaïssona; Appeals: Ntaganda, Ongwen, L. Gbagbo and Blé Goudé; Trial (reduced): Banda; Reparations (reduced): Al Mahdi, Katanga and Lubanga
24 Number of victims' representatives financed by legal aid	7	8	<i>Lubanga, Katanga, Bemba, Ruto and Sang, Banda, Al Mahdi</i> (trial and reparations), <i>Ongwen</i>	6	6	<i>Bemba</i> (1), <i>Lubanga</i> (2), <i>Katanga</i> (1), <i>Ongwen</i> (1) and <i>Al Mahdi</i> (1)	5	6	<i>Lubanga, Katanga, Bemba, Al Mahdi</i> and <i>Ongwen</i>	5	<i>Katanga, Lubanga, Al Mahdi, Ongwen</i> and <i>Al Hassan</i> ¹	7	<i>Katanga, Lubanga I, Lubanga II, Al Mahdi, Ongwen, Al Hassan</i> and <i>Yekatom/Ngaïssona</i>
25 Number of country offices/presences ²¹	7	7	In 2016, the operations of the Court were facilitated by 6 field offices in the DRC, CIV, CAR, Mali, Kenya and Uganda, and 1 field presence in Bunia	8	7	2 in DRC (Kinshasa and Bunia), 1 in Uganda (Kampala), 1 in CAR (Bangui), 1 in CIV (Abidjan), 1 in Mali (Bamako) and 1 in Georgia (Tbilisi)	7	7	2 in DRC (Kinshasa and Bunia), 1 in Uganda (Kampala), 1 in CAR (Bangui), 1 in CIV (Abidjan), 1 in Mali (Bamako) and 1 in Georgia (Tbilisi)	7	1 in CAR (Bangui), 1 in CIV (Abidjan), 2 in DRC (Kinshasa and Bunia), 1 in Georgia (Tbilisi), 1 in Mali (Bamako) and 1 in Uganda (Kampala)	8	1 in CAR (Bangui), 1 in CIV (Abidjan), 2 in DRC (Kinshasa and Bunia), 1 in Georgia (Tbilisi), 1 in Mali (Bamako), 1 in Uganda (Kampala) and 1 New York Liaison Office

¹⁹ For the purposes of this document only, the term "accused" includes persons who have been acquitted or convicted at first instance and whose cases are awaiting the outcome of a final appeal. Persons appearing before the Court solely for reparations proceedings are outside the scope of this definition.

²⁰ As a result of a decision of a Chamber, additional cells had to be rented for almost five months; however, the year started and ended with 6 cells.

²¹ The "field offices" have been renamed "country offices" as of the 2019 Proposed Programme Budget.

Annex XVIII

MP II Resource Allocation by Situation



Annex XIX

Addendum to the Proposed Programme Budget for 2020 of the International Criminal Court - Major Programme III*

I. Introduction

1. In accordance with the applicable Financial Regulations and Rules of the International Criminal Court (“the Court”), the 2020 budget assumptions were developed and agreed upon by the organs of the Court based on judicial and prosecutorial work plans for the following year, insofar as these could be accurately estimated prior to submission of the 2020 Proposed Programme Budget.

2. The Court’s proposed programme budget for 2020 was submitted on 12 July 2019. This deadline coincided with the confirmation of charges hearing for the *Al Hassan* case, which took place from 8 to 17 July 2019. On 30 September, the Pre-Trial Chamber issued a confidential decision confirming the charges of war crime and crimes against humanity brought by the Prosecutor against Mr Al Hassan and committed him to trial. The decision in this case was therefore published after submission of the proposed programme budget and before the session of the Assembly of States Parties taking place in December 2019.

3. As with this decision entails an increase in the level of resources requested in 2020 for judicial support activities, and in accordance with regulations 3.5*bis* of the Court’s Financial Regulations and Rules,¹ the Court hereby submits an addendum to the proposed programme budget to the Committee on Budget and Finance, setting out the portion of the budgetary implications of this development that can be accurately estimated at this stage and the appropriate budgetary requirements, which amount to a total increase of **€230.7 thousand**.

II. Financial implications

4. This addendum to the budget has been prepared taking into account the resources already included for the *Al Hassan* case in the proposed programme budget for 2020. It accounts for the best possible estimates of those financial implications that are currently foreseeable and that can be accurately estimated. On 30 September 2019, The Pre-Trial Chamber issued a confidential decision confirming the charges brought against Mr Al Hassan and the foreseeable implications are therefore limited to activities which at present are certain to be required, in particular for the Defence of the accused. Other activities which are likely to be required in the future, but which cannot be calculated with accuracy are not included (such as number of witnesses appearing in Court).

5. The current additional budgetary requirements resulting from this development amount to a total increase of €230.7 thousand for the Registry.

6. As indicated in the table below, the additional resources relate to counsel for defence expenses.

Table 1. Additional resources to the proposed programme budget to support the Al Hassan trial (thousands of euro)

<i>Major Programme III: Registry</i>	<i>Proposed 2020 Budget</i>
Counsel for Defence	230.7
<i>Subtotal Non-staff</i>	230.7
Total	230.7

*Previously issued as ICC-ASP/18/10/Add.1.

¹ See Financial Regulations and Rules of the International Criminal Court.

III. Description of resources

7. Following an analysis of the 2020 Proposed Programme Budget for Judiciary, the confirmation of charges will have no budgetary impact on its proposed estimates. As the Judiciary had planned to absorb all costs related to the *Al Hassan* trial, no additional resources were requested.

8. The Office of the Prosecutor (OTP) also expects no impact on its current proposed budget as a result of the confirmation of charges. As the case is entering the Trial phase, the Mali team will focus on the prosecutorial aspects of the case. The confirmation of charges has no impact on the size of the team assigned to the case as envisaged in the 2020 Proposed Programme Budget.

9. As the organ responsible for the non-judicial aspects of the administration and servicing of the Court, the Registry's budget is driven by the level of support required. The Proposed Programme Budget already includes some support activities that are expected to take place regardless of the outcome of the Confirmation of Charges in the *Al Hassan* case, in particular related to country-based operations. In addition to these resources, the Trial activities now foreseen for 2020 lead to an increase in the Registry's needs for legal counsel fees. This increase in non-staff resources is described below.

A. Major Programme III - Registry

1. Non-staff resources (€230.7) thousand

Counsel for Defence (€230.7) thousand

10. An amount of €230.7 thousand is required to cover the legal fees and monthly expenses of the defence team of Mr. Al Hassan during Trial phase, in accordance with the Legal aid Policy². The assumptions in the 2020 Proposed Programme Budget include resources for the *Al Hassan* defence at the appeals level. The additional amount has been calculated taking into account the basic trial team composition, with the provision of additional resources previously granted, and subtracting the resources already included in the 2020 Proposed Programme Budget. In other words, the addendum does not present the total cost of the defence team during the 2020 trial proceedings, but complements the resources already included in the proposed budget in order to meet the full needs of the defence during this phase of the proceedings.

² See Registry's single policy document on the Court's legal aid system, ICC-ASP/12/3.

Table 2. ICC: Proposed budget for 2020

ICC	2019 Approved Budget	2020 Proposed Budget	Addendum	Revised resource Changes		Revised Estimates
				Amount	%	
Judges	5,662.1	5,516.9	-	(145.2)	(2.6)	5,516.9
Professional staff	60,752.2	61,591.8	-	839.6	1.4	61,591.8
General service staff	25,356.6	26,074.6	-	718.0	2.8	26,074.6
<i>Subtotal staff</i>	<i>86,108.8</i>	<i>87,666.4</i>	<i>-</i>	<i>1,557.6</i>	<i>1.8</i>	<i>87,666.4</i>
General temporary assistance	17,126.6	17,570.7	-	444.1	2.6	17,570.7
Temporary assistance for meetings	978.7	276.4	-	(702.3)	(71.8)	276.4
Overtime	299.3	223.5	-	(75.8)	(25.3)	223.5
<i>Subtotal other staff</i>	<i>18,404.6</i>	<i>18,070.6</i>	<i>-</i>	<i>(334.0)</i>	<i>(1.8)</i>	<i>18,070.6</i>
Travel	6,152.5	6,354.6	-	202.1	3.3	6,354.6
Hospitality	29.0	28.0	-	(1.0)	(3.4)	28.0
Contractual services	4,002.9	4,097.2	-	94.3	2.4	4,097.2
Training	1,000.7	1,058.4	-	57.7	5.8	1,058.4
Consultants	667.5	560.8	-	(106.7)	(16.0)	560.8
Counsel for defence	3,487.8	3,247.5	230.7	(9.6)	(0.3)	3,478.2
Counsel for victims	1,101.3	1,300.0	-	198.7	18.0	1,300.0
General operating expenses	14,857.3	16,403.0	-	1,545.7	10.4	16,403.0
Supplies and materials	1,175.5	1,253.7	-	78.2	6.7	1,253.7
Furniture and equipment	1,900.0	1,382.6	-	(517.4)	(27.2)	1,382.6
<i>Subtotal non-staff</i>	<i>34,374.5</i>	<i>35,685.8</i>	<i>230.7</i>	<i>1,542.0</i>	<i>4.5</i>	<i>35,916.5</i>
Total	144,550.0	146,939.7	230.7	2,620.4	1.8	147,170.4

Table 3. Major Programme III: Proposed budget for 2020

Programme III Registry	2019 Approved Budget	2020 Proposed Budget	Addendum	Revised resource Changes		Revised Estimates
				Amount	%	
Professional staff	27,547.0	27,710.0	-	163.0	0.6	27,710.0
General service staff	18,708.6	19,108.4	-	399.8	2.1	19,108.4
<i>Subtotal staff</i>	<i>46,255.6</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	3,645.4	-	(113.8)	(3.0)	3,645.4
Temporary assistance for meetings	811.6	189.3	-	(622.3)	(76.7)	189.3
Overtime	261.3	209.5	-	(51.8)	(19.8)	209.5
<i>Subtotal other staff</i>	<i>4,832.1</i>	<i>4,044.2</i>	<i>-</i>	<i>(787.9)</i>	<i>(16.3)</i>	<i>4,044.2</i>
Travel	2,020.5	2,058.2	-	37.7	1.9	2,058.2
Hospitality	5.0	4.0	-	(1.0)	(20.0)	4.0
Contractual services	2,707.7	2,785.5	-	77.8	2.9	2,785.5
Training	610.0	642.8	-	32.8	5.4	642.8
Consultants	467.5	260.8	-	(206.7)	(44.2)	260.8
Counsel for defence	3,487.8	3,247.5	230.7	(9.6)	(0.3)	3,478.2
Counsel for victims	1,101.3	1,300.0	-	198.7	18.0	1,300.0
General operating expenses	12,385.9	12,645.5	-	259.6	2.1	12,645.5
Supplies and materials	1,067.8	1,146.0	-	78.2	7.3	1,146.0
Furniture and equipment	1,710.0	1,192.6	-	(517.4)	(30.3)	1,192.6
<i>Subtotal non-staff</i>	<i>25,563.5</i>	<i>25,282.9</i>	<i>230.7</i>	<i>(49.9)</i>	<i>(0.2)</i>	<i>25,513.6</i>
Total	76,651.2	76,145.5	230.7	(275.0)	(0.4)	76,376.2

Table 4. Programme 3300: Proposed budget for 2020

3300 Division of Judiciary Services	2019 Approved Budget	2020 Proposed Budget	Addendum	Revised resource Changes		Revised Estimates
				Amount	%	
Professional staff	11,932.9	11,744.3	-	(188.6)	(1.6)	11,744.3
General service staff	5,047.0	4,961.6	-	(85.4)	(1.7)	4,961.6
<i>Subtotal staff</i>	<i>16,979.9</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	1,271.4	-	(162.7)	(11.3)	1,271.4
Temporary assistance for meetings	705.2	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>1,475.7</i>	-	<i>(678.6)</i>	<i>(31.5)</i>	<i>1,475.7</i>
Travel	365.5	324.3	-	(41.2)	(11.3)	324.3
Hospitality	-	-	-	-	-	-
Contractual services	1,022.7	1,236.7	-	214.0	20.9	1,236.7
Training	91.5	91.1	-	(0.4)	(0.4)	91.1
Consultants	385.5	227.8	-	(157.7)	(40.9)	227.8
Counsel for defence	3,487.8	3,247.5	230.7	(9.6)	(0.3)	3,478.2
Counsel for victims	1,101.3	1,300.0	-	198.7	18.0	1,300.0
General operating expenses	6,124.9	6,516.0	-	391.1	6.4	6,516.0
Supplies and materials	353.5	338.5	-	(15.0)	(4.2)	338.5
Furniture and equipment	1,306.0	760.0	-	(546.0)	(41.8)	760.0
<i>Subtotal non-staff</i>	<i>14,238.7</i>	<i>14,041.9</i>	<i>230.7</i>	<i>33.9</i>	<i>0.2</i>	<i>14,272.6</i>
Total	33,372.9	32,223.5	230.7	(918.7)	(2.8)	32,454.2

Annex XX

Addendum to the Proposed Programme Budget for 2020 of the International Criminal Court - Major Programme IV*

I. Introduction

1. The proposed budget for Major Programme IV: Secretariat of the Assembly of States Parties was outlined in the 2020 Proposed Programme Budget for the International Criminal Court (“the Court”) insofar as it could be accurately estimated at the time of submission. Subsequently, developments in relation to two bodies mandated by the Assembly of States Parties (“the Assembly”) have led to further resource requirements which can now be more accurately estimated and submitted for the consideration of the Assembly. These developments relate to the proposed Independent Expert Review of the Court, which will be considered by the Assembly at its eighteenth session, and the work of the Committee on the Election of the Prosecutor.

2. As these developments entail an increase in the level of resources requested in 2020 for Major Programme IV, and in accordance with regulation 3.5^{ter} of the Court’s Financial Regulations and Rules, the Court hereby submits an addendum to the proposed programme budget to the Committee on Budget and Finance. This addendum sets out the budgetary implications of the relevant developments, to the extent that they can be accurately estimated, amounting to a total increase of **€479.7 thousand**.

II. Budget resources

3. The Court’s proposed programme budget for 2020, as submitted on 12 July 2019, contained a total requested budget for Major Programme IV: Secretariat of the Assembly of States Parties of €2,837.0 thousand.

4. The current additional budgetary requirements resulting from the proposed Independent Expert Review and the Committee on the Election of the Prosecutor amount to a total increase of €479.7 thousand. It is proposed that this amount be contained in a new programme within Major Programme IV, Programme 4600 (Assembly-mandated bodies in 2020), as outlined in Table 1 below.

Table 1. Additional resources for Programme 4600 (Assembly-mandated bodies in 2020) (thousands of euro)

<i>Major Programme IV: 4600</i>	<i>Proposed 2020 Budget</i>
Temporary assistance for meetings	7.1
<i>Subtotal Other-staff</i>	<i>7.1</i>
Travel	166.6
Contractual services	30.0
Consultants	276.0
<i>Subtotal Non-staff</i>	<i>472.6</i>
Total	479.7

5. The proposed Independent Expert Review of the Court has been discussed within the Bureau and its Working Groups throughout 2019. The details of the review, including who would undertake it and how their work would be conducted, were the subject of extensive discussions in the latter months of 2019. As virtually all elements of the process were unknown at the time of submission of the budget, including whether or not the review would be undertaken, it was not possible to estimate the required resources. Instead, the

*Previously issued as ICC-ASP/18/10/Add.2.

estimated costs were elaborated during discussions in the Bureau and its Working Groups, and the final structure of the review will be subject to approval by the Assembly at its eighteenth session.

6. The Committee on the Election of the Prosecutor was effectively established by the Bureau on 3 April 2019 via the adoption of Terms of Reference for the Election of the Prosecutor.¹ The Terms of Reference provide that the mandate of the Committee is to facilitate the nomination and election of the next Prosecutor of the International Criminal Court. The Bureau determined that the Committee would be composed of five members, designated by the Bureau based on consultations with the regional groups, and assisted by a panel of five independent experts appointed by the Bureau. Although the existence of the Committee was known at the time of the submission of the budget,² the identity of the members and experts was not known and the actual requirements of the Committee were unclear. Once the members and experts had been appointed, they were able to consider the most efficient and cost-effective means of fulfilling the mandate and requirements set out in the Terms of Reference. Accordingly, on 12 September 2019 the Chair of the Committee submitted a proposal to the Bureau to hold three meetings: one two-day meeting in The Hague in December 2019, for the panel of experts to paper-sift applications, prepare a recommended longlist of candidates for interviews, and propose interview questions for the Committee; one two-day meeting for the Committee members in New York in February 2020, to review the panel's assessments, establish a list of candidates to be interviewed, and determine the interview questions and modalities; and one three-day meeting in The Hague in April 2020, for both the Committee members and panel of experts, to conduct interviews and decide on the shortlist of candidates to be recommended to the Assembly.

7. The costs of the Committee in 2019 have been absorbed within the budget of Major Programme IV, as noted by the Assembly at its seventeenth session.³ For the costs in 2020, the Bureau approved⁴ the proposal of the Committee, including the estimated costs, the details of which are now contained in this addendum to the budget.

A. Major Programme IV – Secretariat of the Assembly of States Parties

8. A total amount of €479.7 thousand is requested for Programme 4600 in 2020.

9. An amount of €435 thousand is requested to cover the costs of the proposed Independent Expert Review in 2020. This figure consists of travel costs, a fee for each expert, and contractual services for assistance to be provided through an arrangement currently under discussion with the University of Leiden. The estimated travel costs are presented as averages, rather than actual travel, as it is not possible to determine at this stage the location of the experts. A contingency has also been included in light of the many unknown factors.

10. An amount of €45 thousand is requested to cover the costs of the Committee on the Election of the Prosecutor in 2020. This figure consists of travel costs for the five members of the Committee to attend a two-day meeting in New York in February 2020, travel costs for the five members and five independent experts to attend a three-day meeting in The Hague in April 2020, and interpretation costs.

11. Travel costs would be covered at economy class, and with either 100 per cent DSA (for stays of less than 60 days) or a reduced DSA (for longer stays).

¹ ICC-ASP/18/INF.2.

² ICC-ASP/18/10, footnote 69.

³ ICC-ASP/17/20, Part II, para. 10.

⁴ Bureau decisions of 17 September 2019, available at: https://asp.icc-cpi.int/en_menus/asp/bureau/decisions/2019/Pages/default.aspx.

Table 2. ICC : Proposed budget for 2020

ICC	2019 Approved Budget	Proposed 2020 Budget after CBF recommendations	Addendum	Resource changes		Proposed 2020 Budget after CBF recommendations including Addendum
				Amount	%	
<i>Judges</i>	5,662.1	5,516.9	-	(145.2)	(2.6)	5,516.9
Professional staff	60,752.2	61,403.7	-	651.5	1.1	61,403.7
General Service staff	25,356.6	26,082.4	-	725.8	2.9	26,082.4
<i>Subtotal staff</i>	86,108.8	87,486.1	-	1,377.3	1.6	87,486.1
General temporary assistance	17,126.6	17,194.3	-	67.7	0.4	17,194.3
Temporary assistance for meetings	978.7	276.4	7.1	(695.2)	(71.0)	283.5
Overtime	299.3	223.5	-	(75.8)	(25.3)	223.5
<i>Subtotal other staff</i>	18,404.6	17,694.2	7.1	(703.3)	(3.8)	17,701.3
Travel	6,152.5	6,165.6	166.6	179.7	2.9	6,332.2
Hospitality	29.0	28.0	-	(1.0)	(3.4)	28.0
Contractual services	4,002.9	4,042.7	30.0	69.8	1.7	4,072.7
Training	1,000.7	1,045.1	-	44.4	4.4	1,045.1
Consultants	667.5	407.7	276.0	16.2	2.4	683.7
Counsel for defence	3,487.8	3,167.5	-	(320.3)	(9.2)	3,167.5
Counsel for victims	1,101.3	1,300.0	-	198.7	18.0	1,300.0
General operating expenses	14,857.3	16,028.9	-	1,171.6	7.9	16,028.9
Supplies and materials	1,175.5	1,233.7	-	58.2	5.0	1,233.7
Furniture and equipment	1,900.0	1,376.6	-	(523.4)	(27.5)	1,376.6
<i>Subtotal non-staff</i>	34,374.5	34,795.8	472.6	893.9	2.6	35,268.4
Total	144,550.0	145,493.0	479.7	1,422.7	1.0	145,972.7
<i>Host State Loan</i>	3,585.1	3,585.1	-	-	-	3,585.1
Total Including Host State Loan	148,135.1	149,078.1	479.7	1,422.7	1.0	149,557.8

Secretariat of the Assembly of States Parties	2019 Approved Budget	Proposed 2020 Budget after CBF recommendations	Addendum	Resource changes		Proposed 2020 Budget after CBF recommendations including Addendum
				Amount	%	
<i>Judges</i>	-	-	-	-	-	-
Professional staff	647.7	658.4	-	10.7	1.7	658.4
General Service staff	356.6	372.1	-	15.5	4.3	372.1
<i>Subtotal staff</i>	<i>1,004.3</i>	<i>1,030.5</i>	-	26.2	2.6	<i>1,030.5</i>
General temporary assistance	566.3	482.1	-	(84.2)	(14.9)	482.1
Temporary assistance for meetings	167.1	87.1	7.1	(72.9)	(43.6)	94.2
Overtime	38.0	14.0	-	(24.0)	(63.2)	14.0
<i>Subtotal other staff</i>	<i>771.4</i>	<i>583.2</i>	<i>7.1</i>	<i>(181.1)</i>	<i>(23.5)</i>	<i>590.3</i>
Travel	438.9	581.6	166.6	309.3	70.5	748.2
Hospitality	7.0	7.0	-	-	-	7.0
Contractual services	568.7	585.2	30.0	46.5	8.2	615.2
Training	7.3	7.4	-	0.1	1.4	7.4
Consultants	-	-	276.0	276.0	-	276.0
Counsel for defence	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-
General operating expenses	24.4	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>1,223.3</i>	<i>472.6</i>	<i>629.9</i>	<i>59.1</i>	<i>1,695.9</i>
Total	2,841.7	2,837.0	479.7	475.0	16.7	3,316.7
<i>Host State Loan</i>	-	-	-	-	-	-
Total Including Host State Loan	2,841.7	2,837.0	479.7	475.0	16.7	3,316.7

Assembly Mandated Bodies for 2020	2019 Approved Budget	Proposed 2020 Budget after CBF recommendations	Resource changes			Proposed 2020 Budget after CBF recommendations including Addendum
			Addendum	Amount	%	
<i>Judges</i>	-	-	-	-	-	-
Professional staff	-	-	-	-	-	-
General Service staff	-	-	-	-	-	-
<i>Subtotal staff</i>	-	-	-	-	-	-
General temporary assistance	-	-	-	-	-	-
Temporary assistance for meetings	-	-	7.1	7.1	-	7.1
Overtime	-	-	-	-	-	-
<i>Subtotal other staff</i>	-	-	7.1	7.1	-	7.1
Travel	-	-	166.6	166.6	-	166.6
Hospitality	-	-	-	-	-	-
Contractual services	-	-	30.0	30.0	-	30.0
Training	-	-	-	-	-	-
Consultants	-	-	276.0	276.0	-	276.0
Counsel for defence	-	-	-	-	-	-
Counsel for victims	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-
<i>Subtotal non-staff</i>	-	-	472.6	472.6	-	472.6
Total	-	-	479.7	479.7	-	479.7
<i>Host State Loan</i>	-	-	-	-	-	-
Total Including Host State Loan	-	-	479.7	479.7	-	479.7

Part B

Reports of the Committee on Budget and Finance

1. Report of the Committee on Budget and Finance on the work of its thirty-second session, April 2019*

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*Previously issued as ICC-ASP/18/5.

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Executive Summary

1. At its thirty-second session, which was held from 29 April to 3 May 2019 in The Hague, the Committee on Budget and Finance (“the Committee”) considered various substantive issues, such as how to continually improve its consideration of budgetary matters relating to the Court. In addition, the Committee reviewed its methods of work and Rules of Procedure. The Committee welcomed the continued dialogue and cooperation with the Court to keep enhancing the budget process with a view to ensuring that it is efficient, transparent and evidence-based. The Committee made some observations on the presentation of the budget baseline and was of the view that improvements should be made in the context of the 2020 proposed programme budget in terms of identifying savings and efficiencies with a view to also achieving a surplus, whenever possible, in order to reduce the assessed contributions of States Parties and/or to replenishing precautionary reserves.

2. The Committee stressed that liquidity remains the greatest risk faced by the Court, which may affect its ability to deliver against its 2019 budget. Thus, the Committee emphasized the importance of States Parties paying their assessed contributions on time. The payment patterns of States Parties are changing from one year to another, which makes reliable forecasting difficult. If payments by States Parties are not made on time, the Court will need to continue to explore alternative methods to ensure that all liabilities are honoured. The Committee discussed with the Court the current cash flow situation and ideas for managing the liquidity risk. The Committee observed that although the Court is facing similar risks to other international organizations, which rely on the payment of assessed contributions, the Court - unlike other organisations - has only one risk mitigating method, namely the Working Capital Fund. The Committee is awaiting the outcome of the External Auditor’s report on budget management and will carefully analyse the suggested solutions to mitigate the liquidity problem.

3. In the context of the preparations for the 2020 proposed programme budget, the Committee was informed of new strategic documents, which are in the process of being finalized, such as the Court Strategic Plan 2019-2021, the OTP Strategic Plan and, for the first time, a Registry Strategic Plan. The Committee was of the view that, once such information is submitted to its attention, the alignment of the budgetary process with strategic goals would help the Committee to better understand the resource allocation and financial needs of the Court. As for the Strategic Plan of the Registry, the Committee welcomed the remarks of the Registrar regarding the approach to the report and on identifying a limited number of key performance indicators to assess the performance and efficiency of the Registry, which acts as a service provider to the rest of the Court. The Committee believed that these benchmarks would allow for greater transparency and consistency, as well as effective consideration of whether activities and programmes are working as intended. During the session, the Committee discussed other areas that require further enhancement, including the adoption of guidelines for voluntary contributions from States Parties to the budget of the Court. In the Committee’s view, the reporting against these guidelines will increase accountability, transparency and value for money.

4. In addition to information on planning assumptions and relevant cost forecasts, the Committee received updates on key risks, which could impact on the budget. One of the most concerning risks arises from litigations against the Court. The Committee continues to require timely and accurate updates on such risks, as well as accurate assessments on the impact of decisions or approaches to mitigate them.

5. Bearing in mind that staff remain the Court’s most valuable asset, the Committee welcomed the efforts made by the Human Resources Section to improve issues such as staff well-being, mobility, diversity and bullying/harassment. To ensure that these policies are implemented effectively and have the desired impact, the Committee seeks evidence of continued dialogue and co-ordination with staff, both directly and through the Staff Union Council. The Committee further requested that the Court submit for its attention all relevant information on administrative and financial aspects for a preliminary review before these policies are promulgated.

I. Introduction

A. Opening of the session

1. The thirty-second session of the Committee on Budget and Finance (“the Committee”) comprised ten meetings and was held from 29 April to 3 May at the seat of the International Criminal Court (“the Court”) in The Hague.
2. The thirty-second session of the Committee was convened in accordance with the decision of the Assembly of States Parties (“the Assembly”) taken at its seventeenth session.¹
3. The President of the Court, Judge Chile Eboe-Osuji, delivered the welcoming remarks during the opening of the session.

B. Election of officers

4. At the thirtieth session, the Committee elected by consensus Mr. Hitoshi Kozaki (Japan) as Chairperson of the Committee in accordance with rule 10 of its Rules of Procedure. The Committee also elected by consensus Mr. Urmet Lee (Estonia) as Vice-Chairperson in accordance with rule 10 of the Committee’s Rules of Procedure and following the practice of geographical rotation.
5. The Committee further appointed Ms. Helen Warren (United Kingdom) as Rapporteur in accordance with rule 13 of the Rules of Procedure.
6. The Executive Secretary to the Committee on Budget and Finance, Mr. Fakhri Dajani, acted as Secretary of the Committee. The Executive Secretary and his team assisted with the substantive and administrative provision of conference services.

C. Adoption of the agenda and organization of work

7. The Executive Secretary to the Committee on Budget and Finance, in consultation with the Chairperson, prepared a provisional agenda and a work programme for the thirty-second session of the Committee. At its first meeting, the Committee adopted the following agenda:
 1. Opening of the session
 - (a) Welcoming remarks by the President of the Court
 - (b) Election of officers
 - (c) Adoption of the agenda and organization of work
 - (d) Participation of observers
 2. Budgetary governance
 - (a) Workshop on the budgetary process, savings and efficiencies and their effect on the baseline
 3. Other financial and budgetary matters
 - (a) Status of contributions and States in arrears
 - (b) Guidelines for voluntary and sustainable payment plans
 - (c) Guidelines for voluntary contributions of States parties to the budget of the Court
 - (d) Programme performance of the 2018 budget, and 2019 budget first quarter
 - (e) Review of the level of precautionary reserves and liquidity issue

¹ *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, para. 45.

4. Institutional reform and administrative matters
 - (a) Implementation of the IT/IM Strategy Plan and transfer of unspent funds from one financial year to the following
 - (b) Report of the Court on the second opinion of the incoming main contract on replacement of capital investments and the current capital replacement plan until 2023
5. Human resources
 - (a) Annual report on Human Resources Management
 - (b) Geographical distribution and gender balance
 - (c) Internal mobility framework and staff exchange arrangement within the United Nations Common System
 - (d) Junior Professional Officer (JPO) Programme
 - (e) Litigation risks related to administrative processes
 - (f) Amended Staff Rules related to the education grant, special education grant and related benefits
 - (g) Review of the Administrative Instruction on the Classification and Reclassification of Posts
6. Legal aid
 - (a) Annual report on legal aid for the year 2018
 - (b) Expenditures for legal aid during the reparations phase
 - (c) Amendments to the legal aid system
7. Reparations
8. Trust Fund for Victims
 - (a) Fund-raising from private donors
 - (i) Progress report on the legal, fiscal, administrative and political hurdles related to private fundraising and their possible solutions
 - (ii) Draft terms of reference for the Joint Working Group on Private Donations
 - (b) Joint report of the Court and the STFV on the strengthening of the STFV's additional IT needs and internal controls
9. Internal governance matters
 - (a) Amendments to the Rules of Procedure of the Committee
10. Other matters
 - (a) Judicial developments
 - (b) Review of all potential and associated costs in relation to cases before the ILO - Administrative Tribunal and cases pending before the internal Appeals Board.²

² CBF/32/1.

8. The following members attended the thirty-second session of the Committee:
- (a) Ms. Carolina María Fernández Opazo (Mexico);
 - (b) Mr. Fawzi A. Gharaibeh (Jordan);
 - (c) Mr. Hitoshi Kozaki (Japan);
 - (d) Mr. Urmet Lee (Estonia);
 - (e) Ms. Mónica Sánchez Izquierdo (Ecuador);
 - (f) Mr. Gerd Saupe (Germany);
 - (g) Ms. Margaret Wambui Ngugi Shava (Kenya);
 - (h) Ms. Elena Sopková (Slovakia);
 - (i) Mr. Richard Veneau (France);
 - (j) Ms. Helen Warren (United Kingdom); and
 - (k) Mr. François Marie Didier Zoundi (Burkina Faso).

D. Participation of observers

9. Representatives from the Presidency, the Office of the Prosecutor (“the OTP”) and the Registry addressed the Committee and participated in the session, as well as in the workshop budgetary process, savings and efficiencies and their effect on the baseline. In addition, representatives of the Staff Union Council addressed the Committee. The Committee wished to thank the Court officials and the Staff Union Council for their interaction and input to the discussions.

II. Consideration of issues on the agenda of the Committee at its thirty-second session

A. Budgetary governance

1. Workshop on the budgetary process, savings and efficiencies and their effect on the baseline

10. In recent years, the Committee has made various observations and recommendations with a view to strengthening the budgetary process and documentation in order to ensure clarity, coherence and transparency.

11. At its thirty-first session, the Committee decided to keep the evolving budget process under review. It welcomed the efforts of the Court, most notably the Registry, during this budgetary process to identify savings and efficiencies. The Committee was of the view that further work needs to be undertaken in order to clarify the effective relationship between savings and the budget baselines of individual major programme and to specify rules in utilizing the identified savings for internal redeployment, such as for the payment of new or additional workloads. The Committee decided to discuss with the Court in April 2019 and at future sessions process enhancements and possible ways of moving towards more predictable and stable budgeting with a short-term to medium-term perspective beyond the annual budgetary cycle.³

12. At its seventeenth session, the Assembly welcomed the constructive dialogue between the Committee and the Court on the presentation of budget proposals and requested that the Court set Court-wide annual efficiency targets and to present an annex to the 2020 proposed programme budget on the achievements of these efficiency targets, as well as detailed information, which clearly distinguishes, to the extent possible, between savings, efficiencies, non-recurrent cost reductions and additional cost reductions achieved in 2019 and estimations for 2020; and also welcomed the recommendations of the Committee in relation to the presentation of this information. The Assembly noted further

³ *Official Records... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2, para. 26.

that the Committee would be updated ahead of its thirty-third session on the measures taken by the Court and would include its comments in its reports to the Assembly.⁴

13. During the session, the Committee and the Court held another workshop to discuss the budgetary process, savings and efficiencies and their effect on the baseline. The Committee noted that the planning assumptions for activities are based on informed assumptions at the time of the budget preparation, which may be subject to further developments throughout the year.

14. The Committee received updates regarding the strategic framework of the Court. The Committee was advised that the Strategic Plans of the Court for 2019-21, including for the first time a Strategic Plan for the Registry, are being finalized. The Committee noted that the Registry's Strategic Plan will include key performance indicators for some of the key services such as human resources, procurement and victim protection. **The Committee looked forward to receiving in due course the strategic plans of the Court, the Registry and the OTP including an evaluation of the OTP's previous Strategic Plan.**

15. **As for the baseline for the 2020 proposed programme budget, the Committee recommended that the Court follow the table presented at the Committee's thirty-first session to show the allocated budget in 2019 compared to the request for the 2020 proposed programme budget.**

B. Working methods of the Committee on Budget and Finance

1. Amendments to the Rules of Procedure of the Committee

16. At its twenty-sixth session, the Committee had considered reviewing its internal processes and procedures to ensure compliance with the evolution of international best practices standards and had set up an internal working group in this regard.⁵

17. At its thirtieth session, the Committee agreed on amendments to its Rules of Procedure,⁶ and recommended that the Assembly approve them. At its seventeenth session, the Assembly took note of the proposed amendment to the Rules of Procedure. The Assembly recalled that all proposed amendments shall be justified for the Assembly to consider their adoption, bearing in mind that the Assembly of States Parties is the only decision making body with the necessary authority to review its resolutions. The Assembly requested that the Committee provide more detailed background information on the proposed amendments; and requested that The Hague Working Group discuss the proposed amendments, including any additional information provided by the Committee, in the context of the budget facilitation, with a view to enabling the Assembly to take a decision, as appropriate.⁷

18. During the session, the Committee provided the information requested by the Assembly (annex IV (a)) and reviewed the proposed amendments to the Rules of Procedure (annex IV (b)).

19. The Rules of Procedure set out how the Committee conducts its work and duties as a subsidiary body of the Assembly composed of independent experts. The Rules of Procedure were first approved by the Assembly in 2003 and have not been updated since 2008. The Committee believed that a review and an update are necessary to ensure the Committee is operating in a fully transparent and efficient manner.

20. The Committee is clear that there are no changes to the core mandate, structure or operation of the Committee or any additional financial burden resulting from the proposed amendments. The proposed amendments improve transparency, efficiency and accountability while maintaining ethical standards. In addition to being cost neutral, they clarify the role of the Executive Secretary in supporting the Committee and also regulates when further review of the Rules of Procedure should be undertaken. **The Committee submits the proposed amendments for consideration and approval by the Assembly at its eighteenth session.**

⁴ ICC-ASP/17/Res.4, section K, para. 4.

⁵ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.1, paras. 14 and 15.

⁶ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.1, paras. 23-25 and annex V.

⁷ ICC-ASP/17/Res.4, section Q.

C. Other financial and budgetary matters

1. Status of contributions

21. The Committee reviewed the status of contributions as at 31 March 2019 (see annex I):

(a) the assessed contribution for the approved budget for 2019 of €144.55 million;⁸ and

(b) contributions corresponding to Major Programme VII-2 host State loan amounting to €3.56 million for the permanent premises.

22. The Committee noted that, as at 31 March 2019, regular contributions of €63.77 million (44.1 per cent) were outstanding for the 2019 approved budget (excluding host State loan) of €144.55 million. At the same date, the outstanding contributions for the replenishment of the Contingency Fund (CF) and for the permanent premises by new States Parties that joined after 2015 stood at €5,379. The Committee observed that only 45 out of the 122⁹ States Parties had fully paid their contributions at the end of March 2019.

23. The outstanding/unpaid contributions from previous years (excluding the host State loan) stood at €19.45 million as at 31 March 2019. In this regard, the Committee noted that the outstanding contributions from previous years of four States Parties amount to roughly €18.7 million (or 96.1 per cent of the overall outstanding contributions from previous years).

24. States Parties that did not opt to make a one-time payment¹⁰ were required to cover the interest payments due on the loan from the host State. The outstanding contributions for the host State loan, as at 31 March 2019, stood at €2.27 million.

25. The Committee noted with great concern that, a grand total of €85.5 million of contributions were outstanding as at 31 March 2019, including contributions for the host State loan, which represents 57.7 per cent of the 2019 approved budget, compared to 75 per cent of the approved budget in 2018. The Committee recalled that it was imperative for States Parties to make their contributions on time. Failure to do so may result in cash flow shortage needed for the Court's core activities and operations.

26. The Committee observed that the Court regularly, i.e. on a quarterly basis, sends official reminders and communicates through various diplomatic channels with States Parties that have outstanding contributions. In addition, the Court provides monthly financial reports to States Parties, which include information on contributions. **Given the legal obligations of States Parties to pay their contributions and of the Court to pay instalments for the host State loan, the Committee urged that all efforts are made by States Parties to make their payments on time, in accordance with Regulation 5.6 of the Financial Regulations and Rules ("FRR") in order to ensure that the Court has sufficient funds throughout the year.**

27. **The Committee requested that the Court continue to remind States Parties that had not paid their contributions in full of their obligation. Furthermore, the Committee recommended that the Bureau, through the President of the Assembly, the Coordinator of the New York Working Group and Court officials, engage in a dialogue with States Parties that have outstanding contributions and take up this issue in their bilateral and multilateral meetings.**

28. **The Committee recommended that the Court in its update on the status of contributions should also include information on the outstanding dues of States that have withdrawn from the Rome Statute.**

⁸ ICC-ASP/16/Res.1, section A, para. 3.

⁹ The withdrawal of the Philippines from the Rome Statute became effective as of 17 March 2019.

¹⁰ As at 31 December 2014, 65 States Parties had chosen to make full one-time payments to contribute to the construction of the new permanent premises and are exempted from the obligation to repay the loan and the interest.

2. States in arrears

29. According to article 112, paragraph 8 of the Rome Statute, “a State Party which is in arrears in the payment of its financial contributions toward the costs of the Court shall have no vote in the Assembly and in the Bureau if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years.”

30. The Committee observed that, as at 31 March 2019, 13 States Parties were in arrears and would therefore not be able to vote in accordance with article 112, paragraph 8 of the Rome Statute. The Committee noted that the Secretariat of the Assembly sent notifications on 12 October 2018 and again on 11 April 2019 to all States in arrears informing them of the minimum payment required to avoid the application of article 112, paragraph 8 of the Rome Statute, and of the procedure for requesting an exemption from the loss of voting rights. **The Committee strongly recommended that such requests for exemption only be granted following the payment of the minimum amounts identified and after presenting payment plans for the remaining balance.**

3. Payment plans

31. The Committee considered the “Report of the Court on payment plans for assessed contributions.”¹¹ The report addresses the Assembly’s request to the Court to develop guidelines, consistent with existing rules and regulations, for States Parties, which are in arrears and subject to the provisions of article 112(8)¹² of the Rome Statute, and which face significant economic hardship, to enter into voluntary and sustainable payment plans. The Assembly further requested that the Court (i) submit the guidelines to the Committee in advance of its thirty-second session; and (ii) keep States Parties informed of any such payment plans and their implementation through The Hague Working Group facilitation on the budget.¹³

32. According to the Report, a State Party’s proposal for a multi-year payment plan must meet, among others, the following requirements:

- (a) Provide an outline of the significant economic hardship and/or conditions beyond the control of the State Party;
- (b) Commitment to have no outstanding financial obligations to the Court by the end of the plan;
- (c) Commitment to pay the proposed yearly instalments¹⁴ in full and on time; and
- (d) The maximum duration of the plan should not exceed six years.

33. The Registrar will review the plans and submit those, which meet the requirements to the Assembly. The Court will monitor the implementation and report periodically to the Assembly in its monthly reports. If a State Party does not comply with the agreed terms, the payment plan will become void.

34. Nonetheless, even though the guidelines complied with the Assembly’s request, the Committee noted that the Bureau could explore measures to ensure the success of the payment plans.

35. The Committee was of the view that there are alternative ways of dealing with States in arrears that should be explored in line with the practice in other international organisations. States Parties in arrears should, in principle and in accordance with the Rome Statute, automatically lose their voting rights, and the Assembly should restore these rights only if they enter into agreements with the Court about sustainable payment plans. In

¹¹ ICC-ASP/18/6.

¹² Article 112, para. 8 Rome Statute reads as follows:

“A State Party which is in arrears in the payment of its financial contributions towards the costs of the Court shall have no vote in the Assembly and in the Bureau if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The Assembly may, nevertheless, permit such a State Party to vote in the Assembly and in the Bureau if it is satisfied that the failure to pay is due to conditions beyond the control of the State Party.”

¹³ ICC-ASP/17/Res.4, section C, para. 2.

¹⁴ These instalments should consist of the following two portions: (a) the yearly instalment with respect to the arrears and (b) the full payment of all new assessments over the period of the plan.

addition, the Assembly could decide other measures to limit the participation of States in arrears in certain areas.

4. Guidelines for voluntary contributions of States Parties to the budget of the Court

36. At its twenty-ninth session, the Committee welcomed the information provided by the Court regarding the voluntary contribution from a State Party, to be used for outreach and information activities in Uganda. The Committee welcomed the fact that some countries were eager to provide voluntary contributions to the budget of the Court, whilst at the same time emphasizing the need for clear detailed guidelines.¹⁵

37. The Committee had before it the “Update on a voluntary contribution from one State Party for a Special Project in Uganda.”¹⁶ Whilst it set out important information regarding the scope and objective of the project, it did not contain any detailed guidelines and thus the Committee reiterated the need for detailed guidelines in order to ensure that future voluntary contributions have an adequate framework. **The Committee requested that detailed guidelines for future voluntary contributions with an adequate framework be presented at its thirty-third session and that future commitments should be governed by the agreed guidelines and reported in the appropriate manner to ensure transparency and accountability.**

5. Programme performance of the 2018 approved budget

(a) General observations

38. The Committee considered the “Report on activities and programme performance of the International Criminal Court for the year 2018.”¹⁷ Based on preliminary and unaudited figures, the overall implementation rate of the regular budget was 96.8 per cent or a total of €142.74 million against an approved budget of €147.43 million.¹⁸

39. The Committee noted that in 2018 the Court’s total actual expenditure, including the CF, amounted to €145.1 million, which represents 98.4 per cent of the approved 2018 budget (€147.43 million).¹⁹ The Committee welcomed the fact that the Court had absorbed the expenditures for unforeseen situations and developments within its regular budget.

(b) Judicial developments impacting on the use of budgetary resources

40. The Committee noted that although the Court has experienced more than 15 years of operations and has reached a certain degree of maturity, it still faces a high degree of unpredictability related to changes in the assumptions on which the proposed budget was approved. Unforeseen judicial developments, as well as other external and internal factors have a direct impact on the use of budgetary resources approved by the Assembly and on the use of the CF.

41. In this context the Committee observed that the acquittal of Mr. Bemba and the holding of proceedings in *Gbagbo/Blé Goudé* in 2018 resulted in low trial and case management activities with considerably fewer witnesses appearing for testimony (change in assumptions from 132 witnesses to an actual number of 39) and fewer days of courtroom hearings (change in assumptions from 400 planned courtroom days to 93 actual days). Thus, the implementation rate of the approved budget was lower than originally foreseen, with general operating expenditures being under-implemented by approximately €1,700 thousand and General Temporary Assistance (GTA) being under-implemented by €2,300 thousand.

42. More specifically, the Committee observed that there were transfers of funds, which were used for other operational needs:

¹⁵ *Official Records ... Sixteenth session ... 2017* (ICC-ASP/16/20), vol. II, part B.2, para. 240.

¹⁶ CBF/32/9.

¹⁷ ICC-ASP/18/3.

¹⁸ *Ibid.*, page 109, annex XVI, table 1.

¹⁹ *Ibid.*, page 57, table 10.

(a) transfer from general operating expenditures to the item “furniture and equipment” (for the purchase of two armoured vans for the country offices in light of security concerns) in the amount of €200 thousand;

(b) transfer from general operating expenditures to finance the initially planned move of the country office in Côte d’Ivoire in the amount of €267 thousand. As the move did not take place the funds were redistributed for other operational needs;

(c) transfers of a total of €746.6 thousand from Victims and Witnesses Section (VWS) to Information Management Services Section (IMSS):

(i) For the purchase of additional end-user hardware to replace equipment not compatible with the Windows 10 operating system in the amount of €200 thousand;

(ii) To purchase additional Citrix licences for the Court’s remote working infrastructure upgrade in line with the Court’s recent policy on Flexible Working Arrangements in the amount of €371.6 thousand;

(iii) To finance the second release of the Court’s Mission Planning Software in the amount of €100 thousand;

(iv) To improve the billing system for staff in relation to personal calls in the amount of €50 thousand; and

(v) In relation to the procurement activity for the internet service provider in CAR Country Office in the amount of €25 thousand;

(d) transfer in the amount of €241.5 thousand from different sections to the Counsel Support Section as a result of judicial decisions granting legal aid fees in relation to *Ntaganda, Bemba et al., Al Mahdi* and *Ongwen*, which represented additional costs compared to the budgeted judicial assumptions; and

(e) transfer from GTA to individual contractors in the amount of €203 thousand to ensure a more accurate record of expenditures in SAP.

43. The Committee welcomed the enhanced transparency reflected in the presentation of the transfers of funds in the programme performance report. While the Committee acknowledged that such transfers are in conformity with the FRR and might be required to ensure flexibility, it reiterated its previous recommendations on the transfer of funds²⁰ stressing that the principles of fiscal discipline and reasonable use of resources should be applied.

44. The Committee emphasized that any transfer of funds shall occur only with respect to resource requirements that were unforeseen or could not be planned for at the time of the submission of the proposed programme budget and that such transfers of funds should not be taken into account when calculating the baseline for the following year.

(c) *IT expenditures*

45. The Committee noted an over-spend in the IMSS of €730.1 thousand.²¹

46. The Committee took note of the transfers totalling €746.6 thousand (see para. 42 above) from VWS to IMSS for what the Court describes as unforeseen expenditures related to the purchase of additional end-user hardware required to replace obsolete workstations and laptops that were not compatible with Windows 10 and the implementation of three high-priority projects, including the purchase of an additional 200 licenses for the CITRIX environment to support the increased demand for remote access in relation to the policy on flexible working arrangements.²²

47. The Committee was of the opinion that under normal circumstances the purchase of end-user hardware or the upgrade of operational software cannot be considered an unforeseen expenditure. After considering all the explanations received,

²⁰ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.1, para. 58; *Official Records ... Sixteenth session ... 2017* (ICC-ASP/16/20), vol. II, part B.1, para. 61.

²¹ ICC-ASP/18/3, page 119, table 27.

²² *Ibid.*, page 43 and information provided by the Court as a response to queries by the Committee.

the Committee recommended that in the future the Court also consider the need to replenish precautionary reserves and the possibility of achieving a cash surplus before committing any unspent funds to other cost items.

48. The Committee further recalled that at its thirty-first session, it had recommended a five-year IT strategy with maximum annual limits and suggested a target ceiling for the total “lights-on” IT foreseeable costs, which was approved by the Assembly. Transferring funds during the year could lead to a misrepresentation of the actual baseline and hinder the implementation of the imposed limits on IT expenditures. **The Committee recommended that the Court continues to stay within the approved annual ceilings of the five-year IT/IM strategy.**²³

(d) *Travel expenditure*

49. The Committee noted with satisfaction that the pattern of over-implementation on travel expenditure was not repeated in 2018 (implementation rate of 98.6 per cent of the approved budget) and looked forward to seeing this development repeated in 2019.²⁴

(e) *Overtime*

50. The Committee further noted with satisfaction that the actual expenditures for overtime amounted to 58.5 per cent of the approved budget of €360.8 thousand.

(f) *Expenditures for legal aid*

51. The Committee observed that in 2018 there was an over-spend on legal aid of 119.8 per cent (or €5.45 million) against the 2019 approved budget of €4.55 million.²⁵ In addition, the Committee compared the expenditure for legal aid, when including the CF, with previous years (see annex III).

(g) *Contingency Fund notifications in 2018*

52. In 2018, the Court was confronted with a number of unforeseen developments and submitted four CF notifications as detailed in table 1 below:

Table 1: Summary of notifications to access the Contingency Fund in 2018

<i>Date</i>	<i>Justification</i>	<i>(Revised) amount notified</i>
11/04/2018	Unforeseen costs concerning the mandate extensions for Judge Van den Wyngaert and Judge Monageng in order to render decisions in two appeals in the case of The Prosecutor v. Jean-Pierre Bemba Gombo (“Bemba”) in the situation in the Central African Republic.	€116,792
06/11/2018	Unforeseen costs concerning the situation in the Republic of Burundi. (The initial request was €2.51 million).	€1,117,100
08/11/2018	Unforeseen costs concerning the case of The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud in the situation in the Republic of Mali.	€1,754,600
04/12/2018	Unforeseen costs with regard to the case of The Prosecutor v. Alfred Yekatom in the situation in the Central African Republic.	€220,300
Total		€3,208,792

53. The Committee noted that the overall use of resources for unforeseen situations amounted to €2.36 million, or 73.4 per cent, compared to the total notified amount of €3.2 million and that these resource requirements were absorbed within the regular approved budget.

²³ Please refer to para. 74 of the present report.

²⁴ ICC-ASP/18/3, page 57, table 10.

²⁵ *Ibid.*, para. 295.

(h) Unliquidated obligations

54. The Committee observed that the amount of unliquidated obligations of the Court as at 31 December 2018 stood at €6,054 thousand, which represents an increase of €767 thousand compared to 2017. As for Major Programme III (the Registry), the unliquidated obligations amounted to €4,716 thousand, which represent an increase of 18.7 per cent compared to 2017 (€3,974 thousand). Furthermore, the Committee noted the significant number of open trips in the Division of External Operations (140 open trips). **The Committee expressed its concern about such developments in the unliquidated obligations, and requested to be updated about the disbursement of all open purchase orders and open trips at its thirty-fourth session.**

6. Budget performance in the first quarter of 2019*(a) Implementation rate*

55. The Committee had before it the “Report on budget performance of the International Criminal Court as at 31 March 2019.”²⁶ The Committee noted that the implementation rate, as at 31 March 2019, was 30.9 per cent, or €44.6 million, against the 2019 approved budget of €144.55 million (excluding the instalments for the host State loan of €3.59 million), and agreed to continue monitoring the situation at its thirty-third session in August/September 2019.

(b) Judicial activities and courtroom use

56. The Committee took note of the release of Mr. Gbagbo and Mr. Blé Goudé in February 2019. The Committee observed the continued low level of judicial activities in 2018 and 2019 as reflected in the limited use of courtrooms (27 hearing days in the first quarter of 2019). **Therefore, the Committee was not convinced of the need to make use of two fully staffed courtroom teams in 2019 and recommended that the Court identify efficiencies in 2019.**

57. **Reiterating its recommendation²⁷ that the Court manage its human resources in a flexible manner to allow it to react to unexpected situations as much as possible and redeploy resources based on actual workload requirements, the Committee further recommended that the Court look into the efficient and flexible use of courtroom teams and the optimal planning of courtroom time in the context of the 2020 proposed programme budget.**

(c) Contingency Fund notification

58. The Committee noted that one CF notification related to the release of Mr. Gbagbo and Mr. Blé Goudé (situation in Côte d’Ivoire) in the amount of €327.4 thousand had been submitted and expressed its expectation that this amount would be absorbed within the regular budget.

(d) Transfer of funds

59. The Committee observed that within the Chambers in Judiciary an amount of €451 thousand was used for Short-term Appointments (STA) instead of GTAs, as originally allocated. The Committee decided that it would continue to monitor the use of the STA modality in compliance with the relevant AI²⁸ at its thirty-fourth session in 2020.

²⁶ CBF/32/15.

²⁷ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2, para. 215.

²⁸ ICC/AI/2016/001.

7. Review of the level of precautionary reserves and liquidity issue

60. At its thirty-first session, the Committee decided that it would consider the level of precautionary reserves and the liquidity issue at its thirty-second session in light of further experience.²⁹ This decision was welcomed by the Assembly at its seventeenth session.³⁰

(a) Working Capital Fund

61. As the Court's budget is funded through annual assessed contributions, the liquidity risk needs to be mitigated and thus the Working Capital Fund (WCF) was set up in order for the Court to meet short-term liquidity problems pending receipt of assessed contributions.³¹

62. An analysis of the outstanding contributions over the past ten years shows the trend of outstanding contributions as outlined in table 2 and table 3 below:

Table 2: Trend analysis in relation to outstanding contributions for the past ten years (in thousands of euros)

<i>Year</i>	<i>Programme budget</i>	<i>Outstanding contributions at the end of the period (incl. for prior years)</i>	<i>Outstanding contributions (in per cent)</i>
2008	90,382.1	557.5	0.62%
2009	101,229.9	1,093.0	1.08%
2010	103,623.3	6,254.9	6.04%
2011	103,607.9	2,791.6	2.69%
2012	108,800.0	6,569.3	6.04%
2013	115,120.3	6,980.2	6.06%
2014	121,656.2	14,489.3	11.91%
2015	130,665.0	20,785.7	15.91%
2016	139,590.6	18,405.0	13.18%
2017	144,587.3	31,047.9	21.47%
2018	147,431.9	21,121.9	14.33%
2019*	148,135.2	20,400.0 ³²	13.80%

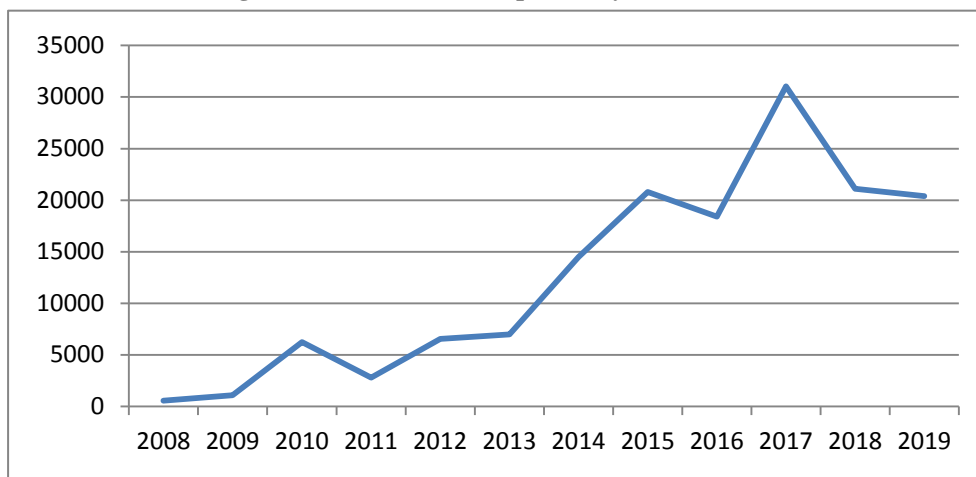
* Forecast.

²⁹ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2, para. 200.

³⁰ ICC-ASP/17/Res.4, section B, para. 4.

³¹ Financial Regulations and Rules, Regulation 6.2.

³² Calculations based on confirmations received from Embassies and 2018 payment records.

Table 3: Outstanding contributions over the past ten years (in thousands of euros)

63. In 2016, the Assembly agreed to raise the established level of the WCF to €11.6 million to cover one month of the Court’s average costs³³ in line with international practice. The Assembly further decided that the Court may only use the surplus funds and funds received from the payment of the outstanding contributions to reach the established level of the Working Capital Fund³⁴ of €11.6 million, which the Court predicts should take place towards the end of 2019.

64. The Committee considered the “Report of the Court on its precautionary reserves,”³⁵ which focuses on the level of the WCF. The Court also updated the Committee on the liquidity situation, outstanding contributions for the regular programme budget and the host State loan. Cash flow projections were included in the “Monthly financial situation report” as at 31 March 2019.

65. The Committee noted that cash flow projections are made based on (i) information received from States Parties, or (ii) in their absence, on 2018 contributions payment patterns. In light of the lack of information on payment dates, the Committee noted that the Court was not in a position to provide a reliable forecast for the outstanding contributions as at 31 December 2019. **Therefore, the Committee urged States Parties to confirm the expected dates for the payment of contributions to the Court with a view to assisting the Court with making cash flow projections based on realistic assumptions. In addition, the Committee recommended that the Court add to its “Monthly financial situation reports” information on the liquidity impact in the event of the situation being based exclusively on the payment dates confirmed by States Parties.**

66. 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 that the level of the Working Capital Fund be maintained at one month of the Court’s expenditure, therefore, recommending an increase of the notional level to €12.3 million.**

67. Until the reliance on the use of a fully funded WCF, the Committee reiterated its earlier recommendation that “a permanent mechanism authorizing the Bureau to deal with liquidity issues, such as through the temporary use of the CF and/or the establishment of external funding upon recommendation of the Committee, as a risk-mitigating measure” should be established by the Assembly of States Parties.³⁶

³³ Relative to the 2016 budget. Previously, in the wake of continuing budget growth, the cover ratio had fallen to less than three weeks.

³⁴ ICC-ASP/17/Res. 4, section B, para. 5.

³⁵ CBF/32/2/Rev.1.

³⁶ *Official Records... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2, para. 209.

68. The Court stressed that the issue of liquidity remained a recurrent problem due to the high level of outstanding assessed contributions. The External Auditor also expressed the same concerns and believed that this was a structural problem, which required further analysis. The Committee looked forward to the forthcoming External Auditor's performance audit on the Court's budget management³⁷ and to a discussion between the External Auditor and the Court on how to actively manage expenditures and identify risk mitigating measures in line with the practice of other international organisations.

(b) *Contingency Fund*

69. At its seventeenth session in December 2018, the Assembly had resolved that the CF was to be maintained at the notional level of €7 million for 2019, and requested that the Bureau keep this threshold under review in light of further experience on the functioning of the CF.³⁸ On 31 December 2018, the level of the CF stood at €5.2 million.³⁹ The Committee was concerned that this level could be insufficient to cover further contingencies.

(c) *Employee benefit liabilities (EBL)*

70. The report of the Court also briefly addressed the funding for employee benefit liabilities. The Court noted that the EBL Fund currently does not include funding for After-Service Health Insurance (ASHI). The Court intended to consider the issue of funding ASHI liabilities, in line with the recommendations of the External Auditor, and will provide the Committee with information in this regard for its consideration.⁴⁰

71. After noting that the External Auditor will look into the issue of the EBL and carry out the actuarial calculations, the Committee decided to review the matter at its thirty-fourth session in April 2020.

D. Institutional reform and administrative matters

1. Establishment of a special account for the IT/IM Strategy and transfer of unspent funds from one financial year to the following

72. At its thirty-first session, the Committee reiterated, with regard to multi-year budgeting, its recommendation⁴¹ that a solution be found within the parameters of the FRR to transfer unspent funds for the Strategy, caused by objective delays in procurement, from one financial year to the following. This recommendation was endorsed by the Assembly at its seventeenth session.⁴² The Committee further recommended that the savings achieved within the project should be reported and utilized to reduce the costs of the Strategy.⁴³

73. The Committee reviewed the "Report of the Court on the establishment of a special account for the Five-Year IT/IM Strategy."⁴⁴ The proposed solution of the Court to establish a special account to manage the transfer of unspent funds for the IT/IM Strategy from one financial year to the next is a viable *ad hoc* solution. Its main purpose is to improve planning and to enlarge the timeframe for committing obligations, which prevents the end-of-year "spending spree." The solution ring-fences the unspent IT strategy funds and prevents them from being reallocated to fund other cost items within Major Programme III (the Registry), to replenish the CF or to achieve a cash surplus. The Court provided assurances that the special account does not require a separate assessment of contributions, nor does it harm the cash flow of the Court.

³⁷ Based on the current information, the audit will take place in May 2019 and the report will then be available in July 2019.

³⁸ ICC-ASP/17/Res.4, section D, paras. 2 and 4.

³⁹ ICC-ASP/18/3, page 95, annex XII.

⁴⁰ CBF/32/2/Rev.1, para. 5.

⁴¹ *Official Records ... Sixteenth session ... 2017* (ICC-ASP/16/20), vol. II, part B.2, para. 92.

⁴² ICC-ASP/17/Res.4, section P, para.1.

⁴³ *Official Records... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2, para. 104.

⁴⁴ CBF/32/4.

74. **Reiterating its recommendation⁴⁵ that the Five-year IT/IM Strategy should be implemented within the maximum agreed budget limits (€2,168 thousand for 2019; €2,072 thousand for 2020; €2,559 thousand for 2021), the Committee supported the Court’s proposed solution to establish a special account and recommended that the annual budget limits be reflected in the draft language⁴⁶ for submission in advance of the eighteenth session of the Assembly. Furthermore, the Committee recommended that the Court specify in the proposed draft that the creation of the special account would not adversely affect the Court’s cash flow.**

75. **In addition, the Committee was of the view that after a review of the results achieved upon completion of the IT/IM Strategy, a permanent transfer solution could be envisaged by changing the relevant FRR.**

E. Capital replacements for the premises of the Court

1. Second opinion of the incoming main contractor

76. At its thirty-first session, the Committee recommended that – if the Bureau agrees – the Court seek the views of its incoming main contractor on a certain number of questions related to long-term costs⁴⁷ and on the current capital replacement plan until 2023 by reporting to the Committee at its thirty-second session.⁴⁸

77. In September 2018, the Committee considered the Court’s proposed options for funding long-term capital replacements (i.e. the replacement of major system components) for its premises in The Hague.⁴⁹ It endorsed the proposal that the Court periodically present a five-year expenditure estimate along with an outlook on long-term plans. However, under current circumstances, it did not support the establishment of a fund. Replacement needs in the near future should, whenever feasible, be financed within the scope of the regular budget process. Still, the Court should provide in good time for steep cost spikes, when major structural components will reach the end of their useful lives.

78. **Concerning the appropriate time-scale and methodology of the longer-term cost estimates, the Committee requested further clarification as indicated in previous reports.⁵⁰**

2. Key elements of the maintenance contract

79. The Committee considered the “Report of the Court on the development of medium-term and long-term cost projections for capital replacements and the inclusion of performance indicators in the new maintenance contract.”⁵¹ The key points of this report can be summarized as follows:

(a) As from January 2019, the new maintenance contractor is *Heijmans N.V.* The contract is for an initial period of three years with the option for the Court at its sole discretion to extend the period to a maximum of 10 years, subject to satisfactory performance;

⁴⁵ *Official Records... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2, para 102.

⁴⁶ CBF/32/4, annex I.

⁴⁷ *Official Records... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2, para 265.

⁴⁸ *Ibid.*, para. 266.

⁴⁹ *Ibid.*, paras. 264–268.

⁵⁰ See the questions listed in paragraph 265 of the Committee’s report on the thirty-first session:

“(a) What time-scale would be realistic and acceptable?

(b) What should be the terms of reference of the exercise, for instance: priority of replacements, risks if not implemented, allowing for unforeseen events / emergencies; benchmarks for quality standards, opportunities for technical progress, assumed level of capacity utilization?

(c) Ways of updating the estimates over time?

(d) Lessons to be learned from other international organizations?

(e) Possible cost of the estimates?

(f) Who would be able and should be entrusted with the technical estimate?

(g) Use of key performance indicators?”

⁵¹ CBF/32/10.

(b) As for the terms of reference, the contractor as a single all-rounder shall provide a complete maintenance solution for the premises, which covers preventive maintenance, corrective maintenance and capital replacements;⁵²

(c) The Court will measure the performance of the contractor continuously, based on regular reports and specific performance criteria indicated. Non-compliance with the criteria can lead to a contractual penalty (“*malus*”); and

(d) It is worth noting that the contractor advises the Court to envisage a timeline of 20 - 30 years for the long-term replacement plans. The contractor advised that pre-determined funding mechanisms should be in place to avoid negative effects on the operations of the Court.

80. The main contractor will be cooperating with and is supervised by the Court’s Facility Management Unit in order to maintain the premises, protect their functionality and preserve the asset value. The Committee welcomed the attention given in the maintenance contract to clarifying the contractor’s responsibilities and monitoring its performance based on specific performance criteria and incentives.

81. The Committee looked forward to receiving periodic updates about how the cooperation with the contractor is proceeding and issues that may have arisen. Measures taken or envisaged to achieve savings and efficiencies should be a regular feature of the reports.

82. Moreover, the Committee considered the updated five-year rolling forecast provided by the contractor.⁵³ Starting in 2020, replacement expenditure would add up to €3.6 million by 2023 with an added €0.08 million in 2024. With regard to the €3.6 million by 2023, this amount exceeds the Court’s earlier forecast (€2.9 million)⁵⁴ for the same period by €0.7 million. **As forecasts will continue to evolve, the Committee recommended that the Court explain variances in the future. In addition, updated forecasts should also discuss the prioritisation of the replacements and measures taken or envisaged to achieve savings and efficiencies.**

83. **The Committee looked forward to receiving annual updates of the five-year expenditure plans for the maintenance of the premises together with a view of the longer-term expectations.** After recalling that the Assembly entrusted the Bureau “with the mandate concerning the governance structure and total cost of ownership, via its Hague Working Group, which has a facilitation on the budget, or if necessary, a sub-committee thereof,”⁵⁵ the mandate of which includes, amongst others, “a draft plan for funding the total cost of ownership and the subsequent submission of recommendations to the Assembly.”⁵⁶ The Committee stands ready to assist with its technical advice.

F. Human resources

1. Annual report on Human Resources Management

84. The Committee considered the annual “Report of the Court on Human Resources Management”⁵⁷ and new human resources initiatives, such as staff wellbeing and mobility, which should make it possible to improve efficiency and productivity. **The Committee recommended that the Court focus on finalizing the human resources projects and keep consulting with the Staff Union Council on human resources issues in order to reinforce a positive and balanced work climate and assess their impact before introducing other initiatives.**

85. **Furthermore, and in order to ensure adequate coordination between the Court and States Parties, the Committee requested that in the future it be consulted with respect to policy issues within its mandate in a timely manner.**

⁵² The responsibilities of the contractor are detailed in a “Scope of Work” (SOW) document.

⁵³ CBF/32/10, annex 1, page 4.

⁵⁴ CBF/30/3, page 3.

⁵⁵ ICC-ASP/15/Res.2, annex II, part B, para. 6. The Assembly also resolved that the budget facilitation could make use of the expertise of the Committee.

⁵⁶ *Ibid.*, para. 7.

⁵⁷ ICC-ASP/18/4.

2. Review of the Administrative Instruction on the Classification and Reclassification of Posts

86. In September 2017, the Committee recommended that the Assembly should not approve any reclassifications of posts until there had been a Court-wide review of the policy on reclassifications.

87. At its seventeenth session in December 2018, the Assembly decided not to approve any requested reclassifications for 2019, stressed that reclassifications of posts cannot be used as a promotion tool or as a consequence of increased workloads and recalled the importance of fairness and transparency in all human resources decision-making. The Assembly noted the Administrative Instruction on the Classification and Reclassification of Posts promulgated by the Registrar⁵⁸ and requested that the Committee review it at its thirty-second session and report to the Assembly.⁵⁹

88. Pursuant to the Assembly's request, the Committee reviewed the AI on classification and reclassification of posts, which was promulgated on 22 November 2018. While the AI sets out a detailed process for how a post should be considered for reclassification, the Committee was of the view that further fine-tuning may be required.

89. The Committee noted that the AI contains details on the exchange with the incumbent of the post. The Committee welcomed staff consultation and involvement in human resources processes to ensure a level of transparency and trust. However, the Committee was concerned that feedback of this kind in this administrative process could raise expectations of outcome, increase the need for conflict resolution and, in the most extreme cases, lead to a higher risk of legal challenge. All these aspects could affect the decision-making process or have financial implications. **The Committee therefore recommended that the Court ensure that all processes and financial risks are appropriately mitigated and reconsider the wording of the Administrative Instruction to clearly distinguish between decisions on the classification of posts and administrative decisions related to the performance of staff.**

90. **While recognizing the Court's need for flexibility in human resources management, the Committee recalled that reclassifications are always linked to posts and not to incumbents and recommended that reclassification requests should be put forward only under exceptional circumstances.**

3. Geographical distribution

91. At its thirtieth session, the Committee, reiterating its previous recommendation,⁶⁰ recommended that the Court address the issue of the significant number of staff that are nationals of States that are not States Parties to the Rome Statute in conjunction with the existing imbalance in geographical representation.⁶¹ The Committee further recommended that the Court continue its efforts to attract candidates especially from under-represented and non-represented countries and report back to the Committee at its thirty-second session in its annual report on human resources management.⁶²

92. The Court prepared a detailed report on the geographical representation of its staff in the professional and higher-grade categories, broken down by region over a five-year timescale 2014-2018 and presented in a bar chart format.

93. The Court's report showed that the number of over-represented States fluctuated during the period. It stood at 26 in 2014, increased to 29 in the subsequent year, then declined to 27 and ended at 29 in 2018; the numbers of in-balance States improved significantly during the reported period, jumping from 14 in 2014 to 21 in 2018, an increment of 50 per cent; while the figures for the under-represented States dropped from 21 in 2014 to 15 the following year, then significantly increased to 26 in 2016 and ended at 19 in 2018; finally the non-represented ones decreased from 61 in 2014 to 54

⁵⁸ ICC/AI/2018/002.

⁵⁹ ICC-ASP/17/Res.4, Section M, para. 4.

⁶⁰ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.1, para. 98.

⁶¹ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.1, para. 92.

⁶² *Ibid.*, para. 93.

in 2018, a 10 per cent improvement. Overall, the trend over the last five years exhibited modest changes (positive and negative) in the geographical distribution of staff, except for the in-balance States.

94. A comparison of the statistics of the two most recent years, 2017 and 2018, revealed that over-represented States increased by two in 2018; the in-balance States remained the same; the under-represented States declined by two; and the non-represented States decreased by one. The fluctuations occurring during the reporting period might provide an indication regarding the degree of stability of Court staff. **The Committee recommended that the Court continue its efforts to achieve a more equitable geographical distribution.**

95. **Considering the fact that the non-represented States make up just under half the number of the Assembly, the Committee recommended that the Court give special attention to the hiring of staff from those States.**

96. The Court report for the number of States that are not States Parties to the Rome Statute exhibited an upward trend, growing from 14 States in 2014 to 24 in 2018, a hefty 71 per cent increase. The number never dropped below the 2014 level. The Committee reiterated its previous recommendations and urged the Court to make serious efforts to redress the situation. **The Committee further recommended that the Court report on geographical representation by differentiating between the staff from States Parties and non-States Parties.**

97. As regards regional representation, the African and the WEOG regions were over-represented in 2018, whereas the Asian, the East European and GRULAC regions were under-represented. The total number of professional staff, excluding elected officials and language staff, was 465, of which 60 (15 per cent) belong to non-ratified countries. Out of the total States Parties professional staff of 406, 15 per cent, four per cent, 10 per cent, seven per cent and 64 per cent came from the African, Asian, East European, GRULAC and WEOG groups respectively.

4. Gender balance

98. At its thirtieth session, the Committee recommended that the Court, particularly the Registry, continue its efforts to narrow the gender gap and to provide an update to the Committee at its thirty-second session.⁶³ The Committee noted that the gender gap at the higher professional levels persisted in 2017 and recommended that the Court continue its efforts to redress this situation and to provide an update to the Committee at its thirty-second session.⁶⁴ Furthermore, the Committee observed a decline in female staff at the P-5 level from 35 per cent to 32 per cent, while female staff increased by two per cent at P-4 and P-3 levels respectively. The Committee recommended that the Court make additional efforts towards attracting female staff at P-5 level and provide an update to the Committee at its thirty-second session.⁶⁵

99. The Court provided information on the gender balance in tables and chart format, broken down by major programme. The Committee welcomed this development since it made more information available for the Committee's consideration.

100. Overall, the gender balance at the Court for established posts stood at 53 per cent for men and 47 per cent for women in 2018, the same as in 2017 and in 2012. The overall gender breakdown for men and women (50 per cent each) was equally shared between professional and higher staff.

101. As a trend, the gender balance was relatively stagnant with minor fluctuations. Apparently, the Court had not materially improved the balance in favour of female staff. The Committee, notwithstanding its repeated recommendations, again urged the Court to continue its efforts to narrow the gender gap.

102. At the programme level, the proportion of women in the professional and higher categories of the Judiciary stood at 52 per cent, 52 per cent in OTP, 75 per cent in the IOM

⁶³ *Ibid.*, para. 97.

⁶⁴ *Ibid.*, para. 98.

⁶⁵ *Ibid.*, para. 99.

and 75 per cent in the OIA, a gap in favour of female staff. **Whereas the proportion of women within the staff of the Registry, the Secretariat of the Assembly and the TFV fell well below the required balance, registering 43 per cent, 40 per cent and 40 per cent, respectively. The Committee recommended that the Court address the imbalance in the last three major programmes as appropriate.**

103. The overall gender distribution of the professional and higher categories staff was equally divided between men and women (50 per cent each). A breakdown of this by major programme gave women a majority of 53 per cent, 51 per cent, 67 per cent and 67 per cent in the Judiciary, the Registry, the IOM and OIA respectively. Whereas women were in the minority within the OTP, Secretariats of the Assembly and the TFV, comprising 48 per cent, 40 per cent and 25 per cent respectively.

104. The number of women employed in high-level positions stood at 11 per cent of staff in the D-1 grade, 33 per cent in the P-5, and 35 per cent in the P-4 categories. At the lower levels, the proportion of females stood at 45 per cent in the P-3, 63 per cent in the P-2 and 76 per cent in the P-1 categories. This showed that the gender imbalance in favour of male staff existed in the higher level posts. Conversely, the lower level posts were overwhelmingly occupied by female staff. The Committee reiterated its previous recommendations and asked the Court to concentrate its efforts on recruiting women to higher-level posts.

105. The Committee was informed that the Court is establishing and implementing the following measures in order to address the problem:

(a) Mentoring Programme for Women, which will include providing support to women to strengthen professional networks and define and pursue career aspirations;

(b) Focal Point for Women, Heads of organs are committed to promoting gender parity within the Court. With the establishment of a focal point, it will be possible to determine whether there are any systematic organizational issues which may present obstacles for the career progression of women;

(c) Unconscious bias training for managers will be provided to all managers involved in recruitment; and

(d) Gender awareness training, mentoring programme and specific training to raise awareness.

106. **The Committee welcomed these initiatives and recommended that the Court work on these matters with all interested parties, as well as on proposals in compliance with a zero tolerance policy on harassment and report to the Committee at its thirty-fourth session.**

5. Internal mobility framework and staff exchange arrangement within the United Nations Common System

107. In April 2018, the Court informed the Committee about its ongoing work on developing a staff Mobility Framework. The Committee noted that opportunities for flexible assignment would support staff in their professional development. In addition, flexibility was essential for efficient resource use in an organisation like the Court where staff costs alone account for more than two-third of the entire budget. The Committee made specific recommendations for the Framework and requested a progress report for its current session.⁶⁶

108. In response, the Court explained that implementing the Mobility Framework has been, and will continue to be, one of its priorities. Already, the Court was applying several types of arrangements to support mobility within and outside the Court. Additional mobility options would be beneficial. Extensive research and benchmarking, which included staff mobility frameworks at key UN Common System institutions had taken place. A proposal with relevant mobility options was about to be finalized.

⁶⁶ *Ibid.*, para. 104.

109. **The Committee looked forward to receiving the Mobility Framework proposal for consideration at its thirty-fourth session.** It also reiterated its recommendation that, in future, requests for new posts in the proposed programme budgets should be backed up by a more explicit justification of why recourse to existing resources may not be practicable.⁶⁷

6. Flexible working arrangements and IT security

110. In February 2019, the Registrar issued an AI establishing the conditions under which staff members of the Court may “benefit from flexible working arrangements leading to a better work-life balance.”⁶⁸

111. Subject to the conditions set out in the AI, the following flexible working arrangements will be available:

- (a) Flexible working schedule;
- (b) Compressed working schedule;
- (c) Remote working; and
- (d) Scheduled breaks for outside learning activities.

112. All such arrangements require a written agreement, are not automatic, and are contingent upon the specific exigencies of service. Any resulting costs, such as those related to the necessary computer hardware, software, internet connection or any other expenses or fees incurred under the arrangements, or for complying with security and safety requirements, shall be borne by the staff member and not be reimbursed by the Court.⁶⁹

113. The Committee noted that the AI on flexible working arrangements shall not increase the Court’s risks in relation to information security, operations or reputation. According to the AI, staff members “shall be responsible to ensure that activities during flexible working arrangements are undertaken with full adherence to the risk management steps and security measures and policies, as outlined in the relevant administrative instructions, operating procedures and guidelines.”⁷⁰ Moreover, the Committee noted that the Court’s Information Protection Policy determines that: “[v]iolation of this Administrative Instruction may result in disciplinary action [...]”⁷¹

114. Stressing that it is critically important to protect the Court’s data, its operations and its reputation against risks arising in particular from IT-based remote work, the Committee believed that despite the Court’s efforts, there might be room for further improvement. As the current multiplicity of legal instruments the Court refers to may cause confusion, the Committee believed that the relevant provisions should be clearly presented and updated, as well as being made readily accessible.

115. The AI in its present form appears to confer the sole responsibility for compliance upon the staff. However, the Court is jointly responsible, for example, in terms of continuing to provide IT security trainings,⁷² and appointing a contact person in the IT Department to support staff who would like to avail themselves of flexible working arrangements. **The Committee requested that the Court employ all required methods and tools to ensure full compliance with IT security standards and looked forward to an update, including on the overall usage and usage incidents, as part of the annual report on Human Resources Management at its thirty-fourth session.**

⁶⁷ *Ibid.*, para. 107.

⁶⁸ Administrative Instruction, Flexible Working Arrangements, ICC/AI/2019/002, Section 1.1.

⁶⁹ *Ibid.*, Section 2.5.

⁷⁰ *Ibid.*, Section 2.6.

⁷¹ ICC/AI/2007/001, para. 40.3.

⁷² The IT Security Awareness and Training Programme has already been the focus of an audit by the Office of Internal Audit in 2018. Please refer to Final Audit Report: Audit on Information Security - Awareness and Training program (AC/8/3).

7. Junior Professional Officer Programme

116. The Committee took note of section within the Human Resources Management report on the ongoing JPO programme,⁷³ and in particular the request with regard to cost sharing. It observed that the Court's JPO programme currently retains six officers from the three sponsoring States Parties: four from Japan (two male and two female); one from the Republic of Korea (female); and one from Switzerland (female). These JPOs undergo an individually tailored training programme and are subject to regular performance feedback and assessment.

117. While such a programme has been approved by the Assembly on a trial and cost neutral basis with officers serving for two years from the date of the signing of the Memoranda of Understanding in 2017, an extension of one additional year on a cost-sharing basis,⁷⁴ has been requested in line with the UN JPO programme practice. In addition, the Court invited developed countries to support developing countries to join this initiative, with a view to enhancing geographical representation and gender balance, which has been identified by the Court as a strategic objective of human resources management.⁷⁵

118. The Committee was of the view that the JPO programme, if properly 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.

119. The Committee requested that the Court provide it with overall budget figures for the extension of the JPO programme beyond the second year of employment for its consideration at its thirty-third session.

8. Amended Staff Rules relating to the education grant, special education grant and related benefits

120. At its seventeenth session, the Assembly noted that the Court had received the full text of the amended Staff Rules relating to the United Nations education grant, special education grant and related benefits, and that the Court is in the process of aligning its Staff Rules accordingly.⁷⁶ Moreover, the Assembly requested that the Court submit to the Committee, at its thirty-second session, and to the Assembly, during its eighteenth session, the full text of the amended provisional Staff Rules relating to the education grant, special education grant and related benefits, pursuant to Regulation 12.2 of the Staff Regulations.

121. The Committee had before it the "Report of the Court on the proposed amendments to the Staff Rules on the education grant, the special education grant and related benefits"⁷⁷, and recommended that the Assembly approve the proposed changes.

G. Legal aid

1. Annual report on legal aid for the year 2018

122. The Committee considered the Court's annual report on legal aid entitled "Report on the performance of the Courts legal aid system in 2018."⁷⁸

123. Legal aid expenditures for the defence was over-implemented by roughly €900 thousand (117.7 per cent) due to the complexity of the *Ongwen* trial and the need to provide legal aid in relation to the *Al Hassan* case and *Yekatom* case, both of which were not foreseen when the budget was approved.

⁷³ ICC-ASP/18/4, paras. 107 et seq.

⁷⁴ Half of the costs to be borne by the sponsoring State and the other half by the Court.

⁷⁵ ICC-ASP/18/4, para. 2.

⁷⁶ ICC-ASP/17/Res.4, Section M, para. 2.

⁷⁷ CBF/32/13.

⁷⁸ CBF/32/11.

124. As for legal aid expenditures for victims, reparation proceedings required additional legal aid resources in the amount of roughly €300 thousand (final budget implementation rate of 125.9 per cent), which had not been budgeted for.

2. Expenditure for legal aid during the reparations phase

125. At its twenty-ninth session, the Committee noted that the reparations phase takes place only after the final conviction of the accused and that the amount of legal aid for defence teams during that phase had not yet been sufficiently clarified.⁷⁹

126. The Committee noted with concern the considerable length of reparations proceedings with possible negative repercussions on the expectations of victims and on the need for financial resources. In light of the significance of reparations for the reputation of the Court, the Committee stressed that it is of the utmost importance that reparations proceedings are carried out efficiently with a view to ensuring that the reparation awards effectively and transparently reach the beneficiaries as soon as possible. The Committee decided to continue to closely monitor expenditure for legal aid during the reparations phase⁸⁰ and expressed its expectation that the evaluation of the administration of the STFV by the Independent Oversight Mechanism⁸¹ will set out specific recommendations with a view to addressing this issue.

3. Amendments to the legal aid system

127. At its seventeenth session, the Assembly mindful of the recommendation by 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, requested that the Court continue its review of the functioning of the legal aid system and present, in early 2019, as appropriate, proposals for adjustments to the legal aid remuneration policy for the consideration of the Assembly, through the Committee and Budget and Finance, at its eighteenth session.⁸²

128. The Committee noted that the Court did not submit a proposal for the adjustment of the legal aid remuneration policy, but only provided a procedural update on the status of the reform proposal, as contained in the “Report of the Court on the review of the legal aid policy.”⁸³

H. Trust Fund for Victims

1. Fund-raising from private donors

129. The Trust Fund for Victims (the TFV) is still facing legal obstacles in terms of accessing major philanthropic markets in a number of countries. This is because the TFV, as a subsidiary organ of the Assembly, has no separate legal identity. Therefore, it cannot automatically offer the prospect of tax deductibility to private donors. However, research commissioned by the TFV as early as 2014 suggested options to work around the problem, which the TFV considered viable.⁸⁴

130. At its recent sessions, the Committee urged the TFV to move ahead more expeditiously. It recommended that the Secretariat of the TFV (STFV) and the Court jointly establish a working group to identify viable options, weigh up their advantages and disadvantages, conduct a full analysis of the related issues, and work out a specific proposal for decision-making. The related administrative costs should be transparent and taken into

⁷⁹ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.2, para. 184.

⁸⁰ *Official Records... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2, para. 115.

⁸¹ ICC-ASP/17/Res.4 section L, para. 7.

⁸² ICC-ASP/17/Res.5, annex I, para. 8a.

⁸³ CBF/32/7.

⁸⁴ Either the establishment of a “Friends of the TFV Foundation” or the engagement of a fiscal sponsor as proxy recipient of tax-deductible donations. Please refer to *Official Records... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.1, para. 129.

account. Less burdensome alternatives than those currently considered and the experience of other donor-dependent institutions should be reviewed.⁸⁵

131. In response, the TFV has now submitted its updated “Trust Fund for Victims Progress Report on Modalities of Private Fundraising.”⁸⁶ As suggested by the Committee, the STFV and the Registry have jointly established the “Working Group on Private Donations to the Trust Fund for Victims” (WGPD) focusing on four areas:

- (a) the feasibility of fiscal sponsor arrangements in various markets;
- (b) the feasibility of obtaining legal status to enable tax-deductible private donations to be received;
- (c) procedures for vetting prospective TFV private donors; and
- (d) updating the TFV policy on the acceptance of gifts for private donations.

132. The STFV and the Registry envisage resorting to a procurement process in order to obtain fiscal sponsor services, although the final decision will depend on consultations with the Court on the political risk environment.⁸⁷ Recently, the TFV has also issued an international Call for Expressions of Interest from suitable organizations interested in offering fiscal sponsorship services targeting the five regions of the world. Regarding tax-deductible donations in the EU market, the STFV and the Registry are exploring the viability of various options, including associated legal and governance issues.⁸⁸ An in-depth analysis of the fundraising practices of comparable organisations is also envisaged.

133. The Committee noted the modest results achieved 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. A fresh start might help to seize opportunities, which have been missed.

134. Therefore, the Committee stressed the urgency of moving ahead with private fund raising without further delay with a view to complementing voluntary contributions from States Parties. To quote from the TFV’s Strategic Plan:

”[...] achieving a solid private donor base will serve a dual purpose: next to boosting the Fund’s reserve, to demonstrate that the Trust Fund’s reparative (and transformative) justice resonates well beyond governments into the public domain. This will help to strengthen TFV’s profile and public support. In the TFV’s view, engaging with public and private donors will be a mutually reinforcing fundraising strategy.”⁸⁹

135. The Committee looked forward to specific proposals on private donations at its thirty-third session.

2. Strengthening of the STFV’s additional IT needs and internal controls

136. In 2018, the External Auditor drew attention the TFV’s internal controls when implementing individual reparations.⁹⁰ These required significant effort in terms of legal expertise, traceability and documentation. The TFV’s current structure, the Auditor found, could not ensure the required level of precision, especially given the number of potential victims.⁹¹ There was a risk of data uncertainties, which, unless dealt with, “could lead to significant difficulties in terms of certification.” Consequently, the Auditor recommended that: (a) the TFV Secretariat have access to the Court’s victim identification software (VAMS), and that (b) additional IT developments be configured to take account of the specific needs of reparation activities.

⁸⁵ *Ibid.*, paras. 128 *et seq.* and *Official Records... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2, paras. 154-158.

⁸⁶ CBF/32/8.

⁸⁷ *Ibid.*, paras. 8 and 9.

⁸⁸ *Ibid.*, para. 10.

⁸⁹ TFV Strategic Plan 2014-2017, page 34. Please note that the TFV Strategic Plan 2014-2017 was extended to 2018. A new Strategic Plan is expected to be issued in 2019.

⁹⁰ ICC-ASP/17/13, paras. 29-32.

⁹¹ For example, the External Auditor noted that the decision of Trial Chamber II in the *Lubanga* case mentions hundreds or even thousands of victims. See ICC-ASP/17/13, para. 31.

137. The Committee expressed its appreciation for the recommendations and invited the Court to assist the Secretariat of the TFV in strengthening its IT and internal controls within existing resources.⁹²

138. During the session the Committee considered the “Report on existing internal controls of the reparation awards⁹³” submitted by the STFV and Court. Essentially, the report stated that the STFV and the Victims Participation and Reparations Section (VPRS) are cooperating to develop a monitoring framework adapted to the implementation of reparation awards. In light of the TFV’s concern about workload, the discussion about how best to share the tasks between STFV and VPRS is ongoing.

139. The Committee believed that it is in the shared interest of the TFV and the Court that the “significant difficulties in terms of certification,” that the External Auditor alluded to do not materialise. Just like the External Auditor, the Committee is mindful of the demanding challenges facing the TFV. **The Committee appreciated the support of the Court and looked forward to a progress report at its thirty-third session on ways of moving ahead expeditiously and achieving tangible results on the “significant difficulties in terms of certification.”**

I. Other matters

1. Litigations before the International Labour Organization Administrative Tribunal (ILOAT) and cases pending before the internal Appeals Board

140. The Committee considered the “Report of the Court on assessment of litigation risks,⁹⁴” as well as additional information provided by the Court during the Committee’s session, which provided an update on current situation related to all cases pending before the ILOAT and internal proceedings.

(a) *Litigations before the ILOAT*

141. On 6 February 2019, the ILOAT rendered judgments on two cases and ordered the Court to pay one complainant financial compensation of €26 thousand, whereas the other case was dismissed. Three cases were settled amicably.

142. At the time of its thirty-second session in April 2019, the Committee noted with concern an increase from 15 pending cases in September 2018 to a total number of 27 cases currently being examined by the ILOAT.⁹⁵ The Committee noted that this increase was mainly related to 11 cases that had been pending before the internal Appeals Board and had now moved to a litigation stage before the ILOAT.

143. The ILOAT holds two sessions per year and the Committee was informed that among the 27 pending cases, the ILOAT has decided to consider and deliver its judgments in five cases on 3 July 2019.⁹⁶

144. Furthermore, the Committee noted that two types of contentious cases are currently pending: one concerning the service conditions of certain elected officials; the other being cases lodged by staff members or former staff members to the ILOAT.

(b) *Cases before the internal Appeals Board*

145. Currently 20 cases are being considered by the internal mechanism of the Court and are at various stages of the proceedings.

146. The Committee encouraged the Court to reach amicable settlements before they proceed to the ILOAT, as far as possible, and further prompted the Court’s management to take all necessary measures to mitigate the litigation risk.

⁹² *Official Records... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2, para. 242 et seq.

⁹³ CBF/32/3.

⁹⁴ CBF/32/6.

⁹⁵ 17 of these 27 pending cases are ReVision-related.

⁹⁶ Four of which are ReVision-related.

(c) *Provisions related to ILOAT cases and cases before the internal Appeals Board*

147. The Committee noted that by the end of 2017 the provision for ILOAT cases amounted to €2,060 thousand. In 2018, a total of €1,295 thousand was charged against the provision. This amount includes payments to complainants in 11 cases and compensation of €233 thousand paid to settle cases internally.

148. The total provision for ILOAT cases at the end of 2018, including the remaining balance from 2017, amounted to €974 thousand and an amount of €85 thousand had been recorded as a contingent liability at the end of 2018 for two pending ILOAT cases.⁹⁷

149. The Committee noted with concern the increased number of litigation cases and their significant financial impact. The Committee decided to continue monitoring the outcome of all ILOAT cases, any future amicable settlements and other relevant developments concerning litigations at its thirty-third session.

150. The Committee further recommended that the Court's legal services accurately assess the litigation risks related to all cases pending before ILOAT and the internal Appeals Board and provide an update at the Committee's thirty-third session.

151. The Committee noted that the Registry is currently seeking the services of an independent expert to prepare a study on the possibility of establishing alternative dispute resolution mechanisms at the Court. The Committee requested that it be duly informed about the outcome of this exercise and the potential financial implications of such a mechanism at its thirty-fourth session.

152. Furthermore, the Committee reiterated its recommendation that the Court improve its approach in the field of human resources management in order to minimize the impact on staff and the cost implications as much as possible.

2. Briefing on the mission to the Country Office in Tbilisi

153. A team of two members of the Committee who participated in the mission to the Country Office in Tbilisi (Georgia) briefed the Committee on the conduct of the visit and its outcome.

154. The Committee took note of the observations and the report on the implementation of the objectives of the visit, as determined beforehand by the Team members. The Team members expressed their concern that the OTP personnel at the Country Office had not found the opportunity to meet with them.

155. Regarding the 2020 proposed programme budget, the Team members recommended that special attention should be paid to the planned change of premises of the Country Office in Tbilisi in the light of the OTP's assumptions, which remained unclear.

156. In addition, the Team members recommended that special consideration be given to the TFV's assistance activities in Georgia for 2020 and beyond. Bearing in mind that the Court has operated in the country for more than three years, tangible actions are urgently required to build trust among the victims and the general public vis-à-vis the Court and its activities in the country.

3. Future sessions of the Committee

157. The thirty-third session of the Committee will take place from 26 August to 6 September 2019 in The Hague, in accordance with the decision taken by the Assembly at its seventeenth session.

⁹⁷ Please note that these figures are still unaudited.

Annex I

Status of contributions as at 31 March 2019

State Party	Prior Years			Year 2019			Total Outstanding Contribution	Total Outstanding Other Funds ¹	Grand Total Outstanding All Funds	State Party Account Status	Date of latest received payment
	Outstanding Regular Contributions	Outstanding Host State Loan Contributions	Total Outstanding Contributions	Assessed Regular Contributions	Assessed Host State Loan Contributions	Total Assessed Contributions					
1 Afghanistan	-	-	-	14,455	706	15,161	15,161	-	15,161	Overdue	23/05/18
2 Albania	-	-	-	21,104	-	21,104	21,104	-	21,104	Overdue	23/07/18
3 Andorra	-	-	-	13,299	-	13,299	13,299	-	13,299	Overdue	10/05/18
4 Antigua and Barbuda	16,579	186	16,765	5,348	186	5,534	5,534	-	22,299	Ineligible to vote	01/10/16
5 Argentina	2,185,464	-	2,185,464	2,421,357	-	2,421,357	2,421,357	-	4,606,821	In arrears	03/04/18
6 Australia	-	-	-	5,848,204	-	5,848,204	-	-	-	Fully settled	06/02/19
7 Austria	-	-	-	1,791,553	113,387	1,904,940	-	-	-	Fully settled	22/01/19
8 Bangladesh	-	-	-	14,455	893	15,348	-	-	-	Fully settled	27/02/19
9 Barbados	-	-	-	18,502	-	18,502	18,502	-	18,502	Overdue	14/05/18
10 Belgium	-	-	-	2,172,587	141,803	2,314,390	-	-	-	Fully settled	25/02/19
11 Belize	-	-	-	2,602	143	2,745	2,745	-	2,745	Overdue	20/12/18
12 Benin	-	-	-	7,950	430	8,380	8,380	-	8,380	Fully settled	08/05/18
13 Bolivia (Plurinational State of)	-	-	-	42,353	-	42,353	42,353	-	42,353	Overdue	01/06/18
14 Bosnia and Herzegovina	-	-	-	31,801	-	31,801	-	-	-	Fully settled	31/01/19
15 Botswana	-	-	-	37,005	2,269	39,274	-	-	-	Fully settled	05/03/19
16 Brazil	9,435,839	416,882	9,852,721	7,801,074	416,882	8,217,956	8,217,956	-	18,070,677	In arrears	09/11/18
17 Bulgaria	-	-	-	121,711	6,679	128,390	-	-	-	Fully settled	14/01/19
18 Burkina Faso	14,315	165	14,480	7,950	165	8,115	8,115	-	22,595	In arrears	29/08/18
19 Cabo Verde	3,722	143	3,865	2,602	143	2,745	2,745	-	6,610	In arrears	02/08/17
20 Cambodia	-	-	-	14,455	441	14,896	14,896	-	14,896	Overdue	08/08/18
21 Canada	-	-	-	7,234,872	-	7,234,872	-	-	-	Fully settled	07/02/19
22 Central African Republic	7,969	343	8,312	2,602	143	2,745	2,745	-	11,065	Ineligible to vote	09/12/14
23 Chad	36,570	369	36,939	10,552	154	10,706	10,706	-	48,038	Ineligible to vote	13/01/15
24 Chile	-	-	-	1,077,042	-	1,077,042	1,077,042	-	1,077,042	Overdue	24/04/18
25 Colombia	-	-	-	762,068	-	762,068	63,737	-	63,737	Overdue	27/02/19
26 Comoros	21,584	371	21,955	2,602	143	2,745	2,745	46	24,754	Ineligible to vote	no payment
27 Congo	75,936	1,832	77,768	15,901	706	16,607	16,607	73	94,783	Ineligible to vote	01/06/11
28 Cook Islands	-	-	-	2,602	143	2,745	2,745	-	2,745	Overdue	31/01/18
29 Costa Rica	-	-	-	164,064	-	164,064	56,047	-	56,047	Overdue	22/02/19
30 Côte d'Ivoire	-	-	-	34,403	1,563	35,966	12,394	-	12,394	Overdue	23/11/18
31 Croatia	-	-	-	203,816	17,901	221,717	-	-	-	Fully settled	14/01/19
32 Cyprus	-	-	-	95,258	-	95,258	-	-	-	Fully settled	21/02/19
33 Czechia	-	-	-	822,923	-	822,923	-	-	-	Fully settled	18/03/19
34 Democratic Republic of the Congo	-	-	-	14,455	32	14,487	383	-	383	Overdue	18/09/18
35 Denmark	-	-	-	1,466,026	-	1,466,026	-	-	-	Fully settled	18/01/19
36 Djibouti	6,455	262	6,717	2,602	143	2,745	2,745	-	9,462	Ineligible to vote	29/11/17
37 Dominica	-	-	-	2,602	143	2,745	2,483	-	2,483	Overdue	16/11/18
38 Dominican Republic	254,991	11,706	266,697	140,214	6,392	146,606	146,606	-	413,303	Ineligible to vote	12/12/18
39 Ecuador	-	-	-	211,766	-	211,766	211,766	-	211,766	Overdue	24/08/18

State Party	Prior Years			Year 2019				Total Outstanding Other Funds ¹	Grand Total Outstanding All Funds	State Party Account Status	Date of latest received payment	
	Outstanding Regular Contributions	Outstanding Host State Loan Contributions	Total Outstanding Contributions	Assessed Regular Contributions	Assessed Host State Loan Contributions	Total Assessed Contributions	Total Outstanding Contribution					
40	El Salvador	-	-	-	31,801	-	31,801	31,801	5,084	36,885	Overdue	20/11/18
41	Estonia	-	-	-	103,209	-	103,209	-	-	-	Fully settled	22/01/19
42	Fiji	-	-	-	7,950	430	8,380	8,380	-	8,380	Overdue	13/06/18
43	Finland	-	-	-	1,114,047	-	1,114,047	-	-	-	Fully settled	16/01/19
44	France	-	-	-	11,714,910	794,694	12,509,604	12,509,604	-	12,509,604	Overdue	10/04/18
45	Gabon	-	-	-	39,751	1,793	41,544	41,544	-	41,544	Overdue	04/06/18
46	Gambia	8	-	8	2,602	143	2,745	2,745	-	2,753	In arrears	11/12/18
47	Georgia	-	-	-	21,104	-	21,104	-	-	-	Fully settled	06/02/19
48	Germany	-	-	-	16,115,590	-	16,115,590	-	-	-	Fully settled	18/01/19
49	Ghana	1,213	-	1,213	39,751	1,986	41,737	41,737	-	42,950	In arrears	15/01/19
50	Greece	-	-	-	968,485	-	968,485	-	-	-	Fully settled	21/02/19
51	Grenada	-	-	-	2,602	143	2,745	2,745	-	2,745	Overdue	22/06/18
52	Guatemala	-	-	-	95,258	3,836	99,094	98,767	-	98,767	Overdue	14/12/18
53	Guinea	24,169	371	24,540	7,950	143	8,093	8,093	84	32,851	Ineligible to vote	20/04/15
54	Guyana	-	-	-	5,348	143	5,491	-	-	-	Fully settled	20/03/19
55	Honduras	-	-	-	23,851	1,136	24,987	2,037	-	2,037	Overdue	28/03/19
56	Hungary	-	-	-	545,098	5,589	550,687	-	-	-	Fully settled	15/01/19
57	Iceland	-	-	-	74,154	-	74,154	-	-	-	Fully settled	13/02/19
58	Ireland	-	-	-	981,784	-	981,784	-	-	-	Fully settled	25/01/19
59	Italy	-	-	-	8,751,057	-	8,751,057	-	-	-	Fully settled	28/02/19
60	Japan	-	-	-	22,662,404	1,538,944	24,201,348	16,959,589	-	16,959,589	Overdue	06/02/19
61	Jordan	-	-	-	55,507	-	55,507	55,507	-	55,507	Overdue	07/12/18
62	Kenya	-	-	-	63,457	1,850	65,307	65,307	-	65,307	Overdue	09/08/18
63	Latvia	-	-	-	124,313	-	124,313	-	-	-	Fully settled	04/01/19
64	Lesotho	-	-	-	2,602	143	2,745	-	-	-	Fully settled	08/02/19
65	Liberia	4,997	262	5,259	2,602	143	2,745	2,745	-	8,004	Ineligible to vote	30/05/16
66	Liechtenstein	-	-	-	23,851	-	23,851	-	-	-	Fully settled	11/01/19
67	Lithuania	-	-	-	187,915	-	187,915	-	-	-	Fully settled	30/01/19
68	Luxembourg	-	-	-	177,363	-	177,363	177,363	-	177,363	Overdue	17/01/18
69	Madagascar	72	-	72	10,552	430	10,982	10,982	-	11,054	In arrears	29/01/19
70	Malawi	4,891	287	5,178	5,348	287	5,635	5,635	-	10,813	In arrears	30/11/17
71	Maldives	-	-	-	10,552	143	10,695	10,695	-	10,695	Overdue	29/10/18
72	Mali	-	-	-	10,552	574	11,126	11,126	-	11,126	Overdue	23/05/18
73	Malta	-	-	-	44,955	-	44,955	-	-	-	Fully settled	05/03/19
74	Marshall Islands	8,208	343	8,551	2,602	143	2,745	2,745	-	11,304	Ineligible to vote	04/03/15
75	Mauritius	-	-	-	29,055	-	29,055	-	-	-	Fully settled	08/02/19
76	Mexico	-	-	-	3,418,897	-	3,418,897	3,418,897	-	3,418,897	Overdue	07/11/18
77	Mongolia	-	-	-	13,299	-	13,299	-	-	-	Fully settled	14/03/19
78	Montenegro	-	-	-	10,552	-	10,552	-	-	-	Fully settled	20/02/19
79	Namibia	-	-	-	23,851	-	23,851	-	-	-	Fully settled	19/03/19
80	Nauru	2,445	92	2,537	2,602	143	2,745	2,745	-	5,282	In arrears	14/06/17
81	Netherlands	-	-	-	3,588,309	-	3,588,309	-	-	-	Fully settled	04/02/19
82	New Zealand	-	-	-	770,018	35,952	805,970	-	-	-	Fully settled	16/01/19
83	Niger	36,218	744	36,962	5,348	287	5,635	5,635	92	42,719	Ineligible to vote	23/11/09
84	Nigeria	546,264	12,785	559,049	661,605	12,785	674,390	674,390	-	1,233,439	In arrears	21/03/18

State Party	Prior Years			Year 2019				Total Outstanding Other Funds ¹	Grand Total Outstanding All Funds	State Party Account Status	Date of latest received payment
	Outstanding Regular Contributions	Outstanding Host State Loan Contributions	Total Outstanding Contributions	Assessed Regular Contributions	Assessed Host State Loan Contributions	Total Assessed Contributions	Total Outstanding Contribution				
85 North Macedonia	-	-	-	18,502	1,136	19,638	19,638	-	19,638	Overdue	07/12/18
86 Norway	-	-	-	1,995,224	120,916	2,116,140	-	-	-	Fully settled	11/03/19
87 Panama	-	-	-	119,109	749	119,858	119,772	-	119,772	Overdue	26/10/18
88 Paraguay	63,991	1,423	65,414	42,353	1,423	43,776	43,776	-	109,190	In arrears	12/07/17
89 Peru	180	-	180	402,283	16,621	418,904	418,904	-	419,084	In arrears	14/01/19
90 Philippines ²	-	-	-	111,448	-	111,448	111,448	-	111,448	Overdue	06/12/18
91 Poland	-	-	-	2,122,283	-	2,122,283	-	-	-	Fully settled	04/01/19
92 Portugal	-	-	-	926,132	-	926,132	-	-	-	Fully settled	02/01/19
93 Republic of Korea	-	-	-	5,998,970	230,628	6,229,598	6,229,598	-	6,229,598	Overdue	29/06/18
94 Republic of Moldova	-	-	-	7,950	-	7,950	7,950	-	7,950	Overdue	27/06/18
95 Romania	-	-	-	523,994	-	523,994	83,994	-	83,994	Overdue	27/02/19
96 Saint Kitts and Nevis	-	-	-	2,602	143	2,745	2,745	-	2,745	Overdue	29/01/18
97 Saint Lucia	-	-	-	2,602	143	2,745	2,745	-	2,745	Overdue	24/05/18
98 Saint Vincent and the Grenadines	-	-	-	2,602	143	2,745	2,745	-	2,745	Overdue	13/12/18
99 Samoa	-	-	-	2,602	-	2,602	-	-	-	Fully settled	14/03/19
100 San Marino	-	-	-	5,348	-	5,348	-	-	-	Fully settled	28/03/19
101 Senegal	12,553	850	13,403	14,455	850	15,305	15,305	-	28,708	In arrears	12/05/17
102 Serbia	-	-	-	74,154	-	74,154	-	-	-	Fully settled	22/02/19
103 Seychelles	-	-	-	5,348	143	5,491	5,491	-	5,491	Overdue	09/02/18
104 Sierra Leone	916	-	916	2,602	143	2,745	2,745	-	3,661	In arrears	11/11/15
105 Slovakia	-	-	-	404,885	-	404,885	-	-	-	Fully settled	13/02/19
106 Slovenia	-	-	-	201,069	-	201,069	-	-	-	Fully settled	22/01/19
107 South Africa	-	-	-	719,714	-	719,714	-	-	-	Fully settled	01/03/19
108 Spain	-	-	-	5,678,791	-	5,678,791	-	-	-	Fully settled	28/03/19
109 State of Palestine	-	-	-	21,104	706	21,810	21,810	-	21,810	Overdue	06/07/18
110 Suriname	14,672	441	15,113	13,299	441	13,740	13,740	-	28,853	In arrears	24/04/17
111 Sweden	-	-	-	2,397,506	-	2,397,506	-	-	-	Fully settled	14/02/19
112 Switzerland	-	-	-	3,045,813	-	3,045,813	197,813	-	-	Overdue	01/02/19
113 Tajikistan	-	-	-	10,552	430	10,982	10,982	-	10,982	Overdue	06/04/18
114 Timor-Leste	7,369	-	7,369	5,348	-	5,348	5,348	-	12,717	In arrears	14/03/18
115 Trinidad and Tobago	83,287	-	83,287	105,811	-	105,811	105,811	-	189,098	In arrears	16/02/17
116 Tunisia	-	-	-	66,204	5,112	71,316	29,905	-	29,905	Overdue	22/03/19
117 Uganda	9,115	-	9,115	14,455	850	15,305	15,305	-	24,420	In arrears	12/12/18
118 United Kingdom	-	-	-	12,085,392	-	12,085,392	9,064,044	-	9,064,044	Overdue	31/01/19
119 United Republic of Tanzania	2,608	-	2,608	14,455	893	15,348	15,348	-	17,956	In arrears	14/05/18
120 Uruguay	-	-	-	230,268	-	230,268	230,268	-	230,268	Overdue	13/12/18
121 Vanuatu	-	-	-	2,602	143	2,745	2,745	-	2,745	Overdue	05/12/18
122 Venezuela (Bolivarian Republic of)	6,527,027	231,031	6,758,058	1,926,418	89,087	2,015,505	2,015,505	-	8,773,563	Ineligible to vote	26/11/18
123 Zambia	42,204	2,035	44,239	14,455	850	15,305	15,305	-	59,581	Ineligible to vote	29/06/15
<i>Rounding differences</i>				146	(16)	130					
Total	19,451,831	682,923	20,134,754	144,550,000	3,584,984	148,134,984	65,362,497	5,379	85,503,583		

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

2) The withdrawal of the Philippines from the Rome Statute became effective as of 17 March 2019.

Annex II

Human resources tables

Geographical Representation of ICC Professional Staff

Status as at 31 March 2019

Total number of professionals: 465*

* Excluding Elected Officials and 42 language staff.

Total number of nationalities: 93

Distribution per region:

<i>Region</i>	<i>Nationality</i>	<i>Professional</i>
African	Algeria	1
	Benin	1
	Botswana	1
	Burkina Faso	1
	Cameroon	8
	Congo	1
	Congo, Democratic Republic of the	6
	Cote d'Ivoire	2
	Egypt	4
	Ethiopia	2
	Gambia	3
	Ghana	3
	Guinea	1
	Kenya	3
	Lesotho	1
	Madagascar	1
	Malawi	1
	Mali	4
	Mauritania	1
	Mauritius	1
	Niger	2
	Nigeria	4
	Rwanda	2
	Senegal	4
	Sierra Leone	3
	South Africa	8
	Togo	1
	Uganda	5
	United Republic of Tanzania	2
	Zambia	1
Zimbabwe	1	
<i>African Total</i>		<i>79</i>

<i>Region</i>	<i>Nationality</i>	<i>Professional</i>
Asian	Afghanistan	1
	China	3
	Cyprus	1
	India	2
	Indonesia	1
	Iran (Islamic Republic of)	3
	Japan	6
	Jordan	1
	Lebanon	2
	Mongolia	1
	Pakistan	1
	Palestine	2
	Philippines	3
	Republic of Korea	1
	Singapore	1
	Sri Lanka	1
	Uzbekistan	1
Viet Nam	1	
	<i>Asian Total</i>	32
Eastern European	Albania	3
	Belarus	3
	Bosnia and Herzegovina	4
	Croatia	6
	Estonia	1
	Georgia	6
	Poland	5
	Republic of Moldova	3
	Romania	8
	Russian Federation	2
	Serbia	3
	Slovenia	3
	Ukraine	2
	<i>Eastern European Total</i>	49

<i>Region</i>	<i>Nationality</i>	<i>Professional</i>
GRULAC	Argentina	5
	Brazil	3
	Chile	1
	Colombia	5
	Costa Rica	1
	Ecuador	2
	Guatemala	1
	Jamaica	2
	Mexico	4
	Peru	3
	Trinidad and Tobago	2
	Venezuela	2
	<i>GRULAC Total</i>	
WEOG	Australia	14
	Belgium	17
	Canada	23
	Denmark	2
	Finland	6
	France	57
	Germany	16
	Greece	3
	Ireland	12
	Israel	1
	Italy	21
	Netherlands	23
	New Zealand	6
	Portugal	6
	Spain	16
	Sweden	3
	Switzerland	2
	United Kingdom	33
United States of America	13	
<i>WEOG Total</i>		<i>274</i>

Geographical Representation - ICC Professional Staff

Status as at 31 March 2019

Number of Staff per post, per region*:

* Excluding Elected Officials and 42 language staff.

<i>Grade</i>	<i>Region</i>	<i>Nationality</i>	<i>Total</i>	
D-1	African	Lesotho	1	
		<i>African Total</i>		<i>1</i>
	Asian	Japan	1	
		<i>Asian Total</i>		<i>1</i>
	GRULAC	Argentina	1	
		Ecuador	1	
		<i>GRULAC Total</i>		<i>2</i>
	WEOG	Belgium	2	
		France	1	
		Italy	1	
		Netherlands	1	
		<i>WEOG Total</i>		<i>5</i>
	<i>D-1 Total</i>			<i>9</i>
	P-5	African	Congo, Democratic Republic of the	1
Ghana			1	
Kenya			1	
Mali			2	
Senegal			1	
South Africa			1	
<i>African Total</i>			<i>7</i>	
Asian		Jordan	1	
		<i>Asian Total</i>		<i>1</i>
Eastern European		Estonia	1	
		Georgia	1	
		Serbia	2	
<i>Eastern European Total</i>		<i>4</i>		
GRULAC		Jamaica	1	
<i>GRULAC Total</i>		<i>1</i>		
WEOG		Australia	2	
		Canada	5	
		Denmark	1	
		Finland	1	
		France	5	
		Germany	1	
	Ireland	1		
	Italy	2		

<i>Grade</i>	<i>Region</i>	<i>Nationality</i>	<i>Total</i>
		Netherlands	1
		New Zealand	1
		Portugal	1
		Spain	4
		United Kingdom	4
		United States of America	1
		<i>WEOG Total</i>	<i>30</i>
		<i>P-5 Total</i>	<i>43</i>
P-4	African	Burkina Faso	1
		Cote d'Ivoire	1
		Egypt	1
		Nigeria	2
		Senegal	1
		Sierra Leone	1
		South Africa	3
		Uganda	1
		United Republic of Tanzania	1
		<i>African Total</i>	<i>12</i>
	Asian	Iran (Islamic Republic of)	3
		Japan	2
		Lebanon	1
		Philippines	1
		<i>Asian Total</i>	<i>7</i>
	Eastern European	Croatia	1
		Georgia	1
		Romania	2
		Serbia	1
		Ukraine	1
		<i>Eastern European Total</i>	<i>6</i>
	GRULAC	Colombia	1
		Ecuador	1
		Mexico	1
		Trinidad and Tobago	2
		<i>GRULAC Total</i>	<i>5</i>
	WEOG	Belgium	2
		Canada	1
		Denmark	1
		Finland	3
		France	7
		Germany	4

<i>Grade</i>	<i>Region</i>	<i>Nationality</i>	<i>Total</i>
		Ireland	1
		Italy	3
		Netherlands	1
		New Zealand	1
		Portugal	1
		Spain	2
		Sweden	1
		United Kingdom	8
		United States of America	3
		<i>WEOG Total</i>	<i>39</i>
		<i>P-4 Total</i>	<i>69</i>
P-3	African	Algeria	1
		Benin	1
		Botswana	1
		Cameroon	2
		Congo	1
		Congo, Democratic Republic of the	3
		Cote d'Ivoire	1
		Egypt	1
		Gambia	2
		Ghana	1
		Kenya	2
		Madagascar	1
		Mali	1
		Mauritania	1
		Mauritius	1
		Niger	1
		Nigeria	1
		Rwanda	1
		Senegal	1
		Sierra Leone	1
		South Africa	2
		Togo	1
		Uganda	1
		United Republic of Tanzania	1
		Zimbabwe	1
		<i>African Total</i>	<i>31</i>
	Asian	China	1
		India	1
		Japan	1

<i>Grade</i>	<i>Region</i>	<i>Nationality</i>	<i>Total</i>
		Mongolia	1
		Pakistan	1
		Palestine	1
		Philippines	2
		Republic of Korea	1
		Sri Lanka	1
		<i>Asian Total</i>	<i>10</i>
	Eastern European	Albania	1
		Bosnia and Herzegovina	1
		Croatia	3
		Georgia	1
		Poland	1
		Republic of Moldova	1
		Romania	2
		Slovenia	1
		<i>Eastern European Total</i>	<i>11</i>
	GRULAC	Argentina	2
		Brazil	2
		Chile	1
		Colombia	3
		Costa Rica	1
		Guatemala	1
		Jamaica	1
		Mexico	1
		Peru	1
		Venezuela	1
		<i>GRULAC Total</i>	<i>14</i>
	WEOG	Australia	7
		Belgium	6
		Canada	5
		Finland	1
		France	16
		Germany	5
		Greece	2
		Ireland	5
		Italy	4
		Netherlands	9
		New Zealand	4
		Portugal	3
		Spain	4

<i>Grade</i>	<i>Region</i>	<i>Nationality</i>	<i>Total</i>
		Sweden	1
		Switzerland	1
		United Kingdom	13
		United States of America	5
		<i>WEOG Total</i>	<i>91</i>
	<i>P-3 Total</i>		<i>157</i>
P-2	African	Cameroon	5
		Congo, Democratic Republic of the	2
		Egypt	2
		Ethiopia	1
		Ghana	1
		Malawi	1
		Mali	1
		Niger	1
		Nigeria	1
		Rwanda	1
		Senegal	1
		Sierra Leone	1
		South Africa	2
		Uganda	1
		Zambia	1
		<i>African Total</i>	<i>22</i>
	Asian	Afghanistan	1
		China	1
		Cyprus	1
		Indonesia	1
		Japan	2
		Lebanon	1
		Uzbekistan	1
		<i>Asian Total</i>	<i>8</i>
	Eastern European	Albania	1
		Belarus	2
		Bosnia and Herzegovina	2
		Croatia	1
		Georgia	3
		Poland	3
		Romania	3
		Russian Federation	2
		Slovenia	2
		<i>Eastern European Total</i>	<i>19</i>

<i>Grade</i>	<i>Region</i>	<i>Nationality</i>	<i>Total</i>
	GRULAC	Argentina	2
		Brazil	1
		Colombia	1
		Mexico	2
		Peru	2
		Venezuela	1
	<i>GRULAC Total</i>		9
	WEOG	Australia	5
		Belgium	6
		Canada	10
		Finland	1
		France	25
		Germany	6
		Ireland	4
		Israel	1
		Italy	9
		Netherlands	10
		Portugal	1
		Spain	5
		Sweden	1
		Switzerland	1
		United Kingdom	7
	United States of America	4	
	<i>WEOG Total</i>		96
	<i>P-2 Total</i>		154
P-1	African	Cameroon	1
		Ethiopia	1
		Gambia	1
		Guinea	1
		Uganda	2
	<i>African Total</i>		6
	Asian	China	1
		India	1
		Palestine	1
		Singapore	1
		Viet Nam	1
	<i>Asian Total</i>		5
	Eastern European	Albania	1
		Belarus	1
		Bosnia and Herzegovina	1

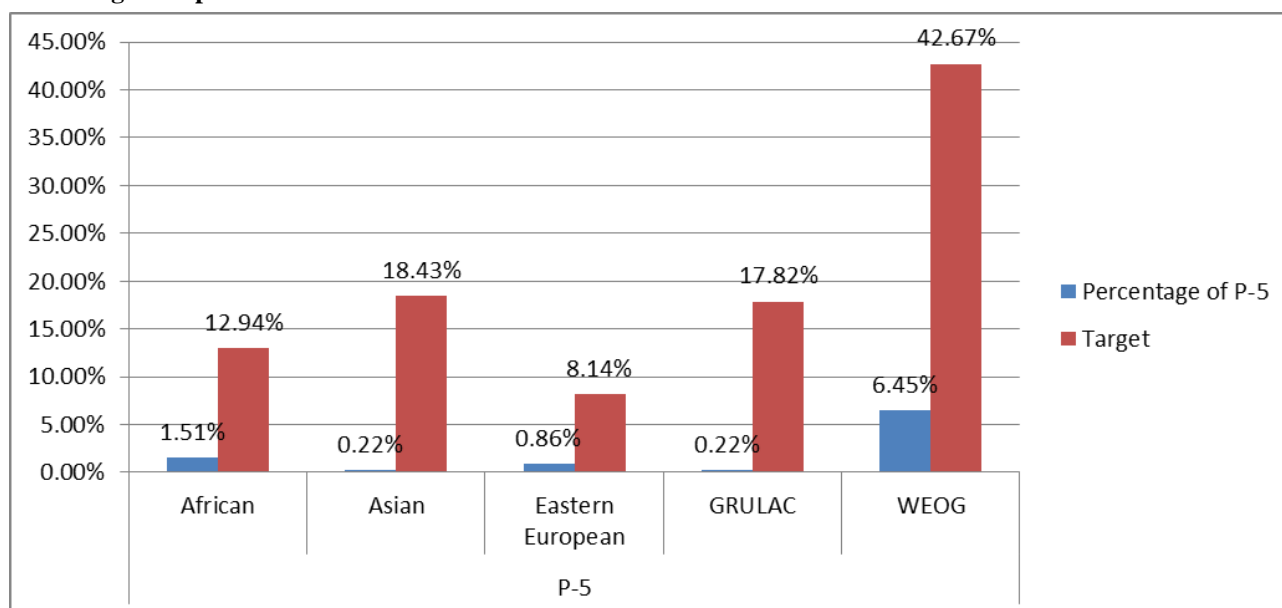
<i>Grade</i>	<i>Region</i>	<i>Nationality</i>	<i>Total</i>
		Croatia	1
		Poland	1
		Republic of Moldova	2
		Romania	1
		Ukraine	1
		<i>Eastern European Total</i>	9
	WEOG	Belgium	1
		Canada	2
		France	3
		Greece	1
		Ireland	1
		Italy	2
		Netherlands	1
		Spain	1
		United Kingdom	1
		<i>WEOG Total</i>	13
		<i>P-I Total</i>	33
Grand Total			465

Percentage of staff per post, per region

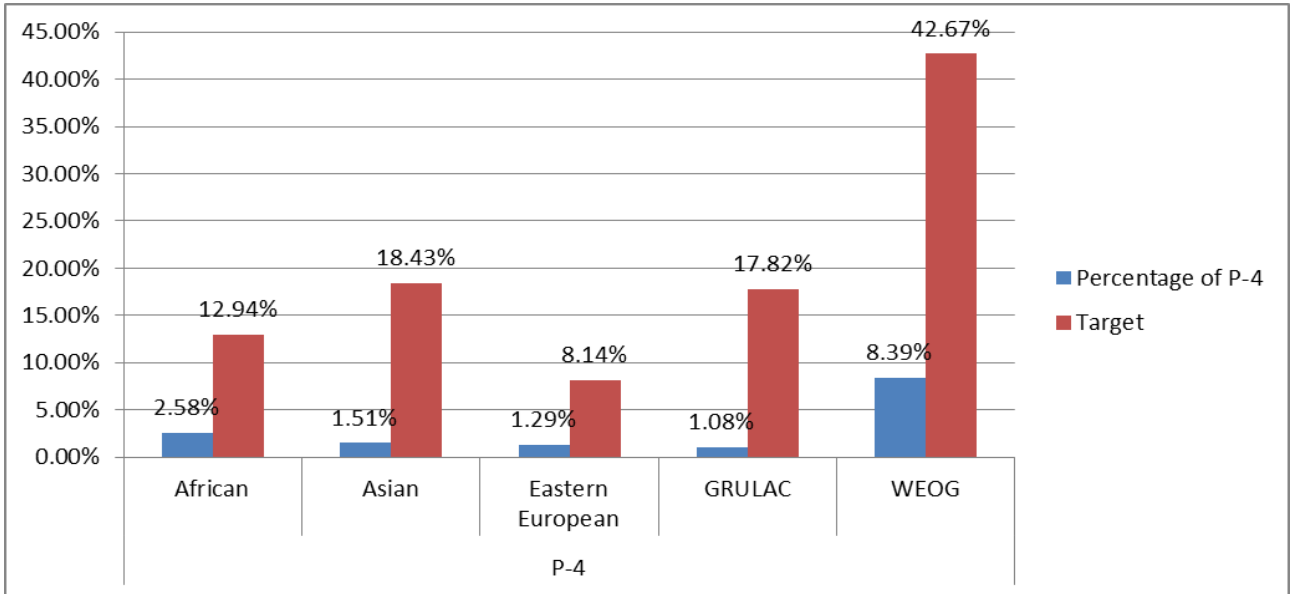
Percentage – D1 posts

Due to the limited number of only 9 positions concerned, statistic and graphic representations could be misleading, please refer to the exact numbers in table above.

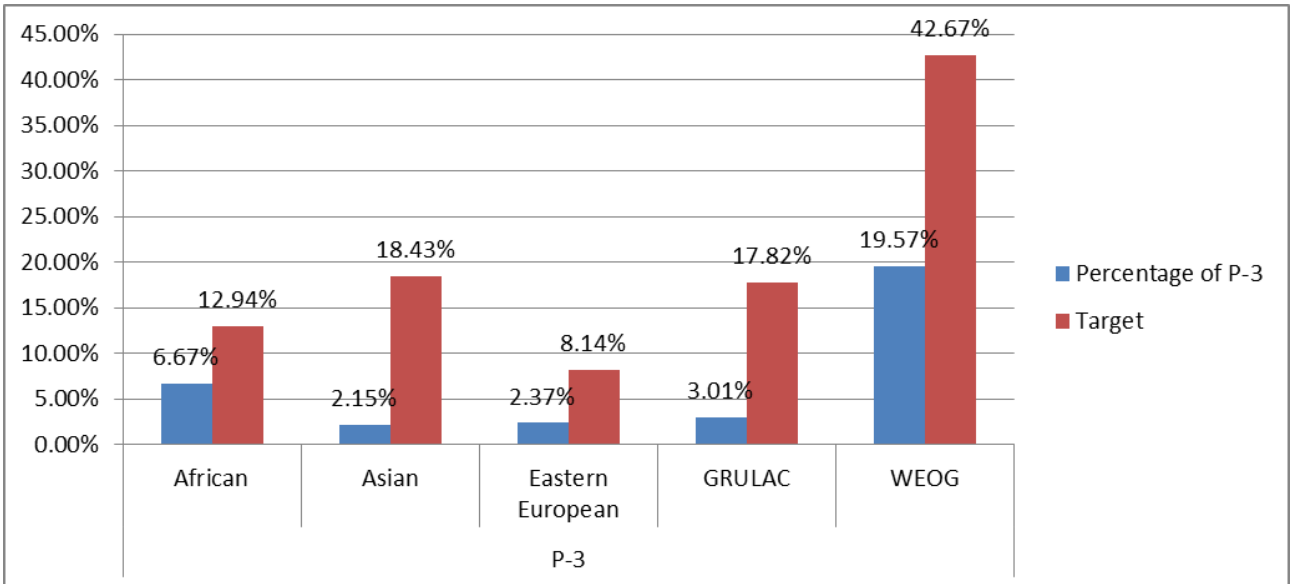
Percentage - P5 posts



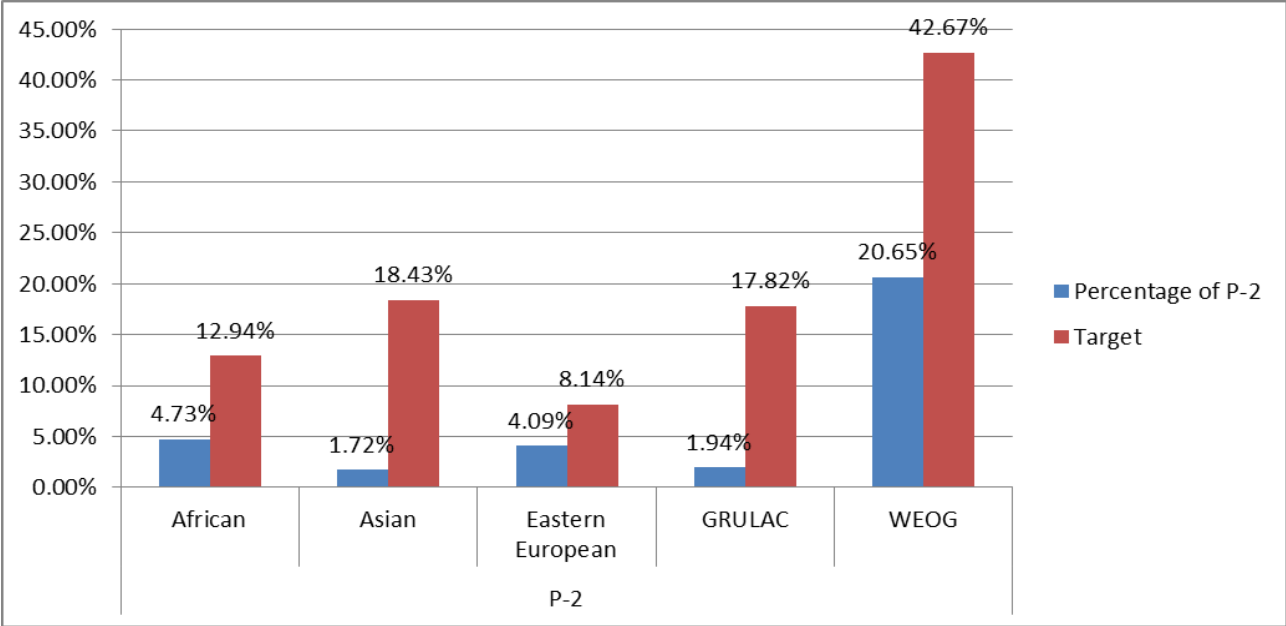
Percentage - P4 posts



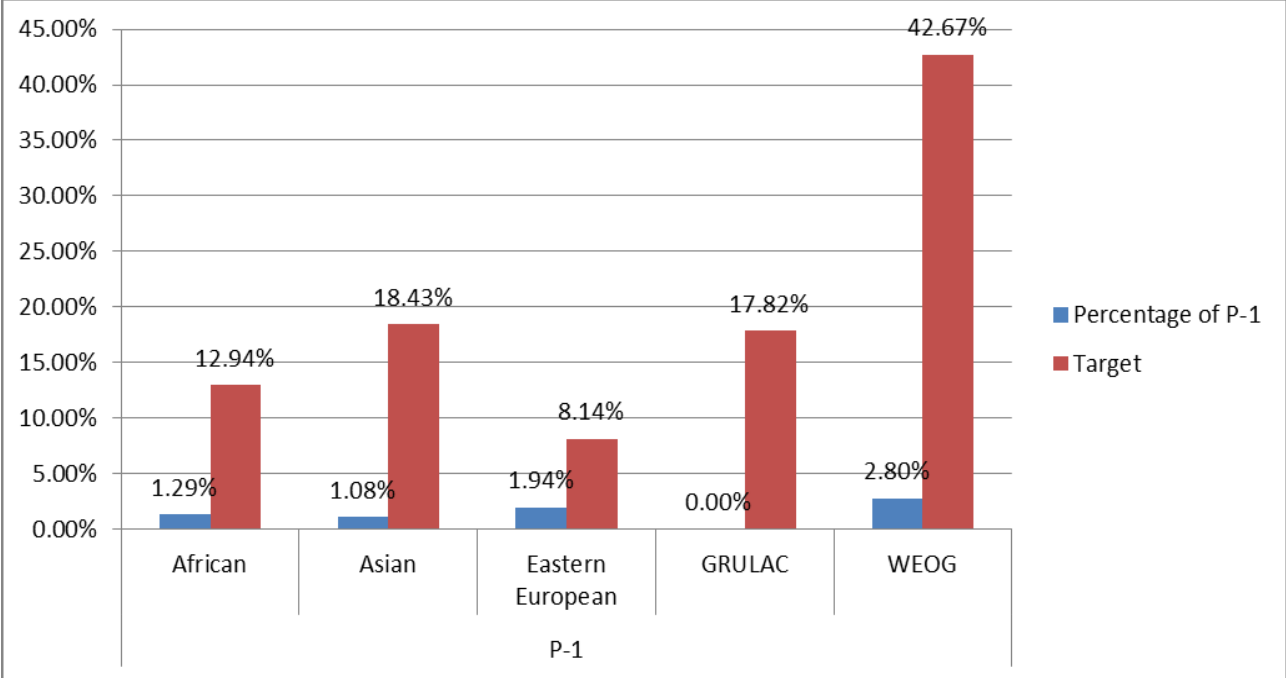
Percentage - P3 posts



Percentage - P2 posts



Percentage - P1 posts



Desirable range by country – 2019

Situation as of 31 March 2019

Region	Country	Assessment 2019	Desirable Range		Target	Actual rep.	Category	Under/Over
			Lower	Upper				
African	Algeria	0.00000%	0	0	0	1	Non Ratified	+1
	Benin	0.00550%	1	2	2	1	In balance	
	Botswana	0.02560%	1	2	2	1	In balance	
	Burkina Faso	0.00550%	2	2	2	1	Under Represented	-1
	Cameroon	0.00000%	0	0	0	8	Non Ratified	+8
	Cape Verde	0.00180%	1	2	2	0	Non Represented	-1
	Central African Republic	0.00180%	1	2	2	0	Non Represented	-1
	Chad	0.00730%	2	2	2	0	Non Represented	-2
	Comoros	0.00180%	1	2	2	0	Non Represented	-1
	Congo	0.01100%	1	2	2	1	In balance	
	Côte d'Ivoire	0.02380%	2	2	2	2	In balance	
	Democratic Republic of the Congo	0.01000%	2	3	2	6	Over Represented	+3
	Djibouti	0.00180%	1	2	2	0	Non Represented	-1
	Egypt	0.00000%	0	0	0	4	Non Ratified	+4
	Ethiopia	0.00000%	0	0	0	2	Non Ratified	+2
	Gabon	0.02750%	1	2	2	0	Non Represented	-1
	Gambia	0.00180%	1	2	2	3	Over Represented	+1
	Ghana	0.02750%	2	2	2	3	Over Represented	+1
	Guinea	0.00550%	1	2	2	1	In balance	
	Kenya	0.04390%	2	3	2	3	Over Represented	+1
	Lesotho	0.00180%	1	2	2	1	In balance	
	Liberia	0.00180%	1	2	2	0	Non Represented	-1
	Madagascar	0.00730%	2	2	2	1	Under Represented	-1
	Malawi	0.00370%	2	2	2	1	Under Represented	-1
	Mali	0.00730%	2	2	2	4	Over Represented	+2
	Mauritania	0.00000%	0	0	0	1	Non Ratified	+1
	Mauritius	0.02010%	1	2	2	1	In balance	
	Namibia	0.01650%	1	2	2	0	Non Represented	-1
	Niger	0.00370%	2	2	2	2	In balance	
	Nigeria	0.45770%	4	6	5	4	In balance	
	Rwanda	0.00000%	0	0	0	2	Non Ratified	+2
	Senegal	0.01000%	2	2	2	4	Over Represented	+2
	Seychelles	0.00370%	1	2	2	0	Non Represented	-1
	Sierra Leone	0.00180%	1	2	2	3	Over Represented	+2
	South Africa	0.49790%	3	4	4	8	Over Represented	+4
	Togo	0.00000%	0	0	0	1	Non Ratified	+1
	Tunisia	0.04580%	2	2	2	0	Non Represented	-2
	Uganda	0.01000%	2	2	2	5	Over Represented	+3
	United Republic of Tanzania	0.01000%	2	3	2	2	In balance	
	Zambia	0.01000%	2	2	2	1	Under Represented	-1

Region	Country	Assessment 2019	Desirable Range		Target	Actual rep.	Category	Under/Over
			Lower	Upper				
	Zimbabwe	0.00000%	0	0	0	1	Non Ratified	+1
Asian	Afghanistan	0.01000%	2	2	2	1	Under Represented	-1
	Bangladesh	0.01000%	3	4	3	0	Non Represented	-3
	Cambodia	0.01000%	2	2	2	0	Non Represented	-2
	China	0.00000%	0	0	0	3	Non Ratified	+3
	Cook Islands	0.00180%	1	2	2	0	Non Represented	-1
	Cyprus	0.06590%	2	2	2	1	Under Represented	-1
	Fiji	0.00550%	1	2	2	0	Non Represented	-1
	India	0.00000%	0	0	0	2	Non Ratified	+2
	Indonesia	0.00000%	0	0	0	1	Non Ratified	+1
	Iran (Islamic Republic of)	0.00000%	0	0	0	3	Non Ratified	+3
	Japan	15.67790%	39	53	46	6	Under Represented	-33
	Jordan	0.03840%	2	2	2	1	Under Represented	-1
	Lebanon	0.00000%	0	0	0	2	Non Ratified	+2
	Maldives	0.00730%	1	2	2	0	Non Represented	-1
	Marshall Islands	0.00180%	1	2	2	0	Non Represented	-1
	Mongolia	0.00920%	1	2	2	1	In balance	
	Nauru	0.00180%	1	2	2	0	Non Represented	-1
	Pakistan	0.00000%	0	0	0	1	Non Ratified	+1
	Palestine	0.01460%	1	2	2	2	In balance	
	Philippines	0.07710%	2	3	3	3	In balance	
	Republic of Korea	4.15010%	11	15	13	1	Under Represented	-10
	Samoa	0.00180%	1	2	2	0	Non Represented	-1
	Singapore	0.00000%	0	0	0	1	Non Ratified	+1
	Sri Lanka	0.00000%	0	0	0	1	Non Ratified	+1
	Tajikistan	0.00730%	1	2	2	0	Non Represented	-1
	Timor-Leste	0.00370%	1	2	2	0	Non Represented	-1
	Uzbekistan	0.00000%	0	0	0	1	Non Ratified	+1
	Vanuatu	0.00180%	1	2	2	0	Non Represented	-1
	Viet Nam	0.00000%	0	0	0	1	Non Ratified	+1
Eastern European	Albania	0.01460%	1	2	2	3	Over Represented	+1
	Belarus	0.00000%	0	0	0	3	Non Ratified	+3
	Bosnia & Herzegovina	0.02200%	1	2	2	4	Over Represented	+2
	Bulgaria	0.08420%	2	2	2	0	Non Represented	-2
	Croatia	0.14100%	2	2	2	6	Over Represented	+4
	Czech Republic	0.56930%	3	4	3	0	Non Represented	-3
	Estonia	0.07140%	2	2	2	1	Under Represented	-1
	Georgia	0.01460%	1	2	2	6	Over Represented	+4
	Hungary	0.37710%	2	3	3	0	Non Represented	-2
	Latvia	0.08600%	2	2	2	0	Non Represented	-2

Region	Country	Assessment 2019	Desirable Range		Target	Actual rep.	Category	Under/Over
			Lower	Upper				
	Lithuania	0.13000%	2	2	2	0	Non Represented	-2
	Montenegro	0.00730%	1	2	2	0	Non Represented	-1
	Poland	1.46820%	5	7	6	5	In balance	
	Republic of Moldova	0.00550%	1	2	2	3	Over Represented	+1
	Romania	0.36250%	2	3	3	8	Over Represented	+5
	Russian Federation	0.00000%	0	0	0	2	Non Ratified	+2
	Serbia	0.05130%	2	2	2	3	Over Represented	+1
	Slovakia	0.28010%	2	3	2	0	Non Represented	-2
	Slovenia	0.13910%	2	2	2	3	Over Represented	+1
	North Macedonia	0.01280%	1	2	2	0	Non Represented	-1
	Ukraine	0.00000%	0	0	0	2	Non Ratified	+2
GRULAC	Antigua and Barbuda	0.00370%	1	2	2	0	Non Represented	-1
	Argentina	1.67510%	6	8	7	5	Under Represented	-1
	Barbados	0.01280%	1	2	2	0	Non Represented	-1
	Belize	0.00180%	1	2	2	0	Non Represented	-1
	Bolivia	0.02930%	2	2	2	0	Non Represented	-2
	Brazil	5.39680%	16	21	18	3	Under Represented	-13
	Chile	0.74510%	3	4	4	1	Under Represented	-2
	Colombia	0.52720%	3	4	4	5	Over Represented	+1
	Costa Rica	0.11350%	2	2	2	1	Under Represented	-1
	Dominica	0.00180%	1	2	2	0	Non Represented	-1
	Dominican Republic	0.09700%	2	2	2	0	Non Represented	-2
	Ecuador	0.14650%	2	3	2	2	In balance	
	El Salvador	0.02200%	1	2	2	0	Non Represented	-1
	Grenada	0.00180%	1	2	2	0	Non Represented	-1
	Guatemala	0.06590%	2	2	2	1	Under Represented	-1
	Guyana	0.00370%	1	2	2	0	Non Represented	-1
	Honduras	0.01650%	1	2	2	0	Non Represented	-1
	Jamaica	0.00000%	0	0	0	2	Non Ratified	+2
	Mexico	2.36520%	8	11	9	4	Under Represented	-4
	Panama	0.08240%	2	2	2	0	Non Represented	-2
	Paraguay	0.02930%	1	2	2	0	Non Represented	-1
	Peru	0.27830%	2	3	3	3	In balance	
	Saint Kitts and Nevis	0.00180%	1	2	2	0	Non Represented	-1
	Saint Lucia	0.00180%	1	2	2	0	Non Represented	-1
	Saint Vincent and the Grenadines	0.00180%	1	2	2	0	Non Represented	-1
	Suriname	0.00920%	1	2	2	0	Non Represented	-1
	Trinidad and Tobago	0.07320%	2	2	2	2	In balance	
	Uruguay	0.15930%	2	2	2	0	Non Represented	-2
	Venezuela	1.33270%	5	6	6	2	Under Represented	-3

Region	Country	Assessment 2019	Desirable Range		Target	Actual rep.	Category	Under/Over
			Lower	Upper				
WEOG	Andorra	0.00920%	1	2	2	0	Non Represented	-1
	Australia	4.04580%	11	15	13	14	In balance	
	Austria	1.23940%	4	6	5	0	Non Represented	-4
	Belgium	1.50300%	5	7	6	17	Over Represented	+10
	Canada	5.00510%	13	18	16	23	Over Represented	+5
	Denmark	1.01420%	4	5	4	2	Under Represented	-2
	Finland	0.77070%	3	4	4	6	Over Represented	+2
	France	8.10440%	21	28	24	57	Over Represented	+29
	Germany	11.14880%	28	38	33	16	Under Represented	-12
	Greece	0.67000%	3	4	4	3	In balance	
	Iceland	0.05130%	1	2	2	0	Non Represented	-1
	Ireland	0.67920%	3	4	4	12	Over Represented	+8
	Israel	0.00000%	0	0	0	1	Non Ratified	+1
	Italy	6.05400%	16	22	19	21	In balance	
	Liechtenstein	0.01650%	1	2	2	0	Non Represented	-1
	Luxembourg	0.12270%	2	2	2	0	Non Represented	-2
	Malta	0.03110%	1	2	2	0	Non Represented	-1
	Netherlands	2.48240%	7	10	9	23	Over Represented	+13
	New Zealand	0.53270%	3	4	3	6	Over Represented	+2
	Norway	1.38030%	5	6	5	0	Non Represented	-5
	Portugal	0.64070%	3	4	3	6	Over Represented	+2
	San Marino	0.00370%	1	2	2	0	Non Represented	-1
	Spain	3.92860%	11	15	13	16	Over Represented	+1
	Sweden	1.65860%	5	7	6	3	Under Represented	-2
	Switzerland	2.10710%	6	9	7	2	Under Represented	-4
	United Kingdom	8.36070%	21	29	25	33	Over Represented	+4
	United States of America	0.00000%	0	0	0	13	Non Ratified	+13
Total		100.00%				465		

Gender balance - ICC Professional Staff

Status as at 31 March 2019.

Number of Professional Staff by Gender*

* Including Elected Officials and Language Staff.

Judiciary:

<i>Grade</i>	<i>F</i>	<i>M</i>	<i>Total</i>
P-5	0	1	1
P-4	1	2	3
P-3	12	9	21
P-2	6	6	12
Total	19	18	37

Office of the Prosecutor:

<i>Grade</i>	<i>F</i>	<i>M</i>	<i>Total</i>
USG	1	0	1
ASG	0	1	1
D-1	0	3	3
P-5	4	13	17
P-4	11	23	34
P-3	23	49	72
P-2	44	24	68
P-1	25	4	29
Total	108	117	225

Registry:

<i>Grade</i>	<i>F</i>	<i>M</i>	<i>Total</i>
ASG	0	1	1
D-1	0	3	3
P-5	9	14	23
P-4	14	26	40
P-3	43	38	81
P-2	51	31	82
P-1	1	3	4
Total	118	116	234

Secretariat of the Assembly of States Parties:

<i>Grade</i>	<i>F</i>	<i>M</i>	<i>Total</i>
D-1	0	1	1
P-5	0	1	1
P-4	1	0	1
P-3	0	1	1
Total	1	3	4

Secretariat of the Trust Fund for Victims:

<i>Grade</i>	<i>F</i>	<i>M</i>	<i>Total</i>
D-1	0	1	1
P-4	0	1	1
P-3	1	1	2
Total	1	3	4

Independent Oversight Mechanism:

<i>Grade</i>	<i>F</i>	<i>M</i>	<i>Total</i>
P-5	0	1	1
P-4	1	0	1
P-2	1	0	1
Total	2	1	3

Office of Internal Audit:

<i>Grade</i>	<i>F</i>	<i>M</i>	<i>Total</i>
D-1	1	0	1
P-4	0	1	1
P-3	1	0	1
Total	2	1	3

Grand Total:

	<i>F</i>	<i>M</i>	<i>Total</i>
	251	259	510

Staff count - Actual

As at 31 March 2019, the actual situation regarding the Court's staff count is as follows:

	<i>Staff count</i>
Established posts	897 ¹
Approved GTA	155
Short Term Appointments	61
Junior Professional Programme (JPOs)	6
Interns	95
Visiting professionals	22
Individual Contractors and Consultants	146
Elected officials / Judges	21
Total	1,403

Staff count - Projected

Based on the approved budget of 2019 and taking into account averages for interns, visiting professionals, individual contractors and consultants as per 2018, the Court's headcount at the end of 2019 could be expected to be as follows:

	<i>Staff count</i>
Established posts ²	970
Approved GTA ³	191
Short-Term Appointments	68
Interns	96
Visiting professionals	11
Individual Contractors and Consultants	104
Elected officials / Judges	21
Total	1,461

¹ Figures include as Filled the post of Staff Council Representative in the Registry.

² Vacancy rate not taken into account in the projection.

³ Ibid.

Vacant Posts - ICC Established Posts

Status as at 31 March 2019.

<i>MP</i>	<i>Programme</i>	<i>Sub-Programme</i>	<i>Post Level</i>	<i>Post Title</i>	<i>Total</i>	<i>Comments</i>	
MP I	Judiciary	Presidency	P-3	Special Assistant to the President	1	Post expected to be filled in Q4.	
			GS-OL	Administrative Coordinator to Judiciary	1	Post expected to be filled in Q3.	
MP II	Office of the Prosecutor	Legal Advisory Section	P-4	Senior Legal Adviser	1	Post expected to be filled in Q4.	
		Jurisdiction, Complementarity and Cooperation Division	GS-OL	Legal Assistant	1	Post expected to be filled in Q4.	
		Investigation Division	GS-OL	Protection Strategies Assistant	2	Post functions under review.	
		Prosecution Division	P-1	Assistant Trial Lawyer	4	Post functions under review.	
MP III	Registry	General Services Section	GS-OL	Supply Coordinator	1	Post functions under review.	
			GS-OL	Correspondence and Freight Clerk	1	Post functions under review.	
	Division of Judicial Services	Court Management Section	GS-OL	Court Clerk	2	Post functions under review.	
			P-2	Court Reporters (English)	1	Post expected to be filled in Q4.	
		Information Management Services Section	GS-OL	Audio-Visual Technician	1	Post functions under review.	
		Language Services Section	P-4	Reviser (French)	1	Post expected to be filled in Q3.	
	Division of External Operations	Victims and Witnesses Section		P-2	Associate Field Case Officer (UGA and CIV)	2	Post functions under review.
				GS-OL	Senior Case Management Assistant	1	Post functions under review.
				GS-PL	Senior Welfare Assistant	1	Post expected to be filled in Q4.
				P-2	Associate Welfare Officer	2	Post expected to be filled in Q4.
				GS-OL	Field Case Management Assistant (DRC)	3	Post functions under review.
		External Operations and Support Section		GS-OL	Analyst Assistant	1	Post functions under review.
				GS-OL	Situation Desk Assistant	1	Post expected to be filled in Q4.
		Public Information and Outreach Section		GS-OL	Online Communications Assistant	1	Post functions under review.
				GS-OL	Administrative Assistant	1	Post functions under review.
		Country Office (Uganda)		GS-OL	Driver	1	Post functions under review.
	GS-OL			Field Assistant (VPR)	1	Post expected to be filled in Q3.	
	Country Office (Mali)		P-3	Field Officer (Outreach/VPR)	2	Post expected to be filled in Q3.	
	Grand Total:					33	

72 posts are: under recruitment/recruitment completed (36), advertised (3) or vacant, not advertised (33) as of 31 March 2019.

Staffing: Approved versus filled posts (excluding Elected Officials)

Status as at 31 March 2019.

<i>Major Programme</i>	<i>Approved</i>	<i>Filled</i>	<i>Recruitment completed¹</i>	<i>Under recruitment</i>	<i>Advertised not under recruitment</i>	<i>Vacant not advertised</i>	<i>% of established posts vacant</i>	<i>Vacancy Rate (% of established posts)</i>
<i>[1]</i>	<i>[2]</i>	<i>[3]</i>	<i>[4]</i>	<i>[5]</i>	<i>[6]</i>	<i>[7]</i>	<i>[(2-3)/2]x100</i>	<i>[(AVG(3)-2)/2]x100</i>
Judiciary								
Major Programme I	51	46	0	2	1	2	9.80%	9.80%
Office of the Prosecutor								
Major Programme II	318	297	2	9	2	8	6.60%	6.29%
Registry²								
Major Programme III	574	533	0	18	0	23	7.14%	6.97%
Secretariat of the ASP								
Major Programme IV	10	9	0	1	0	0	10.00%	10.00%
Secretariat of the TFV								
Major Programme VI	9	5	1	3	0	0	44.44%	44.44%
Independent Oversight Mechanism								
Major Programme VII.5	4	4	0	0	0	0	0.00%	0.00%
Office of Internal Audit								
Major Programme VII.6	4	4	0	0	0	0	0.00%	0.00%
Total ICC	970	898	3	33	3	33	7.42%	7.22%
<i>Target recruitment</i>			<i>72</i>					
<i>Under recruitment / Recruitment completed</i>			<i>36</i>					
<i>Percentage of target</i>			<i>50.0%</i>					

¹Recruitment completed: Indicates that the selected candidate has accepted the offer. Recruitment process has been finalised and the post is blocked until the arrival of the incumbent.

²In MP-III, figures include as Filled the post of Staff Council Representative.

Geographical Representation of ICC GTA Professional Staff

Status as at 31 March 2019.

Total number of professionals: 104

Total number of nationalities: 43

Distribution per region:

<i>Region</i>	<i>Nationality</i>	<i>Total</i>
African	Cameroon	1
	Congo, Democratic Republic of the	3
	Egypt	1
	Kenya	1
	Senegal	1
	South Africa	2
	Sudan	1
	Uganda	6
<i>African Total</i>		<i>16</i>
Asian	India	1
	Indonesia	1
	Japan	2
	Lebanon	1
	Republic of Korea	1
	Singapore	1
	Sri Lanka	1
	Uzbekistan	1
<i>Asian Total</i>		<i>9</i>
Eastern European	Bosnia and Herzegovina	1
	Georgia	2
	Hungary	1
	Poland	1
	Romania	3
	Serbia	1
<i>Eastern European Total</i>		<i>9</i>
GRULAC	Argentina	1
	Brazil	2
	Colombia	2
	Peru	1
	Venezuela	2
<i>GRULAC Total</i>		<i>8</i>

<i>Region</i>	<i>Nationality</i>	<i>Total</i>
WEOG	Australia	3
	Austria	2
	Belgium	3
	Canada	9
	France	8
	Germany	5
	Greece	2
	Iceland	1
	Ireland	4
	Italy	3
	Netherlands	5
	New Zealand	1
	Spain	1
	Switzerland	2
	United Kingdom	8
	United States of America	5
<i>WEOG Total</i>		<i>62</i>

Annex III

Legal aid for defence and victims (2013-2018)¹

	Approved Budget 2013			Approved Budget 2014			Approved Budget 2015			Approved Budget 2016			Approved Budget 2017			Approved Budget 2018		
	Expen- diture incl. CF ²	IR incl. CF		Expen- diture incl. CF	IR incl. CF		Expen- diture incl. CF	IR incl. CF		Expen- diture incl. CF	IR incl. CF		Expen- diture incl. CF	IR incl. CF		Expen- diture incl. CF	IR incl. CF	
Legal aid for defence	2,358,400	128.1%		2,616,400	107.2%		2,155,600	129.3%		4,339,900	109.9%		3,328,190	109.0%		2,883,000	125.9%	
Ad-hoc counsel	250,000	47.2%		250,000	61.7%		200,000	122.3%		181,500	98.7%		200,000	142.3%		500,000	70.6%	
CF defence ³	819,700	60.2%		675,500	91.5%		1,551,100	119.1%		0	0.0%		926,200	99.9%		262,700	95.4%	
<i>Sub-total legal aid for defence</i>	<i>3,428,100</i>	<i>106.0%</i>		<i>3,541,900</i>	<i>101.0%</i>		<i>3,906,700</i>	<i>124.9%</i>		<i>4,521,400</i>	<i>109.5%</i>		<i>4,454,390</i>	<i>108.6%</i>		<i>3,645,700</i>	<i>116.1%</i>	
Legal aid for victims	3,448,200	50.3%		3,000,700	58.2%		1,862,100	66.2%		1,963,200	68.5%		1,002,800	94.0%		1,165,000	125.9%	
CF victims [†]	39,300	55.4%		26,700	0.0%		0	0.0%		0	0.0%		425,260	93.7%		0	0.0%	
<i>Sub-total legal aid for victims</i>	<i>3,487,500</i>	<i>50.4%</i>		<i>3,027,400</i>	<i>57.7%</i>		<i>1,862,100</i>	<i>66.2%</i>		<i>1,963,200</i>	<i>68.5%</i>		<i>1,428,060</i>	<i>93.9%</i>		<i>1,165,000</i>	<i>125.9%</i>	
Total legal aid incl. CF	6,915,600	77.9%		6,569,300	81.0%		5,768,800	106.0%		6,484,600	97.1%		5,882,450	105.1%		4,810,700	118.4%	

IR=Implementation rate.

¹ Based on information provided by the Court.² For 2013, the updated total approved budget including the revised CF notification (defence €819,700 and victims €39,300) amounts to €6,915,600. This reflects a reduction of €105,225 for defence and €31,100 for victims from the original CF notification amounts of €924,925 for defence and €70,400 for victims that resulted in a total of €7,051,925.³ CF defence and victims for the years 2013, 2014 and 2018 are based on Revised CF Notifications.

Annex IV

Amendments to the Rules of Procedure of the Committee on Budget and Finance

Annex IV (a)

Additional background information on the amendments to the Rules of Procedure of the Committee on Budget and Finance

1. This document addresses the request of the Assembly of States Parties¹ concerning the proposed amendments to the Rules of Procedure of the Committee on Budget and Finance (the Committee), which presents: (a) background information (b) the need for and scope of the amendments to the Rules of Procedure; (c) the financial implications of the proposed amendments; and (d) the way forward concerning their adoption.

A. Background

2. In September 2002, the Assembly approved the establishment of the Committee.
3. The Rules of Procedure for the Committee were approved by the Assembly at its second session in September 2003.² The first amendment of the Rules of Procedure was approved at the seventh session of the Assembly in 2008.³
4. At its twenty-sixth session in April 2016, the Committee had a preliminary discussion on its internal processes and procedures and concluded that its Rules of Procedure require further amendments to keep up with the developments that had taken place since the last amendment in 2008. As a result, the Committee set-up an internal working group to undertake the task of reviewing its working practices and procedures in order to update the Rules of Procedure.
5. At its twenty-eighth session in May 2017, the Committee was briefed by the internal working group on the progress and suggested areas for amendments to the Rules of Procedure. The Committee then decided to consider possible amendments to its Rules of Procedure at its thirtieth session.⁴
6. At its thirtieth session in 2018, the Committee agreed on the necessary amendments and proposed them to the Assembly for approval. However, the Assembly, at its seventeenth session in December 2018, requested that the Committee provide more detailed background information on the proposed amendments.

B. Need for and scope of the amendment to the Rules of Procedure

7. The Committee was of the view that its Rules of Procedure needed to be kept updated in line with the various decisions made by the Assembly in the past decade. Specifically, the current Rules of Procedure do not reflect the developments that took place after 2008. Thus, the proposed amendments incorporate these developments in the Rules of Procedure of the Committee.
8. Based on the Assembly's request to the Committee to provide a more strategic approach for the benefit of the Court and the Assembly, in 2011, the post of the Executive Secretary to the Committee on Budget and Finance was approved by the Assembly to

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, seventeenth session, The Hague... 2018* (ICC-ASP/17/20), ICC-ASP/17/Res.4, Section Q.

² *Official Records... Second session... 2003* (ICC-ASP/2/10), annex III.

³ *Official Records... Seventh session... 2008* (ICC-ASP/7/20). Amended by resolution ICC-ASP/7/Res.7.

⁴ *Official Records... Sixteenth session... 2017* (ICC-ASP/16/20), vol. II, part B.1, paras. 33-38.

provide the Committee with technical and administrative assistance. In addition, in 2015, the Assembly approved the re-establishment of the Audit Committee, where its technical and servicing duties had been entrusted to the Executive Secretary.

9. The proposed amendments also help to expedite and clarify some of the procedural aspects, such as the elections of officers. Certain aspects are already reflected in the practice of the Committee but require explicit formalization within the Rules of Procedure.

10. In addition, and as good practice in accordance with international standards, the situation of a potential “conflict of interest” is now proposed to be included in the Rules of Procedure.

C. Financial implications of the proposed amendments

11. In financial terms, the proposed amendments to the Rules of Procedure of the Committee are cost-neutral and do not lead to any additional resource requirements. It is worth mentioning that all staffing and non-staffing costs related to the Committee are already captured in the approved budget in Programme-4500 (Committee on Budget and Finance) within Major Programme IV.

D. Way forward

12. The proposed amendments together with the additional background information, will be submitted to the Assembly as requested, and are recommended for approval by the Assembly at its eighteenth session in December 2019.

13. The proposed amendments could be approved by the Assembly through (a) a stand-alone resolution of the Assembly, or (b) the approval of the Report of the Committee on the work of its thirty-third session, as deemed appropriate.

Annex IV (b)

Proposed amendments to the Rules of Procedure of the Committee on Budget and Finance

I. Sessions

Rule 1

Frequency of sessions

The Committee on Budget and Finance (hereafter referred to as “the Committee”) shall meet when required and at least ~~once~~ **twice** a year.¹

Rule 2

Place of sessions

In general, the Committee shall ~~normally~~ meet at the seat of the Court. Sessions of the Committee may be held at another place, if the Committee and/or the Assembly of States Parties (**hereafter referred to as “the Assembly”**) so decides.

Rule 3

Convening of sessions

1. Sessions of the Committee shall be convened at the request of:
 - (a) The Assembly ~~of States Parties~~;
 - (b) The majority of the members of the Committee; **or**
 - (c) The Chairperson of the Committee.
2. Before the Chairperson ~~makes a request to convene~~ **organizes** a session of the Committee, he/she shall consult the members of the Committee, including on the date and duration of the session.
3. Any session of the Committee called pursuant to a request of the Assembly ~~of States Parties~~ shall be convened as soon as possible but no later than sixty days from the date of the request, **unless the Assembly decides otherwise**.

Rule 4

Notification of members

On behalf of the Chairperson, the Executive Secretary to the Committee on Budget and Finance (hereafter referred to as “the Executive Secretary”) shall notify the members of the Committee as early as possible of the date and duration of each session.

II. Agenda

Rule 5

Drawing up of the provisional agenda

The provisional agenda for each session of the Committee shall be drawn up by the ~~Secretariat of the Assembly of States Parties (hereinafter referred to as “the Secretariat”)~~ **Executive Secretary** in consultation with the Chairperson of the Committee, whenever possible, and shall include:

- (a) All items proposed by the Assembly;
- (b) All items proposed by the Committee **members**;

¹ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, First session, New York, 3-7 February 2003 (ICC-ASP/1/3/Add.1), ICC-ASP/1/Res.4, annex, para. 4.*

- (c) All items proposed by the Chairperson; **and**
- ~~(d) All items proposed by any members of the Committee;~~
- (e) All items proposed by the Court.

Rule 6

Communication of the provisional agenda

The provisional agenda for each session of the Committee shall be communicated to the members of the Committee and the Court as early as possible in advance of the session, but at least twenty-one days before the opening of the session. Any subsequent change in or addition to the provisional agenda shall be brought to the notice of the members of the Committee, **the Court** and to the ~~States Parties of the~~ Assembly sufficiently in advance of the session.

Rule 7

Adoption of the agenda

1. At the beginning of each session, the Committee shall adopt its agenda for the session, on the basis of the provisional agenda.
2. The Committee may, if necessary, amend the agenda, provided that no item referred to it by the Assembly be deleted or modified.

III. Functions of the Committee

Rule 8

~~Incompatible activities and confidentiality~~ Functions

- ~~1. Members of the Committee shall have no financial interest in any activity relating to matters upon which the Committee has the responsibility to make recommendations. They shall not disclose, even after termination of their functions, any confidential information coming to their knowledge by reason of their duties for the Committee.~~
- ~~2. Members of the Committee shall not be eligible to assume any other functions at the International Criminal Court during their term.~~

The Committee is a subsidiary body of the Assembly composed of independent experts elected by the Assembly.² The Committee shall be responsible for the technical examination of any document submitted to the Assembly that contains financial or budgetary implications or any other matter of a financial, budgetary or administrative nature, as may be entrusted to it by the Assembly. In particular, the Committee shall review the proposed programme budget of the Court and shall make the relevant recommendations to the Assembly. The Committee shall also consider reports of the Audit Committee³ and the External Auditors concerning the financial operations of the Court and shall transmit them to the Assembly together with any comments, which it may deem appropriate.

Rule 9

~~Functions~~ Incompatible activities and confidentiality

1. Members of the Committee shall have no financial interest in any activity relating to matters upon which the Committee has the responsibility to make recommendations. They shall not disclose, even after termination of their functions, any confidential information coming to their knowledge by reason of their duties for the Committee.

² ICC-ASP/1/Res.4.

³ At its fourteenth session, the Assembly approved the re-establishment of the Audit Committee. *Official Records ... Fourteenth session ... 2015* (ICC-ASP/14/20), vol. II, part B.3, paras. 140-145 and annex IV.

2. Members of the Committee shall not be eligible to assume any other functions at the International Criminal Court during their term.

3. Members of the Committee shall inform the Chairperson about any potential conflict of interest they might have or that may arise. Members finding themselves in such a situation shall not participate in the consideration of matters to which the conflict relates and shall not vote on such matters. If the Chairperson has any conflict of interest, the Committee members should be informed and the Vice-Chairperson will chair the consideration of the matter.

IV. Officers Members of the Committee

Rule 10

Election and term of the Chairperson and the Vice-Chairperson

1. Each year at its first meeting, the Committee shall elect a Chairperson and a Vice-Chairperson from among its members.

2. The Chairperson and the Vice-Chairperson shall be elected for a term of one year. ~~They~~ **ending on the day before the first session in the following calendar year and** shall be eligible for re-election twice.

Rule 11

Acting Chairperson

1. In the absence of the Chairperson, the Vice-Chairperson shall take his/her place **and exercise his/her functions**.

2. If the Chairperson ceases to hold office pursuant to rule 15, the Vice-Chairperson shall take his/her place **and exercise his/her functions** until the election of a new Chairperson.

Rule 12

~~Powers of the Acting Chairperson~~ General Powers of the Chairperson

~~A Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.~~

1. The Chairperson, in the exercise of his/her functions, remains under the authority of the Committee.

2. In addition to exercising the powers conferred upon him/her elsewhere in these rules, the Chairperson may declare the opening and closing of each meeting of the Committee, direct the discussions, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. He/she shall rule on points of order and, subject to these rules, shall have complete control of the proceedings of the Committee and over the maintenance of order at its meetings. The Chairperson may, in the course of the discussion of an item, propose to the Committee the limitation of time to be allowed to speakers, the limitation of the number of times each member may speak on any question, the closure of the list of speakers or the closure of the debate. He/she may also propose the suspension or the adjournment of the meeting or of the debate on the question under discussion.

3. The Chairperson shall represent the Committee at relevant meetings to support the work of the Committee or may delegate another member to do so. The Chairperson shall report to all members on any such meetings.

Rule 13

~~Rapporteur~~ Powers of the Acting Chairperson

The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

Rule 14**General powers of the Chairperson Rapporteur**

1. ~~The Chairperson, in the exercise of his/her functions, remains under the authority of the Committee.~~
2. ~~In addition to exercising the powers conferred upon him/her elsewhere in these rules, the Chairperson shall declare the opening and closing of each meeting of the Committee, direct the discussions, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. He/she shall rule on points of order and, subject to these rules, shall have complete control of the proceedings of the Committee and over the maintenance of order at its meetings. The Chairperson may, in the course of the discussion of an item, propose to the Committee the limitation of time to be allowed to speakers, the limitation of the number of times each member may speak on any question, the closure of the list of speakers or the closure of the debate. He/she may also propose the suspension or the adjournment of the meeting or of the debate on the question under discussion.~~
3. ~~The Chairperson shall represent the Committee at meetings of the Assembly of States Parties.~~

The Committee may appoint one of its members as Rapporteur at each session.

Rule 15**Replacement of the Chairperson or the Vice-Chairperson**

If the Chairperson or the Vice-Chairperson ceases to be able to carry out his/her functions or ceases to be a member of the Committee, he/she shall cease to hold such office and a new Chairperson or Vice-Chairperson shall be elected for the unexpired term.

V. Secretariat Executive Secretary**Rule 16****Duties of the ~~Head of the Secretariat~~ Executive Secretary**

1. ~~The Head of the Secretariat shall act in that capacity in all meetings of the Committee. He/she may designate a member of the Secretariat to act as his/her representative. He/she shall perform such other functions as are assigned to him/her by the Committee.~~
2. ~~The Head of the Secretariat shall provide and direct the staff required by the Committee, taking into account to the greatest extent possible the requirements of economy and efficiency, and be responsible for all the arrangements that may be necessary for its meetings.~~
3. ~~The Head of the Secretariat shall keep the members of the Committee informed of any questions that may be brought before it for consideration.~~
4. ~~The Head of the Secretariat shall provide to the Committee, at its request, information and reports on questions specified by the Committee.~~

1. The Committee is assisted by an Executive Secretary⁴ who shall receive, translate, reproduce and distribute recommendations, reports and other documents of, and provided to, the Committee, interpret statements made at meetings, prepare and circulate, when it is so decided, records of the session, have custody and proper preservation of the archives of the Committee and, generally, perform all other work that the Committee may require. The Executive Secretary will fulfil such duties by coordinating between the Committee members and the respective units of the Court.

2. The Executive Secretary shall act in his/her capacity in all meetings of the Committee. He/she shall perform such other functions assigned to him/her by the Committee.

⁴ *Official Records ... Tenth session ... 2011 (ICC-ASP/10/20)*, vol. II, part B.2, para. 122.

3. The Executive Secretary shall provide and direct the staff required by the Committee, taking into account, to the greatest extent possible, the requirements of economy and efficiency, and be responsible for all the arrangements that may be necessary for its meetings.

4. The Executive Secretary shall keep the members of the Committee informed of any questions that may be brought before it for consideration.

5. The Executive Secretary shall provide to the Committee, at its request, information and reports on questions specified by the Committee.

Rule 17

Duties of the Secretariat

~~The Secretariat shall receive, translate, reproduce and distribute recommendations, reports and other documents of, and provided to, the Committee, interpret statements made at meetings, prepare and circulate, when it is so decided, records of the session, have custody and proper preservation of the documents in the archives of the Committee and, generally, perform all other work that the Committee may require.~~

VI. Conduct of business

Rule 18 17

Conduct of business

As far as conduct of business is concerned **and without prejudice to these rules** the proceedings of the Committee shall be governed by general practice as reflected in the Rules of Procedure of the Assembly ~~of States Parties~~.

VII. Decision-making

Rule 19 18

Voting rights

Each member of the Committee, including the Chairperson, shall have one vote.

Rule 20 19

Decision-making

1. As a general rule, decision-making in the Committee should be by consensus. If all efforts to reach a decision by consensus have been exhausted, decisions shall be taken by a majority of members present and voting.

2. If a vote is equally divided, the proposal or motion shall be regarded as rejected.

Rule 21 20

Meaning of the phrase “members present and voting”

For the purposes of these rules, the phrase “members present and voting” means members present and casting an affirmative or negative vote. Members who abstain from voting shall be considered as not voting.

Rule 22 21

Conduct of voting

Without prejudice to these rules, the Committee shall apply *mutatis mutandis* the rules relating to the conduct of voting in the Rules of Procedure of the Assembly ~~of States Parties~~.

Rule 23 22**Elections**

1. All elections shall be held by secret ballot.
2. **The Executive Secretary shall contact each Committee member, no later than six weeks before the start of the first session of the year, inviting them to nominate themselves or other Committee members for the position of the Chairperson and/or Vice-Chairperson of the Committee within a period of two weeks. The Executive Secretary shall then inform the nominated candidates for confirmation and shall make the list of candidates available to members of the Committee, at least one week before the session.**
3. **The Executive Secretary shall carry out a secret ballot at the beginning of the following session. Elections will continue by secret ballot until agreement is reached.**

Rule 24 23**Conduct of elections**

Without prejudice to these rules, the Committee shall apply *mutatis mutandis* the rules relating to elections in the Rules of Procedure of the Assembly of States Parties.

VIII. Languages**Rule 25 24****Languages of the Committee**

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Committee. **The Committee can decide which language(s) to use among these six languages as working languages.**

Rule 26 25**Interpretation**

Statements made in any of the six languages of the Committee ~~shall~~ **may** be interpreted into the other five languages.

Rule 27 26**Other languages**

Any member may make a statement in a language other than the languages of the Committee. In this case, he/she shall himself/herself provide for interpretation into one of the languages of the Committee. Interpretation into the other languages of the Committee ~~by the interpreters of the Secretariat~~ may be based on the interpretation given in the first such language.

Rule 28 27**Languages of recommendations and documents Translation of documents**

All recommendations and other documents of the Committee shall be published in the languages of the Committee, which are also the official languages of at least one State Party to the Rome Statute, unless otherwise decided by the Chairperson of the Committee.⁵

⁵ ICC-ASP/7/Res.7.

IX. Meetings

Rule 29 28

Private and public meetings Meetings

1. The meetings of the Committee shall be held in private closed session, unless the Committee decides otherwise.
2. ~~At the close of a private meeting of the Committee, the Chairperson may, if the Committee so decides,~~ **The Committee may decide to** issue a communiqué through the ~~Secretariat~~ **Executive Secretary**.

X. Review of the Rules

Rule 29

Review of the Rules

The Rules of Procedure will be reviewed periodically, and any proposed amendments will be sent to the Assembly for its approval.

Annex V

List of documents

<i>CBF document symbol</i>	<i>Title</i>	<i>ASP document symbol (if converted)</i>
CBF/32/1	Provisional agenda for the thirty-second session	
CBF/32/1/Add.1	Annotated agenda for the thirty-second session	
CBF/32/2/Rev.1	Report of the Court on its precautionary reserves	
CBF/32/3	Report on existing internal controls of the reparations awards	
CBF/32/4	Report of the Court on the establishment of a special account for the Five-Year IT/IM Strategy	
CBF/32/6	Report of the Court on assessment of litigation risks	
CBF/32/7	Report of the Court on the review of the legal aid policy	
CBF/32/8	Trust Fund for Victims Progress Report on Modalities of Private Fundraising	
CBF/32/9	Update on a voluntary contribution from one State Party for a Special Project in Uganda	
CBF/32/10	Report of the Court on the development of medium-term and long-term cost projections for capital replacements and the inclusion of performance indicators in the new maintenance contract	
CBF/32/11	Report on the performance of the Court's legal aid system in 2018	
CBF/32/12	Report of the Court on payment plans for assessed contributions	ICC-ASP/18/6
CBF/32/13	Report of the Court on the proposed amendments to the Staff Rules on the education grant, the special education grant and related benefits	
CBF/32/14	Report on activities and programme performance of the International Criminal Court for the year 2018	ICC-ASP/18/3
CBF/32/15	Report on budget performance of the International Criminal Court as at 31 March 2019	
CBF/32/16	Report of the Court on Human Resources Management	ICC-ASP/18/4
CBF/32/17	Report of the Court on specific matters related to Human Resources Management: Reclassification of Posts in the 2020 Proposed Programme Budget	

2. Report of the Committee on Budget and Finance on the work of its thirty-third session, September 2019*

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Annex VI: Addendum to the Report of the Committee on Budget and Finance on
the work of its thirty-third session370

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. On 28 October 2019 and after the advance version report was issued on 26 September 2019, the Court submitted an addendum to the 2020 proposed budget for Registry in the amount of €230.7 thousand for legal aid for defence for Mr Al Hassan based on a confidential decision issued by the Pre-Trial Chamber confirming the charges of war crime and crimes against humanity brought by the Prosecutor against Mr Al Hassan and committed him to trial. The Committee considered this additional request and reflected it under "*Other matters*" in this report (see paragraphs 272-276). The Committee decided to reflect the effect of this additional request in some areas of the report.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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 to 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.

8. 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.

9. 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.

10. 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.

11. 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 (€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 Major Programme II; Major Programme III and Major Programme VI with a view to matching the 2019 approved level.

12. 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 €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. 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.

13. 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 strengthened 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.

14. 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.

15. 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 identified¹ 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.

16. 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 €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. 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.

17. 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.

18. 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 pro-active approach to tackle the issue of gender balance, and to set a target date for achievement.

¹ For example, all previous outstanding amounts up to and including previous year one.

19. After thorough considerations of the proposed programme budget and its addendum, the Committee recommended that the Assembly approve a budget of €145,723.75 thousand, or a 0.81 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:

- (a) Major Programme I (Judiciary): €12,081.50 thousand (decrease of -0.2 per cent);
- (b) Major Programme II (Office of the Prosecutor): €47,383.45 thousand (increase of 1.2 per cent);
- (c) Major Programme III (Registry): €76,147.6 thousand (decrease of 0.66 per cent);
- (d) Major Programme IV (Secretariat of the Assembly of States Parties): €2,837.0 thousand (decrease of -0.2 per cent);
- (e) Major Programme V (Premises): €2,775.0 thousand (increase of 54.2 per cent);
- (f) Major Programme VI (Secretariat of the Trust Fund for Victims): €3,226.1 thousand (increase of 3.1 per cent);
- (g) Major Programme VII-5 (Independent Oversight Mechanism): €551.9 thousand (increase of 3.9 per cent); and
- (h) 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.²
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:
 - (a) Carolina María Fernández Opazo (Mexico);
 - (b) Fawzi A. Gharaibeh (Jordan);
 - (c) Hitoshi Kozaki (Japan);
 - (d) Urmet Lee (Estonia);
 - (e) Mónica Sánchez (Ecuador);
 - (f) Gerd Saupe (Germany);
 - (g) Margaret Wambui Ngugi Shava (Kenya);
 - (h) Elena Sopková (Slovakia);
 - (i) Richard Veneau (France);
 - (j) Helen Louise Warren (United Kingdom); and
 - (k) 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

² *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.

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
 - (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.³

C. Participation of observers

6. In accordance with the Rules of Procedure of the Assembly,⁴ 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.

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

⁴ 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.

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 and its addendum

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,⁵ and its addendum⁶” (see paragraphs 272-276 in this report) The Committee conducted its examination of the requested budget resources on the basis of the general principle of budgetary integrity.

8. After reviewing the 2020 proposed programme budget and its addendum 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 and its addendum of €147,170.4 thousand without the host State loan. This represents a €1,173.75 thousand (0.81 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 €148,135.1 thousand for the 2019 budget year.⁷ 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 €144,550 thousand.⁸

10. The main increase in absolute numbers for the budget year 2020 and its addendum 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 €800 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 €275 thousand (-0.4 per cent) and the Secretariat of the Assembly of States Parities (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:

(a) 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 cases⁹ that are currently before the Trial Chamber;

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

⁶ Addendum to the proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10/Add.1).

⁷ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. I, part III, ICC-ASP/17/Res.4., A., para. 1.

⁸ *Ibid.*

⁹ *Bemba article 70*, possibly *Ntaganda*, *Ongwen* and *Gbagbo/Blé Goudé*.

- (b) conduct and support nine active investigations, including operations in the field;
- (c) continue implementing reparations awards in three cases; and
- (d) continue the implementation of the Court-wide information management strategy.¹⁰

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

- (a) nine preliminary examinations;
- (b) 11 situations under investigation;
- (c) nine active investigations, of which eight are in parallel;
- (d) no trials pending the confirmation of charges in *Yekatom/Ngaïssona* (CAR II.b) and *Al Hassan* (Mali); and
- (e) one final appeal.¹¹

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 2019-2021.¹² The Court explained that:

(a) 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;

(b) These plans are final. The Court has already adopted them [...] subsequent to prior consultations with States Parties; and

(c) Also, the Committee had before it the OTP's final evaluation of its prior strategic plan,¹³ now submitted in response to earlier requests of the Committee and the Assembly for a full evaluation.¹⁴

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

(a) Court-wide Strategic Plan¹⁵

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 Plan¹⁶

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

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

¹¹ *Ibid.*, annex II.

¹² The previous plan had been developed for the period 2013- 2017 and then extended to 2018.

¹³ Report on the Implementation of the OTP Strategic Plan 2016-2018: Final Analysis and Evaluation of the Results, (CBF/33/20).

¹⁴ *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.

¹⁵ International Criminal Court Strategic Plan 2019-2021 (CBF/33/13).

¹⁶ International Criminal Court – Registry Strategic Plan 2019-2021 (CBF/33/15).

improvement, (ii) increasing staff engagement and (iii) geographical balance and gender balance.

(c) *Strategic Plan of the Office of the Prosecutor (OTP)*¹⁷

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:

(a) 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.

(b) 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.

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,¹⁸ and invited the Court to propose an approach at its thirty-fifth session.

25. The Committee welcomed the Court's commitment to "[d]evelop 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

¹⁷ International Criminal Court – Office of the Prosecutor: Strategic Plan 2019-2021 (CBF/33/14).

¹⁸ Report on the implementation of the OTP Strategic Plan 2016-2018: Final Analysis and Evaluation of the Results (CBF/33/20), chapter 1.6.

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:

(a) 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";¹⁹

(b) Annexed information to compare the allocated budget with that requested for the following year;²⁰ and

(c) Updated cost ratios using the last five-year average of actual Court's expenditures.²¹

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:

(a) *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

¹⁹ Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10), annex XVI.

²⁰ *Ibid.* pages 14-15, tables 2 and 3.

²¹ Report of the Court on Cost Ratios (CBF/33/12).

Auditors observation²² 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;**

(b) *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.).²³ 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.**

(c) *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 baseline²⁴ 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 programme budget showed that baseline for 2020 is €146.39 million with CF notifications and without host State loan.²⁵ 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.

²² Final audit report on the budget process of the International Criminal Court (ICC-ASP/18/2/Rev.1), recommendation 4.

²³ Report of the Court on Cost Ratios (CBF/33/12).

²⁴ Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10), annex X.

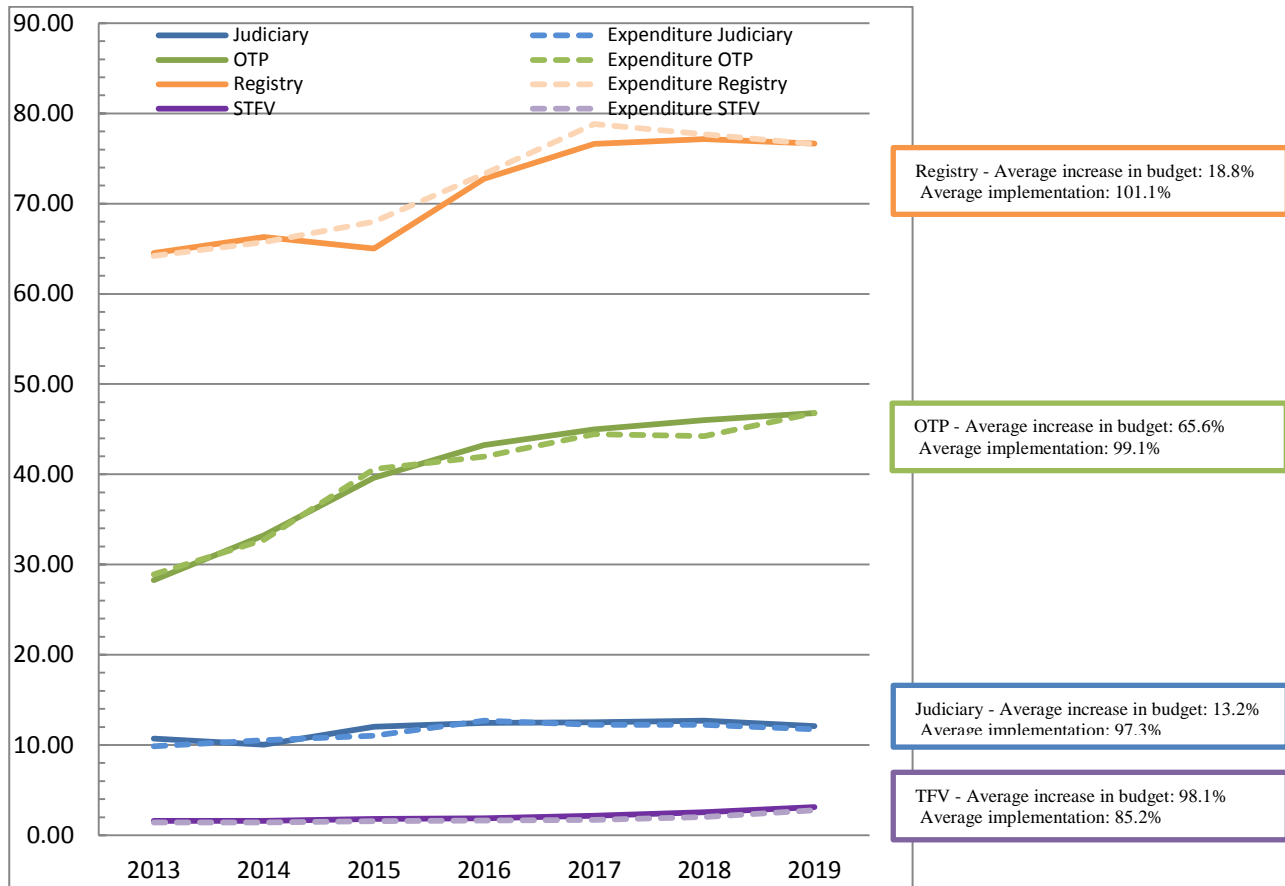
²⁵ *Ibid.*

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 €12.1 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)

<i>Major Programme</i>		<i>Approved Budget 2013</i>	<i>Approved Budget 2014</i>	<i>Approved Budget 2015</i>	<i>Approved Budget 2016</i>	<i>Approved Budget 2017</i>	<i>Approved Budget 2018</i>	<i>Approved Budget 2019</i>	<i>2013-2019 increase</i>
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%
	<i>Actual Expenditure</i>	<i>9,874.5</i>	<i>10,529.8</i>	<i>11,023.8</i>	<i>12,702.8</i>	<i>12,232.3</i>	<i>12,237.7</i>	<i>11,744.4*</i>	<i>1,869.9</i>
	<i>Implementation Rate in %</i>	<i>92.3%</i>	<i>104.8%</i>	<i>91.6%</i>	<i>102.2%</i>	<i>97.6%</i>	<i>96.3%</i>	<i>97.0%</i>	<i>Average 97.3%</i>
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%
	<i>Actual Expenditure</i>	<i>28,924.9</i>	<i>32,723.7</i>	<i>40,581.2</i>	<i>41,960.3</i>	<i>44,432</i>	<i>44,226.9</i>	<i>46,801.9*</i>	<i>17,877.9</i>
	<i>Implementation Rate in %</i>	<i>102.3%</i>	<i>98.5%</i>	<i>102.4%</i>	<i>97.1%</i>	<i>98.8%</i>	<i>96.2%</i>	<i>100%</i>	<i>Average 99.1%</i>
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%
	<i>Actual Expenditure</i>	<i>64,203</i>	<i>65,738</i>	<i>67,988.3</i>	<i>73,278.6</i>	<i>78,811.5</i>	<i>77,677.2</i>	<i>76,571.9*</i>	<i>12,368.9</i>
	<i>Implementation Rate in %</i>	<i>99.5%</i>	<i>99.2%</i>	<i>104.6%</i>	<i>100.7%</i>	<i>102.8%</i>	<i>100.7%</i>	<i>99.9%</i>	<i>Average 101.1%</i>
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%
	<i>Actual Expenditure</i>	<i>1,432</i>	<i>1,425.7</i>	<i>1,542.9</i>	<i>1,640.7</i>	<i>1,704.3</i>	<i>2,031.3</i>	<i>2,762.6*</i>	<i>1,330.6</i>
	<i>Implementation Rate in %</i>	<i>90.6%</i>	<i>89.9%</i>	<i>85%</i>	<i>87.1%</i>	<i>78.4%</i>	<i>79.9%</i>	<i>88.3%</i>	<i>Average 85.2%</i>

* 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 €147.3 million, which represented 99.4 per cent of the 2019 approved budget of €148.1 million, including interest payments and capital repayments on the premises of €3.59 million.²⁶ The Committee noted that, when comparing this with the resources requested in the 2020 proposed programme budget of €150.52 million including the host State loan, resource increase would be €2.39 million (or 1.6 per cent).

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. The 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.

²⁶ Report on Budget Performance of the International Criminal Court as at 30 June 2019 (CBF/33/19), page 4, table 2.

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

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

* 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 Posts²⁷ promulgated by the Registrar and requested that the Committee review it at its thirty-second session and report to the Assembly.²⁸

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,²⁹ 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 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

²⁷ Administrative Instruction on the Classification and Reclassification of Posts (ICC/AI/2018/002).

²⁸ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. I, part III, ICC-ASP/17/Res.4., M., para. 4.

²⁹ *Ibid.*, vol. II, part B.2., paras. 71, 72 and 93.

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 €943.05 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.

B. 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 €12.8 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 €11,744.4 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 Statute³⁰ and who were separated from the Court in 2019.³¹ 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.

³⁰ 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."

³¹ 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 €19.1 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 2011,³² the Committee believed that the full amount of the requested €19.1 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 2020,³³ which included a recurrent request in the amount of €580.9 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.³⁴

C. 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.³⁵

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

³² The duration of the mandate might be subject to extension.

³³ Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10), page 189.

³⁴ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2., para. 47.

³⁵ Report on Budget Performance of the International Criminal Court as at 30 June 2019 (CBF/33/19), page 4, table 2.

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.

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)

<i>Number</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>PPB 2020</i>
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
Total Staff Resources	364.7	393.2	418.14	412.09	422.72	425.1

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.

D. 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) and its addendum amounted to €76,376.2 thousand, representing a decrease of €275 thousand (or -0.4 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 and its addendum, (see paragraphs 272-276 in this report) 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 €426.4 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 session³⁶ and recommended its approval by the Assembly.**

³⁶ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2., para. 93.

(c) *New resource requirements under GTA*

82. **The Registry requested six new GTA posts (5.5 FTE). The Committee considered the requests against existing resource and the unique skillset required and thus recommended the Assembly approve the following positions on a GTA basis:**

(a) **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;

(b) **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

(c) **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.

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”³⁷ and annex IX to 2020 proposed programme budget, which gives an overview on the implementation of the 2017-2021 IT/IM Strategy.³⁸

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 recommendation³⁹ 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 recommendation⁴⁰ 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,⁴¹ 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.

³⁷ Report of the Court on its Five-Year IT/IM Strategy (CBF/33/17).

³⁸ Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10), annex IX (a) and (b).

³⁹ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2., paras. 98 and 102.

⁴⁰ Report of the Committee on Budget and Finance on the work of its thirty-second session (ICC-ASP/18/5), paras. 74-75.

⁴¹ Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10), annex IX (a) and (b).

Table 4: Total Court-wide “lights-on” costs by cost centre (in thousands euros)⁴²

<i>Cost centre</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020*</i>	<i>2021*</i>	<i>2022*</i>
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
Total "lights-on" cost	11,817.6	12,405.5	11,966.3	12,054.7	12,086.8	13,079.1

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 session⁴³ 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 budgets.⁴⁴ The Court reported on efficiencies in annexes X and XVI of the 2020 proposed programme budget.⁴⁵ 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 being 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 recommendation⁴⁶ 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.**

⁴²*Ibid.*, annex IX (b), table 1.

⁴³ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2., para 106.

⁴⁴ *Ibid.*, para. 108.

⁴⁵ Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10), annex X and XVI.

⁴⁶ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2., para 106.

4. Legal aid⁴⁷

93. The Committee noted the requested budget for legal aid for 2020 including its addendum budget (see paragraphs 272-276 in this report) in the amount of €4.7 million (€1.3 million for victims and €3.4 million for the defence).⁴⁸ 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.**

(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,"⁴⁹ 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.

⁴⁷ An addendum was submitted by the Court for legal aid for defence in the amount of €230.7 thousand. Refer to "Other matters" section of this report.

⁴⁸ Proposed programme budget for 2020 of the International Criminal Court (ICC-ASP/18/10), page 90, Table 25.

⁴⁹ Second report of the Registry on financial investigations conducted by the Registry and the seizure and freezing of assets (CBF/33/11).

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 €76,147.6 thousand for Major Programme III.

E. 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.**

F. 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 HVAC (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)

	<i>Cash flow (2020 prices, incl. 2.5% increase compared to 2019)</i>					
<i>Capital Replacement</i>	<i>2020 (€)</i>	<i>2021(€)</i>	<i>2022 (€)</i>	<i>2023 (€)</i>	<i>2024 (€)</i>	<i>Total (€)</i>
5-Year Plan (2020 - 2024)						
Building Management System (BMS)	130,175	55,863				186,038
Security Management System (SMS)	895,748	84,563				980,310
Security systems (indoor installation)		176,505	78,105			254,610
Security systems (outdoor installation)			67,650	135,505		203,155
Floor finishing			721,600	541,200		1,262,800
Electromechanical installation	174,880	240,875	59,040		56,170	530,965
Central HVAC building technology	42,281		142,680	36,080	24,600	245,641
ICT courtrooms and conference cluster		153,750				153,750
Total	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 €975.0 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.

G. 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.⁵⁰ 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.⁵¹ 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.”⁵²

136. The Committee considered the progress report the TFV had submitted as requested.⁵³ 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.⁵⁴ **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,⁵⁵ the key points of which can be summarized as follows:

⁵⁰ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part C.2., paras. 2.29-2.32.

⁵¹ 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.

⁵² Report of the Committee on Budget and Finance on the work of its thirty-second session (ICC-ASP/18/5), para. 139.

⁵³ 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).

⁵⁴ 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.

⁵⁵ 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).

(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; and⁵⁶

(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 Committee at its thirty-fifth session in September 2020 on the elements below, by drawing from the practise and lessons learned from other organisations:**⁵⁷

(a) **Relation to the usage of Programme Support Costs;**

(b) **No automatic correlation between the administrative effort and cost of programme implementation with the financial size of the awards;**

(c) **Possible presentation of the annual pay-outs, for instance, in the annual activity reports of the TFV Board of Directors; and**

(d) **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.⁵⁸ 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.⁵⁹

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.

⁵⁶ 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).

⁵⁷ Report of the Secretariat of the Trust Fund for Victims on the usage of programme support costs (CBF/18/14).

⁵⁸ Report of the Trust Fund for Victims on financial self-sustainability (CBF/33/10).

⁵⁹ 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.

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"⁶⁰ 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 organisations engage with the private sector to raise funds through tax-deductible donations.⁶¹ 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.**

⁶⁰ Trust Fund for Victims Progress Report on Private Fundraising (CBF/33/7).

⁶¹ 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.

H. 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.**

I. 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 €531.1 thousand. The impact of the UNCS is €8.9 thousand.

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 resources⁶² 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."**⁶³

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.

⁶² 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).

⁶³ ICC-ASP/18/10, page 161, para. 731.

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.

J. 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 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.⁶⁴

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:

(a) The assessed contributions for the 2019 approved budget of €144,550 thousand; and

(b) 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.

⁶⁴ 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. 63 States Parties had made one-time payments towards the construction of the premises, either in full or in part, by the specified deadline.

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

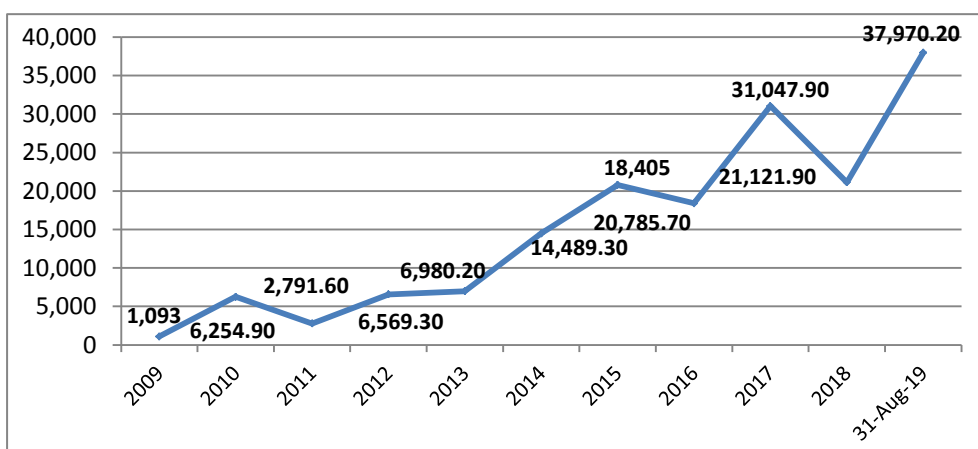
- (a) €13,051.6 thousand (8.9 per cent) of regular assessed contributions remained outstanding from the 2018 approved budget in the amount of €147,431.5 thousand;
- (b) €19,846.4 thousand outstanding regular contributions from previous years;
- (c) €295 were outstanding from previous years for the CF;
- (d) €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
- (e) €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.

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.⁶⁵ **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"⁶⁶ 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.

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.⁶⁷

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

⁶⁵ ICC-ASP/18/12, para. 37.

⁶⁶ Report of the Court on securing payment of the Host State Loan (CBF/33/3).

⁶⁷ Regulation 6.2 of the FRR.

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,⁶⁸ 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.**⁶⁹

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.⁷⁰ The level of the CF was originally set at €10 million by the Assembly in 2004 and set at €7 million in 2009.⁷¹

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 2019.⁷² 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.⁷³

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.

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.⁷⁴

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

⁶⁸ Report on Budget Performance of the International Criminal Court as at 30 June 2019 (CBF/33/19), page 9, para. 40.

⁶⁹ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. I, part III, ICC-ASP/17/Res.4., B., para. 5.

⁷⁰ Rule 6.6 of the FRR.

⁷¹ ICC-ASP/3/Res.4, section B, para. 1, and ICC-ASP/8/Res.7, Section E, para. 2.

⁷² *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. I, part III, ICC-ASP/17/Res.4., D., paras. 1-2.

⁷³ *Ibid.*, paras. 3-4.

⁷⁴ *Ibid.*, section C.

issues.⁷⁵ 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.⁷⁶

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:

(a) 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

(b) 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 Court⁷⁷ 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:

(a) The Court closely monitor its cash-flow projections and strengthen its efforts in different directions to avoid a liquidity shortfall at year-end;

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

(c) In the case that a liquidity shortfall arises 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.

⁷⁵ Final audit report on the budget process of the International Criminal Court (ICC-ASP/18/2/Rev.1), paras. 180-190.

⁷⁶ 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.

⁷⁷ Final audit report on the budget process of the International Criminal Court (ICC-ASP/18/2/Rev.1), para. 188.

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,”⁷⁸ 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 major programmes in 2019 that are due mainly to the increase in the UNCS. The Committee recalled, that in 2018, an unspent amount of €2,550.7⁷⁹ 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 commitment of €50 thousand from MP IV to MP VII-5 that was requested in the first semester of the financial year, which was not authorized by the Assembly as part of the 2019 approved budget, such additional budget for MP VII-5 was made to cover the cost of an unapproved position at P-4 level. Although a transfer of fund did not take place between those two major programmes, the Committee believed that spending additional budget by one major programme and charging it to another major programme before year end is a way of bypassing the respective FRR Rule 4.8, **Therefore, 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 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

⁷⁸ Report on Budget Performance of the International Criminal Court as at 30 June 2019 (CBF/33/19).

⁷⁹ 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.

budget assumption of 294⁸⁰ 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."⁸¹

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.⁸² 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.⁸³ The legal aid facilitator of the Hague Working Group briefed the Committee on the HWG discussions.

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

⁸⁰ Approved 2019 Programme Budget of the International Criminal Court, para. 340.

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

⁸² *Official Records ... Sixteenth session ... 2017* (ICC-ASP/16/20), vol. I, part III, ICC-ASP/16/Res.6., annex, para. 8.

⁸³ Legal aid policy of the International Criminal Court, Amendment proposal (CBF/33/18).

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.⁸⁴ 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.**⁸⁵ **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,⁸⁶ the Court submitted the “Report of the Court on its guidelines for the receipt and expenditure of voluntary contributions and extra budgetary resources.”⁸⁷ 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 2018.⁸⁸ **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.⁸⁹

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.

⁸⁴ *Official Records ... Seventeenth session ... 2018* (ICC-ASP/17/20), vol. II, part B.2., para. 227.

⁸⁵ Also in line with the Assembly’s expectation expressed in 2013. See resolution ICC-ASP/12/Res.8, annex I, paragraph 6(c).

⁸⁶ Report of the Committee on Budget and Finance on the work of its thirty-second session (ICC-ASP/18/5), para. 37.

⁸⁷ Report of the Court on its guidelines for the receipt and expenditure of voluntary contributions and extra budgetary resources (CBF/33/6).

⁸⁸ Financial statements of the International Criminal Court for the year ended 31 December 2018 (ICC ASP/18/12).

⁸⁹ 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:**

- (a) **The volume and average duration of sick leave;**
- (b) **The financial implications of sick leave;**
- (c) **The criteria and procedure for certification and administration of sick leave, including relevant roles and responsibilities; and**
- (d) **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.⁹⁰

226. The Committee considered the “Report of the Court on the possible extension of the Junior Professional Officer Programme beyond the second year”⁹¹ 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 2019,⁹² 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.**

⁹⁰ Report of the Committee on Budget and Finance on the work of its thirty-second session (ICC-ASP/18/5), para. 119.

⁹¹ Report of the Court on the possible extension of the Junior Professional Officer Programme beyond the second year (CBF/33/2).

⁹² 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.

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.**

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"⁹³ 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."⁹⁴

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 plurennial 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 Court⁹⁵ and exchanged views during its thirty-third session with the representatives of the External Auditors that was produced in consultations with multiple

⁹³ Financial statements of the International Criminal Court for the year ended 31 December 2018 (ICC-ASP/18/12).

⁹⁴ Financial statements of the Trust Fund for Victims for the year ended 31 December 2018 (ICC-ASP/18/13).

⁹⁵ Final audit report on the budget process of the International Criminal Court (ICC-ASP/18/2/Rev.1).

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 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:

- (a) The launching of the annual workshop on savings and efficiencies be chaired personally by the Registrar;
- (b) 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);
- (c) 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; and
- (d) 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 report⁹⁶ 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).

⁹⁶ ICC-ASP/17/7.

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,⁹⁷ 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.

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:

- (a) 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; and
- (b) 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.

⁹⁷ Rule 4.8 of the Financial Regulations and Rules.

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:

(a) 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;

(b) 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); and

(c) 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:

(a) 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;

(b) 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; and

(c) 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, 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 €974 thousand and an amount of €85 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 €552 thousand and €20 thousand in contingent liability the Court was ordered to pay complainants only €14.5 thousand and the remaining balance of €543.4 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,⁹⁸ 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.

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.

⁹⁸ 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.

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."⁹⁹ 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.¹⁰⁰ 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 2023.¹⁰¹ 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. Addendum to the Proposed Programme Budget of the International Criminal Court for 2020

272. On 12 July 2019, the Court's proposed programme budget for 2020 was submitted to the Committee for its consideration. On 26 September 2019, the advance version report of the Committee was issued.

273. On 30 September 2019, the Pre-Trial Chamber issued a confidential decision confirming the charges of war crime and crimes against humanity brought by the Prosecutor against Mr Al Hassan and committed him to trial. As a result, and on 28 October 2019, the Court submitted to the Committee an addendum to the 2020 proposed programme budget containing an increase for Major Programme III (Registry) in a total amount of €230.7 thousand under the *Counsel for Defence* budget line item.

⁹⁹ *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.

¹⁰⁰ 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.

¹⁰¹ 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.

274. Consequently, the amended 2020 proposed budget for Registry became a total of €76,376.2 thousand (or -0.4 per cent decrease in comparison to 2019 approved budget), and the amended 2020 proposed programme budget for the Court became a total of €147,170.4 thousand excluding the host State loan (or 1.8 per cent increase in comparison to 2019 approved budget).

275. The Committee considered this additional request taking into consideration the original requested amount for legal aid for defence for 12 months of appeals for Mr Al Hassan of €383 thousand. In its response to a query raised by the Committee, the Court explained that the assumption, when it submitted the proposed budget, was a possibility that the decision on the confirmation of charges would be appealed (see paragraphs 94 and 95 in this report). However, such an appeal has not been lodged and the case will move to the *trial phase*, which triggers a different team composition under the Legal Aid Policy. Therefore, the cost for the *trial phase* for 12 months (€613.7 thousand) would be higher than the cost for the *appeal phase* (€383 thousand), which resulted in requested difference of €230.7 thousand. **The Committee recommended to the Assembly to approve the additional requested amount of €230.7 thousand for legal aid for defence in the case of Al Hassan. At the same time, the Committee requested the Court make all possible efforts to absorb these expenditures within its annual budget, so as to reduce or obviate actual use of any additional resources.**

276. **The Committee will continue to monitor the implementation of the legal aid budget, and it recommended the Court to provide detailed legal aid expenditure for each case at its thirty-fourth session.**

E. Future sessions of the Committee

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

Annex I

Status of contributions as at 31 August 2019 (in euros)

State Party	Outstanding Contributions								Outstanding Period
	General Fund						Other Funds ¹	Grand Total/ All Funds	
	Working Capital Fund	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	46	24,754	2007-2019	-
27 Congo	335	1,832	75,936	706	15,901	73	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	-
40 El Salvador	-	-	-	-	-	-	-	-	-

<i>State Party</i>		<i>Outstanding Contributions</i>							<i>Grand Total/ All Funds</i>	<i>Outstanding Period</i>
		<i>General Fund</i>					<i>Other Funds¹</i>			
		<i>Prior Years</i>			<i>Year 2019</i>					
		<i>Working Capital Fund</i>	<i>Host State Loan</i>	<i>Budget excl. HSL</i>	<i>Host State Loan</i>	<i>Budget excl. HSL</i>				
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	84	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	92	42,719	2009-2019	
84	Nigeria	-	-	13,463	12,785	661,605	-	687,853	2018-2019	
85	North Macedonia	-	-	-	-	-	-	-	-	

		<i>Outstanding Contributions</i>							
		<i>General Fund</i>							
		<i>Prior Years</i>			<i>Year 2019</i>			<i>Grand Total/</i>	<i>Outstanding</i>
<i>State Party</i>		<i>Working Capital Fund</i>	<i>Host State Loan</i>	<i>Budget excl. HSL</i>	<i>Host State Loan</i>	<i>Budget excl. HSL</i>	<i>Other Funds¹</i>	<i>All Funds</i>	<i>Period</i>
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
Total		953	669,594	8,635,243	540,286	18,121,519	295	37,967,890	

Annex II

Legal aid expenditures (in euros) for defence and victims, including the Contingency Fund (2015-2019)¹

	<i>Approved Budget 2015 incl. CF</i>	<i>Exp. 2015 incl. CF</i>	<i>IR 2015 incl. CF</i>	<i>Approved Budget 2016 incl. CF</i>	<i>Exp. 2016 incl. CF</i>	<i>IR 2016 incl. CF</i>	<i>Approved Budget 2017 incl. CF</i>	<i>Exp. 2017 incl. CF</i>	<i>IR 2017 incl. CF</i>	<i>Approved Budget 2018 incl. CF</i>	<i>Exp. 2018 incl. CF</i>	<i>IR 2018 incl. CF</i>	<i>Approved Budget 2019 incl. CF</i>	<i>Forecast exp. 2019 incl. CF</i>	<i>Forecast IR 2019 incl. CF²</i>
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 ³	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>	<i>3,906,700</i>	<i>4,878,669</i>	<i>124.9%</i>	<i>4,521,400</i>	<i>4,950,003</i>	<i>109.5%</i>	<i>4,454,390</i>	<i>4,838,482</i>	<i>108.6%</i>	<i>3,645,700</i>	<i>4,231,975</i>	<i>116.1%</i>	<i>4,310,000</i>	<i>4,165,199</i>	<i>96.6%</i>
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 [‡]	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>	<i>1,862,100</i>	<i>1,233,556</i>	<i>66.2%</i>	<i>1,963,200</i>	<i>1,344,596</i>	<i>68.5%</i>	<i>1,428,060</i>	<i>1,341,410</i>	<i>93.9%</i>	<i>1,165,000</i>	<i>1,466,223</i>	<i>125.9%</i>	<i>1,274,500</i>	<i>1,246,561</i>	<i>97.8%</i>
Total legal aid incl. CF	5,768,800	6,112,225	106.0%	6,484,600	6,294,599	97.1%	5,882,450	6,179,892	105.1%	4,810,700	5,698,198	118.4%	5,584,500	5,411,760	96.9%

IR=Implementation rate

¹ Based on information provided by the Court.² Based on an updated forecast as at the end of August 2019.³ 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 - ICC 2020 Proposed Programme Budget after Addendum: CBF recommended Reductions

Programme Budget 2020 (thousands of euro)	2019 Approved Budget		Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Addendum	Proposed 2020 Budget After CBF recommen- dations
	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	(275.0)	(0.4)	76,145.5	(228.6)	(503.6)	(0.7)	230.7	76,147.6	
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	
Subtotal	144,550.0	2,620.4	1.8	146,939.7	(1,446.7)	1,173.7	0.8	230.7	145,723.7	
Host State Loan	3,585.1	-	-	3,585.1	-	-	-	-	3,585.1	
Total ICC	148,135.1	2,620.4	1.8	150,524.8	(1,446.7)	1,173.7	0.8	230.7	149,308.8	

ICC	2019 Approved Budget		Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Addendum	Proposed 2020 Budget After CBF recommen- dations
	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>-</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>-</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	(9.6)	(0.3)	3,247.5	(80.0)	(89.6)	(2.6)	230.7	3,398.2	
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>1,542.0</i>	<i>4.5</i>	<i>35,685.8</i>	<i>(890.0)</i>	<i>652.0</i>	<i>1.9</i>	<i>230.7</i>	<i>35,026.5</i>	
Total	144,550.0	2,620.4	1.8	146,939.7	(1,446.7)	1,173.7	0.8	230.7	145,723.7	
Host State Loan	3,585.1	-	-	3,585.1	-	-	-	-	3,585.1	
Total Including Host State Loan	148,135.1	2,620.4	1.8	150,524.8	(1,446.7)	1,173.7	0.8	230.7	149,308.8	

Major Programme I Judiciary	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Proposed 2020 Budget After CBF recommen- dations
		Amount	%			Amount	%	
<i>Judges</i>	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>	5,245.9	96.0	1.8	5,341.9	-	96.0	1.8	5,341.9
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>	1,070.8	7.4	0.7	1,078.2	-	7.4	0.7	1,078.2
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>	128.8	29.0	22.5	157.8	(13.3)	15.7	12.2	144.5
Total	12,107.6	(12.8)	(0.1)	12,094.8	(13.3)	(26.1)	(0.2)	12,081.5
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	12,107.6	(12.8)	(0.1)	12,094.8	(13.3)	(26.1)	(0.2)	12,081.5

1100 The Presidency	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Proposed 2020 Budget After CBF recommen- dations
		Amount	%			Amount	%	
<i>Judges</i>	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>	1,116.1	24.2	2.2	1,140.3	-	24.2	2.2	1,140.3
General temporary assistance	-	-	-	-	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-	-
<i>Subtotal other staff</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>	111.8	11.0	9.8	122.8	(0.3)	10.7	9.6	122.5
Total	1,255.9	35.2	2.8	1,291.1	(0.3)	34.9	2.8	1,290.8
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	1,255.9	35.2	2.8	1,291.1	(0.3)	34.9	2.8	1,290.8

1200 Chambers	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Proposed 2020 Budget After CBF recommen- dations
		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>
Total	10,851.7	(48.0)	(0.4)	10,803.7	(13.0)	(61.0)	(0.6)	10,790.7
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	10,851.7	(48.0)	(0.4)	10,803.7	(13.0)	(61.0)	(0.6)	10,790.7

Major Programme II Office of the Prosecutor	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Proposed 2020 Budget After CBF recommen- dations
		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>
Total	46,802.5	1,133.8	2.4	47,936.3	(552.9)	580.9	1.2	47,383.4
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	46,802.5	1,133.8	2.4	47,936.3	(552.9)	580.9	1.2	47,383.4

2110 Immediate Office of the Prosecutor / Legal Advisory Section	<i>2019 Approved Budget</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget Before CBF recommen- dations</i>	<i>CBF Recommen- ded Changes</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget After CBF recommen- dations</i>
		<i>Amount</i>	<i>%</i>			<i>Amount</i>	<i>%</i>	
<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>
Total	2,408.4	48.5	2.0	2,456.9	(42.2)	6.3	0.3	2,414.7
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	2,408.4	48.5	2.0	2,456.9	(42.2)	6.3	0.3	2,414.7

2120 Services Section	<i>2019 Approved Budget</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget Before CBF recommen- dations</i>	<i>CBF Recommen- ded Changes</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget After CBF recommen- dations</i>
		<i>Amount</i>	<i>%</i>			<i>Amount</i>	<i>%</i>	
<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>
Total	5,395.7	42.1	0.8	5,437.8	(76.8)	(34.7)	(0.6)	5,361.0
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	5,395.7	42.1	0.8	5,437.8	(76.8)	(34.7)	(0.6)	5,361.0

2160 Information, Knowledge and Evidence Management Section	<i>2019 Approved Budget</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget Before CBF recommen- dations</i>	<i>CBF Recommen- ded Changes</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget After CBF recommen- dations</i>
	<i>Budget</i>	<i>Amount</i>	<i>%</i>			<i>Amount</i>	<i>%</i>	
<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>
Total	3,828.2	150.3	3.9	3,978.5	(6.0)	144.3	3.8	3,972.5
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	3,828.2	150.3	3.9	3,978.5	(6.0)	144.3	3.8	3,972.5

2200 Jurisdiction, Complementarity and Cooperation Division	<i>2019 Approved Budget</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget Before CBF recommen- dations</i>	<i>CBF Recommen- ded Changes</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget After CBF recommen- dations</i>
	<i>Budget</i>	<i>Amount</i>	<i>%</i>			<i>Amount</i>	<i>%</i>	
<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>
Total	3,994.7	113.0	2.8	4,107.7	(78.2)	34.8	0.9	4,029.5
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	3,994.7	113.0	2.8	4,107.7	(78.2)	34.8	0.9	4,029.5

2300 Investigation Division	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Proposed 2020 Budget After CBF recommen- dations
		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>
Total	19,523.4	582.1	3.0	20,105.5	(322.6)	259.5	1.3	19,782.9
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	19,523.4	582.1	3.0	20,105.5	(322.6)	259.5	1.3	19,782.9

2400 Prosecution Division	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Proposed 2020 Budget After CBF recommen- dations
		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>
Total	11,652.1	197.8	1.7	11,849.9	(27.1)	170.7	1.5	11,822.8
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	11,652.1	197.8	1.7	11,849.9	(27.1)	170.7	1.5	11,822.8

Major Programme III Registry	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Addendum	Proposed 2020 Budget After CBF recommen- dations
		Amount	%			Amount	%		
<i>Judges</i>	-	-	-	-	-	-	-	-	-
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>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	(9.6)	(0.3)	3,247.5	(80.0)	(89.6)	(2.6)	230.7	3,398.2
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>(49.9)</i>	<i>(0.2)</i>	<i>25,282.9</i>	<i>(161.0)</i>	<i>(210.9)</i>	<i>(0.8)</i>	<i>230.7</i>	<i>25,352.6</i>
Total	76,651.2	(275.0)	(0.4)	76,145.5	(228.6)	(503.6)	(0.7)	230.7	76,147.6
<i>Host State Loan</i>	-	-	-	-	-	-	-	-	-
Total Including Host State Loan	76,651.2	(275.0)	(0.4)	76,145.5	(228.6)	(503.6)	(0.7)	230.7	76,147.6

3100 Office of the Registrar	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Proposed 2020 Budget After CBF recommen- dations
		Amount	%			Amount	%	
<i>Judges</i>	-	-	-	-	-	-	-	-
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>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>	-	-	-	-	-	-	-	-
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>(53.4)</i>	<i>(53.6)</i>	<i>46.2</i>
Total	1,720.4	(22.4)	(1.3)	1,698.0	-	(22.4)	(1.3)	1,698.0
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	1,720.4	(22.4)	(1.3)	1,698.0	-	(22.4)	(1.3)	1,698.0

3200 Division of Management Services (DMS)	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Proposed 2020 Budget After CBF recommen- dations
		Amount	%			Amount	%	
<i>Judges</i>	-	-	-	-	-	-	-	-
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>
Total	18,848.0	389.4	2.1	19,237.4	(38.1)	351.3	1.9	19,199.3
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	18,848.0	389.4	2.1	19,237.4	(38.1)	351.3	1.9	19,199.3

3300 Division of Judicial Services (DJS)	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Addendum	Proposed 2020 Budget After CBF recommen- dations
		Amount	%			Amount	%		
<i>Judges</i>	-	-	-	-	-	-	-	-	-
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	(9.6)	(0.3)	3,247.5	(80.0)	(89.6)	(2.6)	230.7	3,398.2
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>33.9</i>	<i>0.2</i>	<i>14,041.9</i>	<i>(161.0)</i>	<i>(127.1)</i>	<i>(0.9)</i>	<i>230.7</i>	<i>14,111.6</i>
Total	33,372.9	(918.7)	(2.8)	32,223.5	(161.0)	(1,079.7)	(3.2)	230.7	32,293.2
<i>Host State Loan</i>	-	-	-	-	-	-	-	-	-
Total Including Host State Loan	33,372.9	(918.7)	(2.8)	32,223.5	(161.0)	(1,079.7)	(3.2)	230.7	32,293.2

3800 Division of External Operations (DEO)	<i>2019 Approved Budget</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget Before CBF recommen- dations</i>	<i>CBF Recommen- ded Changes</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget After CBF recommen- dations</i>
		<i>Amount</i>	<i>%</i>			<i>Amount</i>	<i>%</i>	
<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>
Total	22,709.9	276.7	1.2	22,986.6	(29.5)	247.2	1.1	22,957.1
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	22,709.9	276.7	1.2	22,986.6	(29.5)	247.2	1.1	22,957.1

Major Programme IV Secretariat of the Assembly of States Parties	<i>2019 Approved Budget</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget Before CBF recommen- dations</i>	<i>CBF Recommen- ded Changes</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget After CBF recommen- dations</i>
		<i>Amount</i>	<i>%</i>			<i>Amount</i>	<i>%</i>	
<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>
Total	2,841.7	(4.7)	(0.2)	2,837.0	-	(4.7)	(0.2)	2,837.0
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	2,841.7	(4.7)	(0.2)	2,837.0	-	(4.7)	(0.2)	2,837.0

4100 ASP Conference	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Proposed 2020 Budget After CBF recommen- dations
		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
Total	888.3	(102.0)	(11.5)	786.3	-	(102.0)	(11.5)	786.3
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	888.3	(102.0)	(11.5)	786.3	-	(102.0)	(11.5)	786.3

4200 ASP Secretariat	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Proposed 2020 Budget After CBF recommen- dations
		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
Total	822.4	93.0	11.3	915.4	-	93.0	11.3	915.4
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	822.4	93.0	11.3	915.4	-	93.0	11.3	915.4

4400 Office of the President of the Assembly	<i>2019 Approved Budget</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget Before CBF recommen- dations</i>	<i>CBF Recommen- ded Changes</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget After CBF recommen- dations</i>
		<i>Amount</i>	<i>%</i>			<i>Amount</i>	<i>%</i>	
<i>Judges</i>	-	-	-	-	-	-	-	-
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>	<i>109.3</i>	<i>4.2</i>	<i>3.8</i>	<i>113.5</i>	-	<i>4.2</i>	<i>3.8</i>	<i>113.5</i>
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>	<i>127.4</i>	<i>0.3</i>	<i>0.2</i>	<i>127.7</i>	-	<i>0.3</i>	<i>0.2</i>	<i>127.7</i>
Total	236.7	4.5	1.9	241.2	-	4.5	1.9	241.2
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	236.7	4.5	1.9	241.2	-	4.5	1.9	241.2

4500 Committee on Budget and Finance	<i>2019 Approved Budget</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget Before CBF recommen- dations</i>	<i>CBF Recommen- ded Changes</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget After CBF recommen- dations</i>
		<i>Amount</i>	<i>%</i>			<i>Amount</i>	<i>%</i>	
<i>Judges</i>	-	-	-	-	-	-	-	-
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>	<i>229.5</i>	<i>6.3</i>	<i>2.7</i>	<i>235.8</i>	-	<i>6.3</i>	<i>2.7</i>	<i>235.8</i>
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>	<i>189.8</i>	<i>2.5</i>	<i>1.3</i>	<i>192.3</i>	-	<i>2.5</i>	<i>1.3</i>	<i>192.3</i>
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>	<i>475.0</i>	<i>(9.0)</i>	<i>(1.9)</i>	<i>466.0</i>	-	<i>(9.0)</i>	<i>(1.9)</i>	<i>466.0</i>
Total	894.3	(0.2)	(0.0)	894.1	-	(0.2)	(0.0)	894.1
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	894.3	(0.2)	(0.0)	894.1	-	(0.2)	(0.0)	894.1

Major Programme V	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Proposed 2020 Budget After CBF recommen- dations
Premises		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>	<i>1,800.0</i>	<i>1,288.1</i>	<i>71.6</i>	<i>3,088.1</i>	<i>(313.1)</i>	<i>975.0</i>	<i>54.2</i>	<i>2,775.0</i>
Total	1,800.0	1,288.1	71.6	3,088.1	(313.1)	975.0	54.2	2,775.0
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	1,800.0	1,288.1	71.6	3,088.1	(313.1)	975.0	54.2	2,775.0

Major Programme VI	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Proposed 2020 Budget After CBF recommen- dations
Secretariat of the Trust Fund for Victims		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>	<i>1,066.8</i>	<i>46.9</i>	<i>4.4</i>	<i>1,113.7</i>	-	<i>46.9</i>	<i>4.4</i>	<i>1,113.7</i>
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>	<i>1,417.5</i>	<i>155.8</i>	<i>11.0</i>	<i>1,573.3</i>	-	<i>155.8</i>	<i>11.0</i>	<i>1,573.3</i>
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>	<i>646.0</i>	-	-	<i>646.0</i>	<i>(106.9)</i>	<i>(106.9)</i>	<i>(16.5)</i>	<i>539.1</i>
Total	3,130.3	202.7	6.5	3,333.0	(106.9)	95.8	3.1	3,226.1
<i>Host State Loan</i>	-	-	-	-	-	-	-	-
Total Including Host State Loan	3,130.3	202.7	6.5	3,333.0	(106.9)	95.8	3.1	3,226.1

Major Programme VII-5 Independent Oversight Mechanism	<i>2019 Approved Budget</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget Before CBF recommen- dations</i>	<i>CBF Recommen- ded Changes</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget After CBF recommen- dations</i>
		<i>Amount</i>	<i>%</i>			<i>Amount</i>	<i>%</i>	
<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>
Total	531.1	252.7	47.6	783.8	(231.9)	20.8	3.9	551.9
<i>Host State Loan</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>
Total Including Host State Loan	531.1	252.7	47.6	783.8	(231.9)	20.8	3.9	551.9

Major Programme VII-6 Office of Internal Audit	<i>2019 Approved Budget</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget Before CBF recommen- dations</i>	<i>CBF Recommen- ded Changes</i>	<i>Resource changes</i>		<i>Proposed 2020 Budget After CBF recommen- dations</i>
		<i>Amount</i>	<i>%</i>			<i>Amount</i>	<i>%</i>	
<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>
Total	685.6	35.6	5.2	721.2	-	35.6	5.2	721.2
<i>Host State Loan</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>
Total Including Host State Loan	685.6	35.6	5.2	721.2	-	35.6	5.2	721.2

Major Programme VII-2	2019 Approved Budget	Resource changes		Proposed 2020 Budget Before CBF recommen- dations	CBF Recommen- ded Changes	Resource changes		Proposed 2020 Budget After CBF recommen- dations
		Amount	%			Amount	%	
Host State Loan								
<i>Judges</i>	-	-	-	-	-	-	-	-
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>	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-
<i>Host State Loan</i>	3,585.1	-	-	3,585.1	-	-	-	3,585.1
Total Including Host State Loan	3,585.1	-	-	3,585.1	-	-	-	3,585.1

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
3	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
Total amount of notifications			2,447,300.00

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	Proposed Programme Budget for 2020 of the International Criminal Court - Advance version	
ICC-ASP/18/INF.3	Proposed Programme Budget for 2020 of the International Criminal Court - 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	
AC/10/5	Report of the Audit Committee on the work of its tenth session (final version)	
ICC-ASP/18/15/Add.1.	Addendum to the Report of the Committee on Budget and Finance on the work of its thirty-third session	

Annex VI

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

I. Introduction

1. The proposed budget for Major Programme IV (Secretariat of the Assembly of States Parties) was outlined in the 2020 Proposed Budget for the International Criminal Court (“the Court”) and submitted to the Committee on Budget and Finance (“the Committee”) for its consideration. On 13 November 2019, the final version report of the Committee’s thirty-third session was issued.¹

2. On 30 September 2019, the Pre-Trial Chamber issued a confidential decision confirming the charges of war crime and crimes against humanity brought by the Prosecutor against Mr Al Hassan and committed him to trial. As a result, and on 28 October 2019, the Court submitted to the Committee the first addendum increase to the 2020 proposed budget for Major Programme III (Registry) in a total amount of €230.7 thousand under *Counsel for Defence* budget line item.

3. On 19 November 2019, the Court withdrew the addendum and informed the Committee that it would absorb the increase within the originally approved budget for Major Programme III.

4. On 28 November 2019, the Committee was notified of a second addendum to the proposed programme budget following developments in relation to two bodies mandated by the Assembly of States Parties (“the Assembly”) with a total cost of €479.7 thousand.

II. Background

5. The proposed Independent Expert Review of the Court has been discussed within the Bureau and its Working Groups throughout 2019. The details of the review, including who would undertake it and how their work would be conducted, were the subject of extensive discussions in the latter months of 2019.

6. The Committee on the Election of the Prosecutor (“CEP”) was effectively established by the Bureau on 3 April 2019 via the adoption of Terms of Reference for the Election of the Prosecutor.² The Terms of Reference provide that the mandate of the CEP is to facilitate the nomination and election of the next Prosecutor. The Bureau determined that the CEP would be composed of five members, designated by the Bureau based on consultations with the regional groups, and assisted by a panel of five independent experts appointed by the Bureau.

III. Addendum to the Proposed Budget for Major Programme IV

7. The Court’s proposed programme budget for 2020, as submitted on 12 July 2019, contained a total requested budget for Major Programme IV of €2,837.0 thousand.

8. According to the addendum submitted by the Court on 28 November 2019, the costs related to the proposed Independent Expert Review (€435.1 thousand) and the Committee on the Election of the Prosecutor (€44.6 thousand) amount to a total increase of €479.7 thousand. It is proposed that this amount be contained in a new programme within Major Programme IV, Programme 4600 (Assembly-mandated bodies in 2020), as outlined in Table 1 below:

* Previously issued as ICC-ASP/18/15/Add.1.

¹ ICC-ASP/18/15.

² ICC-ASP/18/INF.2.

Table 1. Additional resources for Programme 4600 (Assembly-mandated bodies in 2020) (thousands of euro)

<i>Major Programme IV: 4600</i>	<i>Proposed 2020 Budget</i>
Temporary assistance for meetings	7.1
<i>Subtotal Other-staff</i>	<i>7.1</i>
Travel	166.6
Contractual services	30.0
Consultants	276.0
<i>Subtotal Non-staff</i>	<i>472.6</i>
Total	479.7

9. Consequently, the amended 2020 proposed budget for the Secretariat of the Assembly became a total of €3,316.7 thousand (or 16.7 per cent increase in comparison to 2019 approved budget), and the amended 2020 proposed programme budget for the Court became a total of €147,419.4 thousand excluding the host State loan (or 2 per cent increase in comparison to 2019 approved budget). The Committee noted that the Bureau has suggested that the total amount of this Addendum to be financed from the cash surplus of 2017.

10. The Committee considered this additional request taking into consideration the original requested amount for the Secretariat of the Assembly of €2,837 thousand together with an additional information provided.

11. As regard to the proposed Independent Expert Review of the Court with a total amount of €435.1 thousand, the Committee when considering the additional information provided noted several discrepancies:

- i. the amount calculated for the remuneration of each expert was based on two-months period, while the travel was calculated using 65 days, which is more than the duration of the contract;
- ii. the calculation of the daily subsistence allowance used the reduced percentage (67 per cent) for the whole period of 65 days, while the correct calculation is to use 100 per cent for the first 60 days and the reduced rate for the remaining five days;
- iii. when calculating the flight costs for the nine experts, there was no indication that one or more experts could be locally contracted, therefore, no travel cost should be incurred; and
- iv. no budget was estimated for the interpretation services.

12. **The Committee identified potential areas for efficiencies from (i) travel cost and (ii) procurement process. Therefore, the Committee recommended in order to achieve the best value for money that selecting experts should follow the Court's procurement process, where an expression of interest shall be advertised with terms of reference on the work to be done.**

13. **As this is an exceptional project for 2020 only and taking into consideration the efficiency that might be achieved following a procurement process, the Committee recommended a total amount of €435.1 thousand be approved by the Assembly to be added to the budget of Major Programme IV.**

14. **Further, the Committee recommended that the usage of this exceptional budget of €435.1 thousand be limited to the purpose of the Expert Review. Any surplus from this amount should go to the miscellaneous income account. The Committee requested the Court to submit a detailed report on the actual expenditure incurred at its thirty-fourth session.**

15. **As regard to the work of the Committee on the Election of the Prosecutor with a total amount of €44.6 thousand, the Committee considered the additional information provided and recommended the Assembly to approve the total amount of**

€44.6 thousand and requested the Court to submit a separate report on the actual expenditure incurred at its thirty-fourth session.

16. As a result of this addendum to the budget, the total appropriation for States Parties for 2020 budget will increase in the amount of €479.7 thousand.

Part C

Related documents

1. Financial statements of the International Criminal Court for the year ended 31 December 2018*

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Letter of transmittal

27 May 2019

In accordance with Financial Regulation 11.1 the Registrar shall submit to the Auditor accounts for the financial period. I have the honour of submitting the financial statements of the International Criminal Court for the financial period 1 January to 31 December 2018.

Gela Abesadze
Chief of Finance Section
Peter Lewis
Registrar

Michel Camoin
External Audit Director
Cour des Comptes,
13 rue Cambon,
75100 Paris Cedex 01
France

Statement on Internal Financial Control

Scope of responsibilities

In accordance with Financial Rule 101.1(b), the Registrar in his capacity as principal administrative officer of the Court is “*responsible and accountable for ensuring that these Rules are administered in a coherent manner by all organs of the Court, including through appropriate institutional arrangements with the Office of the Prosecutor with regard to management and administrative functions falling under the authority of that Office by virtue of article 42, paragraph 2, of the Rome Statute*”. Financial Regulation 11 and, *inter alia*, Rule 111.1, assign responsibility for the accounts to me. In accordance with this Financial Regulation and Rule, I have prescribed and maintained financial and subsidiary records, established the accounting procedures of the Court and designated the officials responsible for performing accounting functions.

In line with the Court’s Financial Regulation 1.4, these “*Regulations shall be implemented in a manner consistent with the responsibilities of the Prosecutor and the Registrar as set out in articles 42, paragraph 2, and 43, paragraph 1, of the Rome Statute. The Prosecutor and the Registrar shall cooperate, taking into account the independent exercise by the Prosecutor of his or her functions under the Statute*”.

Furthermore, in accordance with Financial Regulation 10.1(c), as Registrar I have responsibility for maintaining “an internal financial control which shall provide for effective current examination and/or review of financial transactions in order to ensure:

- (i) The regularity of the receipt, custody and disposal of all funds and other financial resources of the Court;
- (ii) The conformity of obligations and expenditures with the appropriations or other financial provisions voted by the Assembly of States Parties, or with the purposes and rules relating to trust funds and special accounts; and
- (iii) The economic use of resources of the Court”.

Having made appropriate institutional arrangements in cooperation with the Office of the Prosecutor as provided for in Rule 101.1(b), I am satisfied that appropriate systems of internal financial control were in place throughout the financial period of 2018.

Review of effectiveness of the system of internal financial control

The effectiveness of the system of internal financial control and compliance with the Court’s Financial Regulations and Rules relies on operational managers (certifying officers) within the Court.

My review of the effectiveness of the system of internal control and compliance with the Court’s Financial Rules and Regulations is informed by the work of the internal auditors and comments made by the external auditors in their reports.

I am satisfied that I have received the necessary assurances to confirm that an appropriate framework of internal financial control was in place during 2018.

Peter Lewis
Registrar

27 May 2019

Independent auditor's opinion

Cour des comptes
FRANCE



The First President

Paris, - 1 *juin*, 2019

To Mr Peter Lewis
Registrar
International Criminal Court

AUDIT OPINION

Opinion

We have audited the Financial Statements of the International Criminal Court ("the Court"), for the 12 months period ended 31 December 2018. These Financial Statements include a Statement of Financial Position as at 31 December 2018, a Statement of Financial Performance, a Statement of Changes in Net Assets/Equity, a Statement of Cash Flow, a Statement of Comparison of Budget and Actual Amounts and Notes including a summary of the accounting policies and other information. A set of seven schedules presenting some additional information under United Nations System Accounting Standards (UNSAS), outside the scope of this audit, have also been added in an annex to the Financial Statements.

Based on our audit, the Financial Statements give a fair view of the financial position of the International Criminal Court as at 31 December 2018, as well as the financial performance, the changes in net assets, the cash flow and the comparison of budget and actual amounts for the 12 months period ended 31 December 2018 in conformity with the International Public Sector Accounting Standards (IPSAS).

Basis for Opinion

We have conducted our audit in accordance with the International Standards on Auditing (ISA) and in accordance with the additional terms of reference defined in Article 12 of the Financial Regulations of the Organization. These Standards require us to comply with the ethical rules and to plan and perform our audit in order to obtain a reasonable assurance that the financial statements are free from material misstatements. As required by the Charter of ethics of the *Cour des comptes*, we guarantee the independence, the fairness, the neutrality, the integrity and the professional discretion of the auditors. Furthermore, we also fulfilled our other ethical obligations in compliance with the Code of Ethics of the International Organization of Supreme Audit Institutions (INTOSAI). The responsibilities of the auditor are more extensively described in the section "Auditor's Responsibilities for the Audit of the Financial Statements".

We believe that the audit evidence collected is sufficient and appropriate to constitute a reasonable basis for our opinion.

.../

Management's Responsibilities for the Financial Statements

By virtue of Regulation 11 of the Financial Regulations, the Registrar of the Court is responsible for preparing and presenting the financial statements. These statements are in conformity with the IPSAS. This responsibility includes the design, implementation and monitoring of internal control procedures to ensure the preparation and the fair presentation of financial statements, free of significant misstatements, resulting either from frauds or errors. This responsibility also includes the determination of fair accounting estimates adapted to the circumstances.

Auditor's Responsibilities for the Audit of the Financial Statements

The goal of the audit is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

An audit therefore consists in implementing audit procedures in order to collect audit evidence regarding the amounts and the information presented in the financial statements. The External Auditor takes into account the internal control in effect in the entity, relative to the establishment and preparation of financial statements, so as to define appropriate audit procedures in the circumstances, and not with the aim of expressing an opinion on the effectiveness of this control. The choice of the audit procedures is based on the External Auditor's professional judgment, as is the case for the risk evaluation of the financial statements, for the assessment of the appropriateness of the accounting policies and of the accounting estimates, and for the overall presentation of the financial statements.


Didier MIGAUD

Statement I

International Criminal Court - Statement of financial position as at 31 December 2018 (in thousands of euros)

	<i>Note.</i>	<i>2018</i>	<i>2017 (restated)</i>
Assets			
<i>Current assets</i>			
Cash and cash equivalents	3	18,892	7,082
Accounts receivable (non-exchange transactions)	4	14,832	24,432
Other accounts receivable	5	1,352	1,128
Prepayments and other current assets	6	2,935	2,321
<i>Total current assets</i>		<i>38,011</i>	<i>34,963</i>
<i>Non-current assets</i>			
Accounts receivable (non-exchange transactions)	4	31	36
Property, plant and equipment	7	179,103	189,286
Intangible assets	8	1,530	1,109
Reimbursement right	10	28,648	28,688
<i>Total non-current assets</i>		<i>209,312</i>	<i>219,119</i>
Total assets		247,323	254,082
Liabilities			
<i>Current liabilities</i>			
Accounts payable	9	5,728	5,715
Employee benefit liabilities	10	10,129	10,631
Host State loan	11	1,843	1,801
Deferred revenue and accrued expenses	12	8,756	8,872
Provisions	13	1,212	2,380
<i>Total current liabilities</i>		<i>27,668</i>	<i>29,399</i>
<i>Non-current liabilities</i>			
Accounts payable	9	636	505
Employee benefit liabilities	10	59,345	54,645
Host State loan	11	68,865	70,708
<i>Total non-current liabilities</i>		<i>128,846</i>	<i>125,858</i>
Total liabilities		156,514	155,257
Net assets/equity			
Contingency Fund	14	5,243	3,764
Working Capital Fund	14	9,058	17
Other fund balances	14	76,508	95,044
Total net assets/equity		90,809	98,825
Total liabilities and net assets/equity		247,323	254,082

(a) The accompanying notes form an integral part of these financial statements.

Statement II

International Criminal Court - Statement of financial performance for the year ended 31 December 2018 (in thousands of euros)

	Note.	2018	2017
Revenue			
Assessed contributions	15	145,446	140,060
Voluntary contributions	15	2,038	1,662
Financial revenue	15	158	161
Other revenue	15	413	219
Total revenue		148,055	142,102
Expenses			
Employee benefit expenses	16	108,099	106,865
Travel and hospitality	17	5,668	6,632
Contractual services	18	6,158	5,550
Counsel fees	19	5,603	6,243
Operating expenses	20	12,969	14,302
Supplies and materials	21	2,456	2,151
Depreciation and amortization	22	12,344	12,311
Financial expenses	23	1,860	1,894
Total expenses		155,157	155,948
<i>Surplus/(deficit) for the period</i>		<i>(7,102)</i>	<i>(13,846)</i>

(b) The accompanying notes form an integral part of these financial statements.

Statement III

International Criminal Court - Statement of changes in net assets/ equity for the year ended 31 December 2018 (in thousands of euros)

	General								
	General Fund							Trust Funds	Total Net Assets/equity
	Working Capital Fund	Contingency Fund	Funds for Employee Benefit Liabilities	Cash Surplus/ (Deficit)	Pre-measurement of post-employment related plans	Other General Fund Balances			
Opening balance as at 1 January 2017	3,664	5,791	172	5,394	(3,419)	102,626	1,623	115,852	
Movement in net assets/equity in 2017									
Surplus/(deficit)	-	-	-	-	-	(13,917)	71	(13,846)	
Net remeasurement gains/(losses) post-employment plans	-	-	-	-	(3,231)	-	-	(3,231)	
Transfers	(3,647)	(2,027)	307	(5,394)	-	10,761	-	-	
Prior year cash surplus/(deficit)	-	-	-	(5,622)	-	5,622	-	-	
2015 Trust Fund for Victims Secretariat's surplus	-	-	-	-	-	50	-	50	
Total movements during the year	(3,647)	(2,027)	307	(11,016)	(3,231)	2,516	71	(17,027)	
Total net assets/equity as at 31 December 2017	17	3,764	479	(5,622)	(6,650)	105,142	1,695	98,825	
Movement in net assets/equity in 2018									
Surplus/(deficit)	-	-	-	-	-	(7,427)	325	(7,102)	
Net remeasurement gains/(losses) post-employment plans	-	-	-	-	(1,391)	-	-	(1,391)	
Transfers	9,041	1,479	(216)	5,622	-	(15,926)	-	-	
Prior year cash surplus/(deficit)	-	-	-	2,993	-	(2,993)	-	-	
2016 Trust Fund for Victims Secretariat's surplus	-	-	-	-	-	476	-	476	
Total movements during the year	9,041	1,479	(216)	8,615	(1,391)	(25,870)	325	(8,016)	
Total net assets/equity as at 31 December 2018	9,058	5,243	263	2,993	(8,041)	79,272	2,021	90,809	

(c) The accompanying notes form an integral part of these financial statements

Statement IV

International Criminal Court - Statement of cash flows for the year ended 31 December 2018 (in thousands of euros)

	Note.	2018	2017 (restated)
Cash flows from operating activities			
Surplus/(deficit) for the period (Statement II)		(7,102)	(13,846)
Unrealized foreign exchange differences		(56)	2
Discount on host State loan		-	-
Depreciation and amortization		12,344	12,311
(Gain)/loss on disposal of property, plant and equipment		23	12
Interest expense		1,784	1,826
(Increase)/decrease in accounts receivable from non-exchange transactions		9,605	(10,495)
(Increase)/decrease in other accounts receivable		(224)	2,078
(Increase)/decrease in prepayments and other current assets		(637)	654
(Increase)/decrease in reimbursement right		40	(3,159)
Increase/(decrease) in accounts payable		621	(12)
Increase/(decrease) in employee benefit liabilities		4,198	8,077
Remeasurement (gain)/loss of post-employment related plans		(1,391)	(3,231)
Increase/(decrease) in deferred revenue and accrued expenses		(117)	(2,959)
Increase/(decrease) in provisions		(1,168)	123
Less: Interest income		(110)	(158)
Net cash flows from operating activities		17,810	(8,777)
Cash flows from investing activities			
Plus: Interest received		133	88
Proceeds from sale of property, plant and equipment		-	5
Purchase of property, plant and equipment		(1,790)	(1,498)
Purchase of intangible assets		(814)	(155)
Net cash flows from investing activities		(2,471)	(1,560)
Cash flows from financing activities			
Repayment of host State loan		(3,585)	(2,983)
Net cash flows from financing activities		(3,585)	(2,983)
Net increase/(decrease) in cash and cash equivalents		11,754	(13,320)
Cash and cash equivalents at beginning of financial period	3	7,082	20,404
Unrealized foreign exchange gains/(losses) on cash and cash equivalents		56	(2)
Cash and cash equivalents as at 31 December (Statement I)	3	18,892	7,082

(d) The accompanying notes form an integral part of these financial statements

Statement V

International Criminal Court - Statement of comparison of budget and actual amounts for the year ended 31 December 2018 (in thousands of euros)

<i>Major Programme</i>	<i>Appropriation approved</i>	<i>Expenditures charged against General Fund</i>	<i>Surplus/ (deficit) General Fund¹</i>	<i>Expenditures charged against Contingency Fund notification</i>	<i>Total expenditure</i>	<i>Surplus/ (deficit)¹</i>	<i>Contingency Fund notification</i>	<i>Access to Contingency Fund</i>
Judiciary	12,712	12,148	564	89	12,238	474	117	-
Office of the Prosecutor	45,992	43,735	2,257	492	44,227	1,765	553	-
Registry	77,143	75,946	1,197	1,732	77,678	(535)	2539	-
Secretariat of the Assembly of States Parties	2,718	2,683	36	-	2,683	36	-	-
Premises	1,499	1,499	-	-	1,499	-	-	-
Secretariat of the Trust Fund for Victims	2,542	2,031	510	-	2,031	510	-	-
Independent Oversight Mechanism	535	420	115	-	420	115	-	-
Office of Internal Audit	707	666	41	-	666	41	-	-
Host State Loan	3,585	3,585	-	-	3,585	-	-	-
Total	147,432	142,713	4,719	2,313	145,026	2,406	3,209	-

(e) ¹ICC-ASP/17/Res.4, part H

(f) The accompanying notes form an integral part of these financial statements

Notes to the financial statements

1. The International Criminal Court and its objectives

1.1 Reporting entity:

The International Criminal Court (“the Court”) was established by the Rome Statute of the International Criminal Court on 17 July 1998, when 120 States participating in the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court adopted the Statute. The Court is an independent permanent judicial institution with the power to exercise jurisdiction over perpetrators of the most serious crimes of international concern (genocide, crimes against humanity, war crimes and the crime of aggression). The Court has four organs: the Presidency, Chambers (consisting of an Appeals Division, a Trial Division and a Pre-Trial Division), the Office of the Prosecutor and the Registry. The financial statements are prepared for the Court and subsidiary bodies of the Assembly of States Parties (“the Assembly”) other than the Secretariat of the Trust Fund for Victims as described in note 1.2(f).

The seat of the Court was established at The Hague in the Netherlands in accordance with article 3 of the Rome Statute. The Court has also established six country offices to enable it to conduct its field operations. These country offices are in Uganda, the Democratic Republic of the Congo, the Central African Republic, the Republic of Côte d’Ivoire, Mali and Georgia.

1.2 Programme budget:

For the purposes of the 2018 financial period, appropriations were divided into nine major programmes: the Judiciary (the Presidency and Chambers), the Office of the Prosecutor, the Registry, the Secretariat of the Assembly of States Parties (“the Secretariat”), Premises, the Secretariat of the Trust Fund for Victims, Permanent Premises Project – Host State Loan, the Independent Oversight Mechanism and Office of Internal Audit. The composition, role and objectives of each component of the major programmes of the Court are as follows:

(a) Judiciary:

The Presidency:

- (i) Comprises the President and the First and Second Vice-Presidents;
- (ii) Oversees and supports the fair, open and effective conduct of proceedings and performs all judicial functions within its preserve;
- (iii) Is responsible for the proper administration of the Court (with the exception of the Office of the Prosecutor) and oversees the work of the Registry. The Presidency will coordinate with and seek the concurrence of the Prosecutor on all matters of mutual concern; and
- (iv) Broadens global understanding of and support for the work of the Court by representing it in the international arena.

Chambers:

- (v) Comprises an Appeals Division, a Trial Division and a Pre-Trial Division. The Appeals Division is composed of a President and four other judges; the Trial Division and Pre-Trial Division are composed of not less than six judges; and
- (vi) Ensures the conduct of fair, effective and open proceedings, safeguarding the rights of all parties.

(b) The Office of the Prosecutor:

- (i) The Office of the Prosecutor acts independently as a separate organ of the Court;
- (ii) The Office is headed by the Prosecutor, who has full authority over the management and administration of the Office; and

(iii) It is responsible for receiving referrals and any substantiated information on crimes within the jurisdiction of the Court, for examining them and for conducting investigations and prosecutions before the Court.

(c) The Registry:

(i) Provides efficient, effective and high-quality judicial and administrative support services to the Presidency, Chambers, the Office of the Prosecutor, the defence, and victims and witnesses;

(ii) Implements mechanisms to assist and safeguard the rights of victims, witnesses and the defence; and

(iii) Manages the internal security of the Court.

(d) The Secretariat of the Assembly of States Parties:

In its resolution ICC-ASP/2/Res.3 adopted in September 2003, the Assembly established the Secretariat to begin its operations on 1 January 2004. The Secretariat provides the Assembly and its Bureau, the Credentials Committee, the Committee on Budget and Finance (“the Committee”), the Special Working Group on the Crime of Aggression, as well as, upon explicit decision by the Assembly, any subsidiary body that may be established by the Assembly, with independent substantive servicing and administrative and technical assistance.

(i) Organizes conferences of the Assembly and meetings of the subsidiary bodies of the Assembly, including the Bureau and the Committee;

(ii) Assists the Assembly, including its Bureau and subsidiary bodies, in all matters relating to their work, with particular emphasis on the effective scheduling and procedurally correct conduct of meetings as well as consultations;

(iii) Enables the Assembly and its subsidiary bodies to carry out their mandate more effectively by providing them with high-quality substantive servicing and support, including technical services.

(e) Premises:

Stakeholders are provided with an overview of the resources required by the Court for the maintenance of its permanent premises.

(f) Secretariat of the Trust Fund for Victims:

The Secretariat of the Trust Fund for Victims administers the Trust Fund for Victims, offers administrative support to the Board of the Trust Fund for Victims and its meetings and operates under the full authority of the Board. The Trust Fund for Victims was established by the Assembly in its resolution ICC-ASP/1/Res.6. By resolution ICC-ASP/4/Res.3 the Assembly adopted the Regulations of the Trust Fund for Victims, which state that the Trust Fund is a separate reporting entity. The revenue from assessed contributions and expenses of the Secretariat of the Trust Fund for Victims are reported in the Statement of Financial Performance of the Trust Fund for Victims. For more information regarding the Trust Fund for Victims please refer to the financial statements of the Trust Fund for Victims for 2018.

(g) Permanent Premises Project – Host State Loan:

The Court established the Permanent Premises Project – Host State Loan in the 2011 Approved Programme Budget to report on the interest and capital to be paid on the loan amounts received by the Court for the Permanent Premises Project, in response to requests from the Committee and the Assembly. This originates from the Assembly’s acceptance of the host State’s offer of a loan for the permanent premises to be repaid over a period of 30 years at an interest rate of 2.5 per cent.

(h) Independent Oversight Mechanism:

By resolution ICC-ASP/8/Res.1 the Assembly established the Independent Oversight Mechanism (IOM) as a major programme. This independent oversight mechanism is located next to, but is not integrated into or subordinate to, the Office of Internal Audit at the seat of the Court in The Hague. The scope of the

Independent Oversight Mechanism, as envisaged under article 112(4) of the Rome Statute, includes investigation, evaluation and inspection.

(i) Office of Internal Audit:

The Office of Internal Audit (OIA) assists the Court in the achievement of its strategic and operational objectives by systematically reviewing systems and operations across all areas of the Court. These reviews (audits) are aimed at identifying how well potential threats and opportunities (risks) are managed, including whether the correct processes are in place and whether agreed procedures are being adhered to. The Office also provides advisory services at the request of the management of the Court. The Office reports to the Chair of the Audit Committee.

1.3 Tax exemption:

According to (i) the Headquarters Agreement signed between the Kingdom of the Netherlands and the Court, and more particularly its article 15, and (ii) the Agreement on Privileges and Immunities of the International Criminal Court, and more particularly its article 8, the Court is exempt from all direct taxes, except charges for public utility services, and is exempt from customs duties and charges of a similar nature in respect of articles imported or exported for its official use.

2. Summary of significant accounting and financial reporting policies

Basis of preparation

2.1 The Court's financial statements are maintained in accordance with the Financial Regulations and Rules of the Court, as adopted by the Assembly at its first session in September 2002, and the amendments thereto. The Court's financial statements have been prepared on the accrual basis of accounting in compliance with the IPSAS. These notes form an integral part of the Court's financial statements. Figures in the statements and notes are rounded to thousand euros. Amounts may not add-up due to rounding difference.

2.2 Financial period: the financial period is one calendar year.

2.3 Historical cost basis: the financial statements are prepared on the historical cost basis of accounting.

Currency of accounts and treatment of exchange rate movements

2.4 The Court's functional and presentation currency is the euro.

2.5 Foreign currency transactions are translated into the functional currency using the United Nations operational rates of exchange which approximate the exchange rates prevailing at the dates of the transactions. Foreign exchange gains and losses resulting from the settlement of such transactions, and from the translation at year-end of exchange rates of monetary assets and liabilities denominated in foreign currencies, are recognized in the Statement of financial performance.

2.6 Non-monetary assets and items that are measured in terms of historical cost in foreign currency are translated using the exchange rate at the date of the transaction and are not retranslated at the reporting date.

Use of estimates and judgements

2.7 The preparation of the financial statements in conformity with IPSAS requires management to make judgements, estimates and assumptions that affect the application of accounting policies and the reported amounts of assets, liabilities, revenue and expenses. The estimates and associated assumptions are based on past experience and various other factors that are believed to be reasonable under the circumstances, and information available at the date of preparation of the financial statements, the results of which form the basis of judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

2.8 The estimates and underlying assumptions are reviewed on an on-going basis. Revisions to accounting estimates are recognized in the period in which the estimate is revised and any future periods affected.

2.9 The judgements made by management in the application of IPSAS that have a significant effect on the financial statements and estimates with a significant risk of material adjustment in the next year are as follows:

(a) The Court recognized provisions as a result of litigations initiated against the Court where it is likely that there will be an outflow of resources to settle the claims and the amounts can be reliably estimated. The provision made was based on professional legal advice; and

(b) Provision for doubtful debt is recognized in respect of a receivable from a person to whom the Court was advancing funds on the basis of a judicial decision to cover legal representation. The recovery of this advance is considered uncertain.

Cash and cash equivalents

2.10 Cash and cash equivalents are held at nominal value and comprise cash on hand, funds held in current accounts, interest-bearing bank accounts and time deposits with a maturity of less than three months.

Financial instruments

2.11 The Court classifies its financial instruments as loans and receivables and other financial liabilities. Financial assets consist mainly of short-term bank deposits and accounts receivable. Financial liabilities consist of a long-term loan for the construction of the premises and accounts payable.

2.12 All financial instruments are initially recognized in the Statement of financial position at their fair values plus transaction costs. Subsequently, they are measured at amortized cost using the effective interest rate method. The historical cost-carrying amount of receivables and payables subject to normal trade credit terms approximates the fair value of the transaction.

Financial risks

2.13 In the normal course of business, the Court is exposed to financial risk, such as market risk (foreign currency exchange and interest rate), credit risk and liquidity risk.

2.14 Currency risk: the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in foreign exchange rates. The Court is exposed to currency risk through transactions in foreign currencies relating mostly to its field operations.

2.15 Interest rate risk: the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The Court deposits its funds only in short-term fixed interest accounts, and therefore has no significant interest rate risk exposure. The loan granted by the host State carries a fixed interest rate and does not expose the Court to interest rate risk.

2.16 Credit risk: the risk that one party to a financial instrument will cause a financial loss for the other party by failing to discharge an obligation. The Court is exposed to credit risk through receivables related to assessed contributions from States Parties. Assessed contributions comprise the majority of the Court's receivables. States Parties are required to make timely payments of contributions – within 30 days of receipt of the note verbale from the Court. The Court has regularly contacted States Parties with outstanding contributions to remind them of their obligations. Furthermore, the Assembly of States Parties (“the Assembly”) and its governing bodies are required to increase their political and diplomatic contacts with States with outstanding contributions, especially those with large arrears.

2.17 Other credit risks are advances of funds based on judicial decisions to cover legal representation of accused persons who are not considered indigent and deposits at banks. The Court has policies that limit exposure to risk of deposits in any one financial institution.

2.18 Liquidity risk: The current high level of outstanding contributions is an area of concern and remains a primary risk factor for the Court's liquidity and cash flow in 2019.

Receivables

2.19 Receivables and advances are recognized initially at nominal value. Allowances for estimated irrecoverable amounts are recognized for receivables and advances when there is objective evidence that the asset is impaired, the impairment losses being recognized in the statement of financial performance.

Prepayments and other current assets

2.20 Other current assets include interest accrued on bank accounts and deposits. Prepayments include education grants which will be recognized as expenses in the subsequent reporting period. The Statement of financial position shows as a prepayment that portion of the education grant advance which is assumed to pertain to the remainder of the school year after the date of the financial statement. Expenses are recognized evenly over the school year and charged to the budgetary account.

Property, plant and equipment

2.21 Property, plant and equipment are tangible assets that are held for use in the supply of services or for administrative purposes.

2.22 Items of property, plant and equipment are measured at cost less accumulated depreciation and impairment losses.

2.23 The cost of a self-constructed asset is determined using the same principles as for an acquired asset. Any abnormal amount of waste of material, labour or other resources incurred in construction of a self-constructed asset is not included in the cost of the asset. Borrowing costs are not recognized as a component of property, plant and equipment costs and are expensed as incurred.

2.24 The costs capitalized as part of the permanent premises include project management fees, architect fees, legal fees, other directly related consultant and expert fees, fees for permits, direct labour and material costs.

2.25 Based on the deed dated 23 March 2009 between the host State and the Court establishing the ground lease and building and planting rights, land ready for development was leased to the Court for no consideration. The lease may be terminated by mutual consent at the end of the Court's mandate or by a decision of the Assembly. The land is recognized as an asset of the Court.

2.26 The cost of replacing part of an item of property, plant and equipment is recognized in the carrying amount of the item if it is probable that the future economic benefits embodied within the part will flow to the Court and its cost can be measured reliably. The costs of the day-to-day servicing of property, plant and equipment are recognized in surplus/deficit as incurred.

2.27 Depreciation is recognized in surplus/deficit on a straight-line basis over the estimated useful lives of each part of an item of property, plant and equipment. Land is not depreciated.

2.28 Estimated useful lives are as follows:

	<i>2018</i>
Motor vehicles	4 - 6 years
ICT equipment	3.5 - 5 years
Furniture and fittings	7 - 10 years
Building components	4 - 40 years
Other assets	5 - 20 years

Permanent Premises

2.29 The Permanent Premises Project was established by the Assembly by resolution ICC-ASP/4/Res.2, which emphasised that “the Court is a permanent judicial institution and as such requires functional permanent premises to enable the Court to discharge its duties effectively and to reflect the significance of the Court for the fight against impunity”, reiterating the importance of permanent premises to the future of the Court.

2.30 The Permanent Premises Project was funded by:

(a) The Ministry of Foreign Affairs of the host State, the Netherlands, through a loan to the Court, to be repaid over a period of 30 years at an interest rate of 2.5 per cent, on the basis of Annex II to resolution ICC-ASP/7/Res.1. The interest is to be paid annually, as of the first utilization of the host State loan. Repayment of the loan, through regular annual instalments, commenced after expiration of the leases on the interim premises by 30 June 2016;

(b) Assessed Contributions based on the principles laid out in resolution ICC-ASP/7/Res.1 annex III for one-time payments of the assessed share;

(c) Voluntary contributions from governments, international organizations, individuals, corporations and other entities, in accordance with annex VI of ICC-ASP/6/Res.1 adopted by the Assembly on the establishment of a permanent premises construction trust fund; and

(d) Other resources as per the Assembly decisions ICC-ASP/14/Res.1 and ICC-ASP/15/Res.2.

2.31 Upon completion of the Permanent Premises construction in November 2015, the building was capitalized and depreciated in line with the useful lives of various components of the building.

Leases

2.32 Lease agreements entered into at field offices and Headquarters are classified as operating leases and the lease payments made are charged to the statement of financial performance as expenses on a straight-line basis over the period of the lease.

Intangible assets

2.33 Intangible assets consist of purchased or internally developed computer software and licences. These assets are amortized using the straight-line method based on an expected useful life or over the licence validity period.

Impairment of non-cash generating assets

2.34 The assets that the Court holds are normally not held to generate commercial returns and are therefore non-cash generating assets.

2.35 Impairment represents a loss in the future economic benefits or service potential of an asset, over and above the systematic recognition of the loss of the asset’s future economic benefits or service potential through depreciation or amortization.

2.36 The asset is impaired if the carrying amount of the asset is higher than the recoverable service amount. The recoverable service amount is the higher of the assets’ fair value less cost to sell and its value in use.

2.37 Fair value less cost to sell is the bid price from an active market or a sale price in a binding sale agreement in an arm’s length transaction.

2.38 Value in use is the present value of an asset’s remaining service potential which can be determined using the depreciated replacement cost approach, the restoration cost approach or the service units approach.

2.39 Impairment loss is recognized in net surplus/deficit. Once an impairment loss has been recognized, the depreciation (amortization) charge for the asset will be adjusted in future periods to allocate the asset's revised carrying amount, less its residual value (if any), on a systematic basis over its remaining useful life.

2.40 The Court will assess at each reporting period whether there is any indication that the impairment loss recognized in a previous period no longer exists or has decreased. If this is the case, the carrying amount of the asset will be increased to its recoverable service amount but no higher than the amount at which the asset would be carried had the impairment loss not been recognized in the first place. That increase is a reversal of an impairment loss which is recognized in net surplus/deficit.

Reimbursement right

2.41 The Court recognized the reimbursement right which arises under the insurance policy with Allianz NL and which exactly matches the amount and timing of the benefits payable under a defined benefit plan for judges' pensions. The fair value of the reimbursement right is deemed to be the present value of the related obligation.

Accounts payable

2.42 Accounts payable are recognized initially at nominal value, which best estimates the amount required to settle the obligation at the reporting date.

Deferred revenue and accrued expenses

2.43 Deferred revenue includes pledged contributions for future financial periods and other revenue received but not yet earned.

2.44 Accrued expenses are recognized in respect of goods and services delivered during the reporting period for which payments have not been made.

Related party disclosures

2.45 The Court will disclose related parties that have the ability to exercise control or significant influence over the Court by making financial and operational decisions, or will disclose if a related party and the Court are subject to common control. Transactions that are within a normal supplier or client/recipient relationship on terms and conditions no more or less favourable than those done at arm's length in the same circumstances between the Court and its related parties will not be considered as related party transactions and therefore will not be disclosed.

2.46 The key management personnel of the Court are the President, the Chef de Cabinet, the Registrar, the Prosecutor, the Deputy Prosecutor and the Directors, all of whom have the authority and responsibility for planning, directing and controlling the activities of the Court and influencing its strategic direction. The remuneration and benefits of key management personnel are disclosed. In addition, the Court will disclose any specific transactions with key management personnel and their family members.

Employee benefit liabilities

2.47 Employee benefit expenses and corresponding liabilities are recognized as services rendered by employees. Employee benefits are classified as short-term benefits, post-employment benefits, other long-term benefits or termination benefits.

2.48 Short-term benefits fall due for settlement within the twelve months after service is rendered and include salary, various allowances, paid sick leave and annual leave. Short-term employee benefits are recognized as expense and liability as services are rendered. Benefits that are earned but not yet paid are recorded as expenses in the period to which they relate and reported in the Statement of financial position as liabilities or provisions.

2.49 Annual leave is recognized as an expense as employees render services that increase their entitlement to future compensated absences.

2.50 Post-employment benefits include pension benefits and after-service health insurance (ASHI).

2.51 United Nations Joint Staff Pension Fund (UNJSPF): in accordance with decision ICC-ASP/1/Decision 3 of the Assembly and United Nations General Assembly resolution 58/262 adopted on 23 December 2003, the Court became a member organization of the UNJSPF with effect from 1 January 2004. The UNJSPF provides retirement, death, disability and related benefits to Court staff. The Pension Fund is a funded, multi-employer defined benefit plan. As specified in Article 3(b) of the Regulations of the Fund, membership in the Fund shall be open to the specialized agencies and to any other international, intergovernmental organization which participates in the common system of salaries, allowances and other conditions of service of the United Nations and the specialized agencies.

2.52 The plan exposes participating organizations to actuarial risks associated with the current and former employees of other organizations participating in the Fund, with the result that there is no consistent and reliable basis for allocating the obligation, plan assets and costs to individual organizations participating in the plan. The Court and the UNJSPF, in line with the other participating organizations in the Fund, are not in a position to identify the Court's proportionate share of the defined benefit obligation, the plan assets and the costs associated with the plan with sufficient reliability for accounting purposes. Hence, the Court has treated this plan as if it were a defined contribution plan in line with the requirements of IPSAS 39 Employee Benefits. The Court's contributions to the plan during the financial period are recognized as expenses in the Statement of Financial Performance.

2.53 Pension benefits for judges: the scheme is a defined benefit scheme which provides the following for its members: a defined retirement pension for judges after the completion of the nine-year term (prorated if a nine-year term is not completed); a pension for the surviving spouse at 50 per cent of the judges' entitlement; and a disability pension for judges aged 65 and under. During its seventh session held from 9 to 13 October 2006, the Committee recommended that the Court accept the tender of Allianz NL to provide the judges' pension scheme. The Committee's recommendation was accepted by the Assembly during its fifth session (See ICC-ASP/5/32, page 16, paragraph 31). Allianz NL have been designated as administrators of the judges' pension scheme. The contract commenced on 31 December 2008 and is valid until 31 December 2019. In case of renewal of existing contract with Allianz, or termination of current contract and change to another insurer the premium rates, administration and investment management fees, as well as other conditions of coverage may be affected. Upon termination of current contract and change of provider, if the Court will decide to leave the investments with current insurer, Allianz will be responsible for payment of judges pensions paid up until the date of termination. In this case the Court will continue to pay investment management and administration fees to Allianz. Alternatively, the Court can elect to transfer the investments to another insurer of pension fund of the Court's choice or to the Court.

2.54 ASHI: the Court's group health insurance plan is also available to staff upon retirement. The Court provides a subsidy on premium payments of retirees in amount of 50 per cent. ASHI is a defined benefit plan.

2.55 For defined benefit plans, the projected unit credit method is used to measure obligations and costs. Benefits are attributed to periods of service under the plan's benefit formula. The present value of a defined benefit obligation is the present value of expected future payments required to settle the obligation resulting from employee service in the current and prior periods. The present value of defined benefit obligations is calculated using unbiased and mutually compatible actuarial assumptions.

2.56 Other long-term employee benefits: comprise separation benefits (including repatriation grant, relocation allowance, travel, shipment and insurance of household effects), home leave, family visit, death grant and survivor's benefit. Other long-term benefits are measured using the projected unit credit method.

2.57 Post-employment benefits and other long-term benefits are calculated by independent actuaries.

2.58 Termination benefits are benefits payable as a result of a decision by the Court to terminate a staff member's employment before the normal retirement date. Termination benefits are recognized as a liability and an expense when it has been confirmed that, due to restructuring, a staff member's contract of employment is to be terminated.

Host State loan

2.59 The loan described in note 2.29(a) was initially recognized at fair value. The fair value at initial recognition amounts to a net present value of future cash flows using the effective interest rate. Subsequently, the loan is recognized at amortized cost using the effective interest rate.

Provisions and contingent liabilities

2.60 Provisions are recognized when the Court has a present legal or constructive obligation as a result of past events, it is more likely than not that an outflow of resources will be required to settle that obligation, and the amount can be reliably estimated. The amount of the provision is the best estimate of the expenditure required to settle the present obligation at the reporting date. If the outflow of economic benefits to settle the obligations is no longer probable, the provision is reversed.

2.61 Contingent liability is a possible obligation that arises from past events and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Court, or a present obligation which will probably not result in an outflow of economic resources/service potential or the amount of obligation cannot be measured with sufficient reliability. Contingent liabilities, if any, are disclosed in the notes to the financial statements.

Non-exchange revenue

2.62 Assessed contributions revenue is recognized when the assessments to the States Parties of the adopted programme budget have been approved by the Assembly at the beginning of the year to which assessment relates.

2.63 In accordance with Regulation 5.2 of the Financial Regulations and Rules, the appropriations are assessed to States Parties in line with the scale of assessments adopted by the United Nations for its regular budget, adjusted to reflect differences in membership between the United Nations and the Court. In accordance with Regulation 5.8, payments made by a State Party are credited first to the Working Capital Fund, then to the contributions due to the General Fund, and lastly to the Contingency Fund, in the order in which the State Party was assessed. Contributions paid in other currencies are converted into euros at the rate of exchange in effect on the date of payment.

2.64 Voluntary contributions: revenue from voluntary contributions that include restrictions on their use is recognized upon signature of a binding agreement between the Court and the donor providing the contribution. Revenue from voluntary contributions that attach conditions to their use, including an obligation to return the funds to the contributing entity if such conditions are not met, is recognized as the conditions are satisfied. Until such conditions are met, the obligation is recognized as a liability. Voluntary contributions and other revenue which are not provided for by binding agreements are recognized as revenue when received.

2.65 Assessed contributions to replenishment of the Contingency Fund: are recognized as revenue when approved by the Assembly in the period for which replenishment is approved. If the fund is replenished through application of cash surpluses, such replenishment is not recognized as revenue but as transfer between the funds in net assets/equity.

2.66 Goods-in-kind contributions are recognized at their fair value and goods and the corresponding revenue are recognized immediately if no condition is attached. If conditions are attached, a liability is recognized until such time as the conditions are met and the obligation is satisfied. Revenue is recognized at fair value, measured as of the date of acquisition of the donated assets.

2.67 Services-in-kind: revenue resulting from services-in-kind is not recognized. Major services-in-kind are disclosed in the financial statements, including their fair value, when it is practicable to determine it.

Exchange revenue

2.68 Financial revenue: comprises interest revenue and net foreign exchange gains. Interest revenue is recognized in the Statement of financial performance as it accrues, taking into account the effective yield on the asset. At the end of the financial period, a net balance of the account for foreign exchange gains and losses, if positive, is recognized as revenue.

2.69 Gains and losses on disposals: of property, plant and equipment are determined by comparing proceeds with the carrying amount, and are included in the Statement of financial performance.

Expenses

2.70 Financial expenses comprise bank charges, interest expenses and net foreign exchange loss. Interest expenses are recognized as they occur for interest-bearing financial instruments, measured at amortized cost using the effective interest rate method. At the end of the financial period, a net balance of the account for foreign exchange gains and losses, if negative, is recognized as an expense.

2.71 Expenses arising from the purchase of goods and services: are recognized at the point that the supplier has performed its contractual obligations, which is when the goods and services are received and accepted by the Court.

Fund accounting and segment reporting

2.72 A segment is a distinguishable activity or group of activities for which it is appropriate to separately report financial information. Segment information is based on principal activities and sources of financing of the Court. Separate financial information is reported for two segments: General and Trust Funds.

2.73 Fund accounting: the Court's accounts are maintained on a fund accounting basis. Trust funds and special accounts funded wholly by voluntary contributions may be established and closed by the Registrar.

2.74 The general segment: accounts for the Court's primary activities under the Rome Statute comprise:

(a) The General Fund: established for the purpose of accounting for the expenditures of the Court;

(b) The Working Capital Fund: established to ensure capital for the Court to meet short-term liquidity problems pending receipt of assessed contributions. The amount of the Working Capital Fund is determined by the Assembly for each financial period and is assessed in accordance with the scale of assessments used for the appropriations of the Court, in accordance with Regulation 6.2; and

(c) The Contingency Fund: established by the Assembly to ensure that the Court can meet costs associated with an unforeseen situation following a decision by the Prosecutor to open an investigation; unavoidable expenses arising from developments in existing situations that could not be foreseen or could not be accurately estimated at the time of adoption of the budget; or costs associated with an unforeseen meeting of the Assembly.

2.75 The trust funds segment: accounts for various activities funded by voluntary contributions and for funds recovered from the accused persons. Trust funds and special accounts are established and closed by the Registrar, who reports on them to the Presidency and, through the Committee, to the Assembly. The trust funds segment does not include activities of the Trust Fund for Victims or the Secretariat of the Trust Fund for Victims which are reported in separate financial statements.

Net assets/equity

2.76 Net assets/equity comprises the Contingency and Working Capital Funds, established and held at a level determined by the Assembly, and surpluses or deficits in the General Fund, including Funds for Employee Benefit Liabilities and Cash surplus, and the trust funds.

2.77 Cash surpluses due to States Parties for a given financial period are funds arising from:

- (a) Unencumbered balances of appropriations;
- (b) Savings on, or cancellation of, prior period obligations;
- (c) Contributions resulting from the assessment of new States Parties;
- (d) Revisions to the scale of assessments taking effect during the financial year; and
- (e) Miscellaneous income as defined in Regulation 7.1.

Unless otherwise determined by the Assembly, surpluses at the end of the financial period, after deducting any assessed contributions for that financial period which remain unpaid, are apportioned to the States Parties based on the scale of assessments applicable to the financial period to which the surplus relates. As of 1 January following the year in which the audit of the accounts of the financial period is completed, the amount of surplus apportioned to a State Party is surrendered if its contribution for that financial period has been paid in full. In such cases, the credit is used to offset, in whole or in part, contributions due to the Working Capital Fund and assessed contributions due for the calendar year following the financial period to which the surplus relates.

2.78 Reserve accounts and special accounts funded wholly or in part by assessed contributions may be established by the Assembly.

Budget comparison

2.79 A comparison of actual amounts with the amounts in the annual programme budget is presented in Statement V. This comparison is made on the same modified cash basis of accounting as adopted for the annual programme budget.

2.80 A reconciliation of the actual amounts on a modified cash basis with actual amounts presented in the financial statements is included in note 24, considering that the full accrual accounting and modified cash basis budget differ.

Restatement of prior year comparatives

2.81 Comparative information for 2017 is restated to reflect correction of an error from actuary in the actuarial calculation of the 2017 defined benefit obligation and reimbursement rights for Judges pension for the total amount of €1,358 thousand identified after the publication of the Court's 2017 Financial Statements. This correction does not affect net assets/equity and has the following effect:

<i>In thousands of euros</i>	<i>2017 Financial Statements ICC-ASP/17/12</i>	<i>Correction</i>	<i>Comparative information in 2018 financial statements</i>
Reimbursement rights	27,330	1,358	28,688
Employee benefit liabilities - current	10,542	89	10,631
Employee benefit liabilities - non-current	53,376	1,269	54,645
Total net assets/equity	98,825	-	98,825

3. Cash and cash equivalents

<i>In thousands of euros</i>	2018	2017
Cash on hand	94	37
Cash at bank	18,798	7,045
Total	18,892	7,082

3.1 Cash and cash equivalents are subject to restrictions such that they can only be utilized in support of the approved activities of the funds to which they were provided. Cash and cash equivalents include an amount equivalent to €206 thousand (2017: €54 thousand) held in currencies other than the euro.

4. Accounts receivable from non-exchange transactions

<i>In thousands of euros</i>	2018	2017
Current		
Assessed contributions receivable (regular budget)	21,122	31,048
Assessed contributions receivable (other)	6	27
Voluntary contributions receivable	35	244
Non-current		
Assessed contributions receivable (other)	31	36
Total accounts receivable, gross	21,194	31,355
Provision for doubtful debt	(6,331)	(6,887)
Total accounts receivable, net	14,863	24,468

4.1 Assessed contributions receivable (regular budget): Assessed contributions comprise majority of the Court's receivables. The outstanding balance of €21,122 thousand comprises €5,782 thousand due for prior financial periods and €15,340 thousand due for 2018 (Schedule 1). Contributions received from States Parties in excess of contributions due in an amount of €1,509 thousand are reported as contributions received in advance (note 12.1). The status of outstanding contributions as at 31 December 2018 by State Party is provided in Schedule 1.

4.2 Assessed contributions receivable (other): relate to the outstanding balances due to the Working Capital Fund, Contingency Fund and for the total cost of permanent premises from States which acceded to the Rome Statute after 2015.

4.3 Voluntary contributions receivable: the amount of €35 thousand represents an outstanding amount receivable from donors for 2017-2018 projects.

4.4 Provision for doubtful debt: The Court recognized provision for doubtful debt in an amount of 90 per cent of outstanding contributions from States Parties that are in arrears for more than two years. Article 112 of the Rome Statute stipulates that a State Party which is in arrears in the payment of its assessed contributions, shall have no vote in the Assembly and in the Bureau if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The Assembly may, nevertheless, permit such a State Party to vote in the Assembly and in the Bureau if it is satisfied that the failure to pay is due to conditions beyond the control of the State Party.

Changes in provision for doubtful debt

<i>In thousands of euros</i>	<i>Total</i>
Provision for doubtful debt as at 1 January 2018	6,887
Increase/(decrease) in provision	(556)
Provision for doubtful debt as at 31 December 2018	6,331

4.5 The following table illustrates accounts receivable by age:

<i>In thousands of euros</i>	<i>Not yet due</i>	<i>Less than 1 year</i>	<i>1-3 years</i>	<i>Over 3 years</i>	<i>Total</i>
Assessed contributions receivable (regular budget)	-	15,340	4,538	1,244	21,122
Assessed contributions receivable (other)	36	-	1	-	37
Voluntary contributions receivable	-	35	-	-	35
Total accounts receivable, gross	36	15,375	4,539	1,244	21,194

5. Other accounts receivable

<i>In thousands of euros</i>	<i>2018</i>	<i>2017</i>
Receivable from governments	1,118	1,024
Other receivables	2,138	1,828
Other accounts receivable, gross	3,256	2,852
Provision for doubtful debt	(1,904)	(1,724)
Other accounts receivable, net	1,352	1,128

5.1 Receivables from governments represent receivables for refundable energy tax and VAT.

5.2 Other receivables mainly comprise of amounts advanced by the Court on the basis of a judicial decision dated 20 October 2011 (Trial Chamber III, no. ICC-01/05-01/08-568) for the legal representation of an accused person. In 2018 the Court paid €176 thousand towards such costs.

5.3 Provision for doubtful debt: as the recovery of the legal aid costs advanced by the Court is uncertain, the receivable amount is fully provided for and recognized as costs of the Court.

Changes in provision for doubtful debt

<i>In thousands of euros</i>	<i>Other receivables</i>
Provision for doubtful debt as at 1 January 2018	1,724
Increase in provision	180
Provision for doubtful debt as at 31 December 2018	1,904

5.4 The following table illustrates other accounts receivable by age:

<i>In thousands of euros</i>	<i>Less than 1 year</i>	<i>1-3 years</i>	<i>Over 3 years</i>	<i>Total</i>
Receivable from governments	1,118	-	-	1,118
Other receivables	467	750	921	2,138
Other accounts receivable, gross	1,585	750	921	3,256

6. Prepayments and other current assets

<i>In thousands of euros</i>	2018	2017
Advances to staff	2,049	1,680
Advances to vendors	-	24
Prepaid expenses	831	539
Accrued interest	55	78
Total	2,935	2,321

6.1 Advances to staff comprise €1,900 thousand of education grant advances for the portion of the school year to be completed during 2019, €34 thousand of travel advances for trips in 2018, and €115 thousand of advances for field operations.

6.2 Prepaid expenses represent payments to vendors for software maintenance and licences relating to periods after 31 December 2018.

7. Property, plant and equipment

<i>In thousands of euros</i>	<i>Asset under Land</i>	<i>construction</i>	<i>Building</i>	<i>Motor vehicles</i>	<i>Furniture and fittings</i>	<i>ICT equipment</i>	<i>Other assets</i>	<i>Total</i>
Cost								
At 1 January 2018	9,741	10	197,183	3,335	572	10,205	2,488	223,534
Additions	-	291	244	561	51	451	193	1,791
Capitalization	-	(4)	4	-	-	-	-	-
Reclassification	-	-	47	-	-	-	(47)	-
Disposals/Write-offs	-	-	-	-	(1)	(1,065)	(111)	(1,177)
At 31 December 2018	9,741	297	197,478	3,896	622	9,591	2,523	224,148
Accumulated depreciation								
Accumulated depreciation at 1 January 2018	-	-	22,249	2,205	468	7,615	1,711	34,248
Depreciation Charge	-	-	10,365	367	25	1,013	181	11,951
Reclassification	-	-	5	-	-	-	(5)	-
Disposals/Write-offs	-	-	-	-	(1)	(1,042)	(111)	(1,154)
At 31 December 2018	-	-	32,619	2,571	492	7,587	1,776	45,045
Net book value								
at 1 January 2018	9,741	10	174,934	1,130	104	2,590	777	189,286
At 31 December 2018	9,741	297	164,859	1,325	130	2,004	747	179,103

7.1 Based on the deed dated 23 March 2009 between the host State and the Court establishing the ground lease and building and planting rights, land ready for development was leased to the Court for no consideration. The lease may be terminated by mutual consent at the end of the Court's mandate or by a decision of the Assembly. The value of the land is estimated on the basis of its not-for-profit function by an independent valuer.

8. Intangible assets

<i>In thousands of euros</i>	<i>Software externally acquired</i>	<i>Software in development</i>	<i>Software internally developed</i>	<i>Total</i>
Cost				
At 1 January 2018	11,025	86	-	11,111
Additions	54	760	-	814
Retirement / Write-off	-	-	-	-
Capitalization	-	(328)	328	-
At 31 December 2018	11,079	518	328	11,925
Accumulated Amortization				
At 1 January 2018	10,002	-	-	10,002
Amortization charge	388	-	5	393
At 31 December 2018	10,390	-	5	10,395
Net book value				
At 1 January 2018	1,023	86	-	1,109
At 31 December 2018	689	518	323	1,530

8.1 Software in development represents costs of developing two softwares: a) employee and manager self-services through electronic forms and b) digital storage for forensic files preservation. Completion of these projects is expected in 2019.

8.2 In 2018 three intangible assets were developed internally: a) OTP assistance database, b) mission planning solution phase 1, and c) victim application electronic collection.

9. Accounts payable

<i>In thousands of euros</i>	<i>2018</i>	<i>2017</i>
Current		
Counsel payables	379	510
Suppliers	4,630	4,464
Secretariat of the Trust Fund for Victims	506	475
Other payables	213	266
<i>Total current</i>	<i>5,728</i>	<i>5,715</i>
Non-current		
Secretariat of the Trust Fund for Victims	636	505
<i>Total non-current</i>	<i>636</i>	<i>505</i>
Total accounts payable	6,364	6,220

9.1 Liability towards the Secretariat of the Trust Fund for Victims represents amount assessed for funding of the Secretariat net of expenses incurred against this assessment. The Court assesses States Parties for the budget of the Secretariat. In substance, the Court collects assessed contributions as an agent of the Trust Fund and these assessments do not increase net assets or revenue of the Court, but are recognized as a payable to the Trust Fund. The payable to the Trust Fund is reduced as expenses are incurred by the Secretariat. Liabilities to vendors and the staff of the Secretariat are settled directly by the Court. The payables are finally settled when the Court credits any cash surplus pertaining to Major Programme VI, in accordance with the Financial Regulations and Rules of the Court, to the States Parties.

10. Employee benefit liabilities

<i>In thousands of euros</i>	2018	2017 (Restated)
Current		
Salaries and entitlements	468	792
Annual leave accrual	6,303	6,297
Other long-term benefits	1,867	2,094
Post-employment benefits	1,491	1,448
<i>Sub-total current</i>	<i>10,129</i>	<i>10,631</i>
Non-current		
Other long-term benefits	9,939	8,583
Post-employment benefits	49,406	46,062
<i>Sub-total non-current</i>	<i>59,345</i>	<i>54,645</i>
Total	69,474	65,276

Current employee benefit liabilities

10.1 Current liabilities comprise payables for salaries and other entitlements, annual leave accrual and the current portion of other long-term benefits and post-employment benefits.

10.2 Annual Leave Accrual: At 31 December 2018, €6,303 thousand represents the accumulated annual leave accrual for all staff members of the Court.

Non-current employee benefit liabilities

10.3 Actuarial assumptions used to determine the value of other long-term benefits and post-employment benefits are as follows:

<i>Financial assumptions</i>	2018	2017
Discount rate:		
Judges pension scheme	1.65%	1.60%
Relocation allowance and other benefits of judges	0.30%	0.11%
Home leave and family visit of staff	0.30%	0.11%
ASHI	1.95%	2.05%
Staff repatriation grant	1.42%	1.35%
Other benefits of staff	1.35%	1.27%
Wage inflation	1.50%	1.50%
Price inflation	2.00%	2.00%
Medical cost trend rate	5.00%	5.00%
Individual salary increase rate	1.20%	1.20%
<i>Demographic assumptions</i>		
Individual turnover rates	From 0% to 7% depending on age group	
Disability rates	Based on UNJSPF	
Mortality tables	UNJSPF active and inactive (2017)	
Age corrections	Generational improvement scale (for inactive)	
Age difference M/F	Based on actual age difference	

10.4 The discount rate used to discount benefit obligations reflects time value of money. The currency and term of the financial instrument selected to reflect time value of money is consistent with the currency and estimated term of the benefit obligation.

10.5 The actuarial gains and losses due to changes in financial assumptions are caused by the changes of the discount rates. The discount rates for the judges post-employment plan, judges other long-term benefits and staff other long-term benefits have increased, while the discount rate for the ASHI post-employment plan has decreased.

10.6 The actuarial losses due to experience adjustments are caused by the positive deviation from the mortality rates and the increase of both eligible staff participants in the several plans and the increase of their average salary.

Reconciliation of the opening and closing balance of the present value of the defined benefit obligation

<i>In thousands of euros</i>	<i>Judges</i>		<i>Staff members</i>		<i>Total</i>
	<i>Pension scheme</i>	<i>Other long-term</i>	<i>ASHI</i>	<i>Other long-term</i>	
Present value of the defined benefit obligation as at 1 January 2018	28,688	862	18,822	9,815	58,187
Service cost	674	211	2,157	2,295	5,337
Interest expense	459	1	430	132	1,021
Remeasurement (gains)/losses	242	(58)	884	(87)	980
Benefits paid	(1,414)	(440)	(44)	(924)	(2,822)
Present value of the defined benefit obligation as at 31 December 2018	28,648	576	22,249	11,231	62,704

Reconciliation of the opening and closing balance of the reimbursement rights

<i>In thousands of euros</i>	<i>Judges' pension scheme</i>
Reimbursement right as at 1 January 2018	28,688
Interest revenue	454
Remeasurement gains/(losses)	(266)
Contributions by employer	1,305
Benefits paid	(1,414)
Administration cost	(119)
Reimbursement right as at 31 December 2018	28,648

10.7 The fair value of the reimbursement rights is deemed to be the present value of the related obligation. Administration cost of €119 thousand was paid to judges pension scheme administrator in 2018.

Total defined benefit cost recognised in the Statement of financial performance and net assets/equity

<i>In thousands of euros</i>	<i>Judges</i>		<i>Staff members</i>		<i>Total</i>
	<i>Pension scheme</i>	<i>Other long-term</i>	<i>ASHI</i>	<i>Other long-term</i>	
Net service cost	674	211	2,157	2,295	5,337
Net interest on the net defined benefit liability/(asset)	4	1	430	132	567
Administration costs	119	-	-	-	119
Remeasurement of the net defined benefit liability	-	(58)	-	(87)	(145)
Defined benefit cost recorded in profit or loss	798	153	2,587	2,340	5,877
Remeasurement of the net defined benefit liability	508	-	884	-	1,392
Defined benefit cost recorded in net assets/equity	508	-	884	-	1,392
Total defined benefit cost	1,305	153	3,471	2,340	7,269

Sensitivity analysis

10.8 A significant actuarial assumption for the determination of the defined benefit obligation is the discount rate. The sensitivity analyses have been determined based on a 0.25% change of the assumptions at the end of reporting period.

	<i>Disc ount rate %</i>	<i>Define d benefit obligat ion</i>	<i>Disco unt rate plus 0.25 %</i>	<i>Define d benefit obligat ion</i>	<i>Disco unt rate less 0.25 %</i>	<i>Define d benefit obligat ion</i>
Judges						
Pension scheme	1.65	28,648	1.90	27,794	1.40	29,544
Home leave benefits	0.30	47	0.55	47	0.05	47
Removal/travel on separation	0.30	90	0.55	89	0.05	91
Relocation allowance	0.30	430	0.55	426	0.05	434
Survivors benefit	0.30	9	0.55	9	0.05	10
Staff						
Home leave benefits	0.30	1,182	0.55	1,181	0.05	1,183
Family visit	0.30	23	0.55	23	0.05	23
Removal/Travel on separation	1.35	2,267	1.60	2,217	1.10	2,320
Repatriation grant	1.42	7,348	1.67	7,170	1.17	7,534
Death grant	1.35	410	1.60	402	1.10	418
ASHI	1.95	22,249	2.20	20,594	1.70	24,066

10.9 Effect of an increase of one percentage point and effect of a decrease of one percentage point in the assumed medical cost trend rates are as follows:

Medical cost trend rate

<i>In thousands of euros</i>	4%	5%	6%
Defined benefit obligation as at 31/12/2018	18,590	22,249	26,891
Current Service cost for Fiscal year 2019	2,007	2,401	2,900

United Nations Joint Staff Pension Fund

10.10 The Fund's Regulations state that the Pension Board shall have an actuarial valuation made of the Fund at least once every three years by the Consulting Actuary. The practice of the Pension Board has been to carry out an actuarial valuation every two years using the Open Group Aggregate Method. The primary purpose of the actuarial valuation is to determine whether the current and estimated future assets of the Pension Fund will be sufficient to meet its liabilities.

10.11 The Court's financial obligation to the UNJSPF consists of its mandated contribution, at the rate established by the United Nations General Assembly (currently at 7.9% for participants and 15.8% for member organizations) together with any share of any actuarial deficiency payments under Article 26 of the Regulations of the Pension Fund. Such deficiency payments are only payable if and when the United Nations General Assembly has invoked the provision of Article 26, following determination that there is a requirement for deficiency payments based on an assessment of the actuarial sufficiency of the Fund as of the valuation date. Each member organization shall contribute to this deficiency an amount proportionate to the total contributions which each paid during the three years preceding the valuation date.

10.12 During 2017, the Fund identified that there were anomalies in the census data utilized in the actuarial valuation performed as of 31 December 2015. As such, as an exception to the normal biennial cycle, a roll forward of the participation data as of 31 December 2013 to 31 December 2016 was used by the Fund for its 2016 financial statements.

10.13 The actuarial valuation as of 31 December 2017 resulted in a funded ratio of actuarial assets to actuarial liabilities, assuming no future pension adjustments, of 139.2% (150.1% in the 2016 roll forward). The funded ratio was 102.7% (101.4% in the 2016 roll forward) when the current system of pension adjustments was taken into account.

10.14 After assessing the actuarial sufficiency of the Fund, the Consulting Actuary concluded that there was no requirement, as of 31 December 2016, for deficiency payments under Article 26 of the Regulations of the Fund as the actuarial value of assets exceeded the actuarial value of all accrued liabilities under the plan. In addition, the market value of assets also exceeded the actuarial value of all accrued liabilities as of the valuation date. At the time of this report, the General Assembly has not invoked the provision of Article 26.

10.15 Should Article 26 be invoked due to an actuarial deficiency, either during the ongoing operation or due to the termination of the UNJSPF pension plan, deficiency payments required from each member organization would be based upon the proportion of that member organization's contributions to the total contributions paid to the Fund during the three years preceding the valuation date. Total contributions paid to the UNJSPF during the preceding three years (2015, 2016 and 2017) amounted to USD 6,931.39 million, of which 0.92% was contributed by the Court.

10.16 During 2018, contributions paid to UNJSPF amounted to €23,241 million (2017 €23,026 million). No significant variance is expected in the contributions due in 2018.

10.17 Membership of the Fund may be terminated by decision of the United Nations General Assembly, upon the affirmative recommendation of the Pension Board. A proportionate share of the total assets of the Fund at the date of termination shall be paid to

the former member organization for the exclusive benefit of its staff who were participants in the Fund at that date, pursuant to an arrangement mutually agreed between the organization and the Fund. The amount is determined by the United Nations Joint Staff Pension Board based on an actuarial valuation of the assets and liabilities of the Fund on the date of termination; no part of the assets which are in excess of the liabilities are included in the amount.

10.18 The United Nations Board of Auditors carries out an annual audit of the UNJSPF and reports to the UNJSPF Pension Board and to the United Nations General Assembly on the audit every year. The UNJSPF publishes quarterly reports on its investments and these can be viewed by visiting the UNJSPF at www.unjspf.org.

Service-incurred injury

10.19 The Court entered into an agreement with an insurance company to offer coverage for service-incurred injuries for the Court's staff, judges, consultants and temporary assistants. The insurance premium, calculated as a percentage of the pensionable remuneration for staff members and a comparable percentage for judges, consultants and temporary assistants, is charged to the organization's budget and is reflected in the accounts under expenditures. The total premium paid during 2018 for this insurance was €399 thousand.

Secretariat of the Trust Fund for Victims

10.20 Employees of the Secretariat of the Trust Fund for Victims are provided with benefits and entitlements in accordance with staff regulations and consistent with those of employees of the Court. These benefits are provided on a pooled basis with the Court's staff and it is not considered feasible to perform a separate actuarial valuation. Long-term and post-employment benefits that relate to the Secretariat of the Trust Fund for Victims and that are included in the obligations of the Court are estimated at €408 thousand.

10.21 The value of annual leave due to employees of the Secretariat of the Trust Fund for Victims as at 31 December 2018, also provided on a pooled basis, are included in the Court's liabilities and amounted to €70 thousand.

11. Host State loan

<i>In thousands of euros</i>	<i>2018</i>	<i>2017</i>
Host State loan current	1,843	1,801
Host State loan non-current	68,865	70,708
Total	70,708	72,509

11.1 The loan is recognized at amortized cost using the effective interest rate. The effective interest rate is applied to each stream of drawings from the total capital amount available.

11.2 Repayment of the host State loan commenced on 30 June 2016, the date on which the rental agreement of the Court concerning interim premises expired. States Parties that did not pay the one-time contribution are assessed annually for loan repayment. The following table illustrates the remaining contractual maturity of the loan:

<i>In thousands of euros</i>	<i>Less than 1 year</i>	<i>1-3 years</i>	<i>Over 3 years</i>	<i>Total</i>
Host State loan	3,585	10,755	87,836	102,176

12. Deferred revenue and accrued expenses

<i>In thousands of euros</i>	2018	2017
Assessed contributions in advance	1,509	2,273
Deferred voluntary contributions	1,191	910
Accrued expenses	2,471	2,104
Accrual on host State loan	3,585	3,585
Total	8,756	8,872

12.1 Assessed contributions received in advance: €1,509 thousand was received from States Parties prior to the year to which they relate. Contributions received in advance decreased by € 764 thousand. The details of received contributions relating to year 2019 by State Party is provided in Schedule 1.

12.2 Deferred voluntary contributions represent awards from donors, subject to conditions, for which implementation is expected in the future financial period. The amount of €1,191 thousand relates primarily to the activities of the Trust Fund “Building Legal Expertise and Fostering Cooperation” and “Junior Professional Officer Programme”. These contributions will be recognized as revenue, as and when the conditions are satisfied. Details of voluntary contributions transferred subject to conditions as of 31 December 2018 are provided in Schedule 6.

12.3 Accrued expenses represent the amount of goods and services delivered for which the invoices were not yet received by the reporting date.

12.4 The accrual on the Host State loan represents the amount of 2018 annuity due for payment in February 2019.

13. Provisions

<i>In thousands of euros</i>	2018	2017
Provision for litigation	898	2,060
Provision for US tax	111	126
Other provisions	203	194
Total	1,212	2,380

Changes in provisions

<i>In thousands of euros</i>	<i>Litigation provision</i>	<i>US tax provision</i>	<i>Other provisions</i>	<i>Total</i>
Provision as at 1 January 2018	2,060	126	194	2,380
Increase in provision	258	37	9	304
Decrease due to payments	(1,295)	(43)	-	(1,338)
Decrease due to reversals	(125)	(9)	-	(134)
Provision as at 31 December 2018	898	111	203	1,212

13.1 Provision for litigation of €898 thousand corresponds to estimated liability of the Court for cases filed by current or former staff members of the Court, including primarily with the Administrative Tribunal of the International Labour Organization (ILOAT). In addition there are other cases pending which are either disclosed as contingent liabilities or it is considered that the possibility of an outflow of resources is remote.

13.2 Provision for US tax liability: According to the practice and fundamental principles of the International Civil Service, as determined by the ILOAT, all employees of the Court are entitled to exemption from taxation on Court salaries, emoluments and allowances paid by the Court. The calculated tax liability is €111 thousand estimated for the year 2018 for six United States taxpayers on the payroll of the Court during this period.

13.3 Other provisions represent an estimate of the amount payable by the Court in relation to an appendix D case.

14. Net assets/equity

<i>In thousands of euros</i>	2018	2017
General		
Contingency Fund	5,243	3,764
Working Capital Fund	9,058	17
General Funds		
Funds for Employee Benefit Liabilities	263	479
Cash Surplus / (Deficit)	2,993	(5,622)
Other General Fund	79,272	105,142
Remeasurement of post-employment related plans	(8,041)	(6,650)
Total General balances	88,788	97,130
Trust Funds	2,021	1,695
Total	90,809	98,825

14.1 Remeasurement of post-employment related plans: the balance of €8,041 thousand represents actuarial losses relating to pension of Judges and after service health insurance plan of the Court's staff.

15. Revenue

<i>In thousands of euros</i>	2018	2017
Assessed contributions		
To programme budget	144,890	142,413
Change in provision for doubtful debt	556	(2,353)
<i>Sub-total assessed contributions</i>	<i>145,446</i>	<i>140,060</i>
Voluntary contributions		
To trust funds (Schedule 6)	2,038	1,662
<i>Sub-total voluntary contributions</i>	<i>2,038</i>	<i>1,662</i>
Financial revenue		
Interest revenue	110	158
Net foreign exchange gain	48	3
<i>Sub-total financial revenue</i>	<i>158</i>	<i>161</i>
Other revenue		
Other miscellaneous revenue	413	219
<i>Sub-total other revenue</i>	<i>413</i>	<i>219</i>
Total revenue	148,055	142,102

15.1 Assessed contributions to programme budget: the Assembly, in its resolution ICC-ASP/16/Res.1, approved the funding of the appropriations of the Court for the financial period 1 January to 31 December 2018 in the amount of €147,432 thousand. €2,542 thousand of the total appropriations relates to contributions to the Secretariat of the Trust Fund for Victims and is reported separately in the financial statements of the Trust Fund.

15.2 The Court recognizes revenue when the inflow of the economic benefits or service potential is probable. For the doubtful debt estimated in relation to the assessed contributions receivable the revenue is reduced and will be reinstated once the uncertainty over collection is removed. In 2018, an estimate of a doubtful debt provision decreased by €556 thousand.

15.3 Details of voluntary contributions by donors are provided in Schedule 6.

Contributions in kind

15.4 In 2018 the Court received services-in-kind related to short-term pro bono personnel. These resources provide expertise in specific areas that help support the activities of the Court. The value of such services received by the Court in 2018 is estimated at €202 thousand.

15.5 In 2018 the Seventeenth session of the Assembly of State Parties was conducted at the World Forum Convention Centre in The Hague. The premises were provided by the host State. The approximate amount of this donation in kind is €305 thousand

16. Employee benefit expenses

<i>In thousands of euros</i>	2018	2017
Judges' salaries	3,373	3,237
Judges' entitlements and allowances	1,516	1,718
Staff salaries	57,571	56,112
Staff entitlements and allowances	29,414	29,231
Temporary assistance	16,225	16,567
Total	108,099	106,865

16.1 In 2018 one ex-gratia payment for €3,998 was made.

17. Travel and hospitality expenses

<i>In thousands of euros</i>	2018	2017
Hospitality	31	22
Travel	5,637	6,610
Total	5,668	6,632

18. Expenses for contractual services

<i>In thousands of euros</i>	2018	2017
Public information	489	387
External translation	489	592
Training	851	806
Consultants and individual contractors	1,826	1,648
Other contractual services	2,503	2,117
Total	6,158	5,550

19. Expenses for counsel fees

<i>In thousands of euros</i>	2018	2017
Counsel for defence	4,191	4,894
Counsel for victims	1,412	1,349
Total	5,603	6,243

20. Operating expenses

<i>In thousands of euros</i>	2018	2017
Rental, utility and maintenance	6,038	6,644
Communications and software maintenance	3,290	3,235
Witness-related expenses	1,895	2,378
Other operating expenses	1,746	2,045
Total	12,969	14,302

21. Supplies and materials expenses

<i>In thousands of euros</i>	2018	2017
Office supplies	551	546
Library books, magazines and subscriptions	333	113
Other supplies	425	445
Low value asset purchases	1,147	1,047
Total	2,456	2,151

21.1 Low value asset purchases: represent furniture and fittings, ICT equipment and other assets with a value below €1,000 which is not capitalized.

22. Depreciation, amortization and impairment

<i>In thousands of euros</i>	2018	2017
Depreciation	11,951	11,923
Amortization	393	388
Total	12,344	12,311

22.1 No material impairment losses were incurred in 2018.

23. Financial expenses

<i>In thousands of euros</i>	2018	2017
Bank charges	76	68
Interest expense on the host State loan	1,784	1,826
Total	1,860	1,894

23.1 Interest expense on the host State loan amounting to €1,784 thousand is recognized on an effective interest rate basis.

24. Statement of comparison of budget and actual amounts

24.1 The Court's budget and accounts are prepared on different bases. The Statement of financial position, Statement of financial performance, Statement of changes in net assets/equity and Statement of cash flows are prepared on a full accrual basis, whereas the Statement of comparison of budget and actual amounts (Statement V) is prepared on a modified cash basis of accounting.

24.2 As required under IPSAS 24, where the financial statements and the budget are not prepared on a comparable basis, the actual amounts presented on a comparable basis to the budget are reconciled to the actual amounts presented in the financial statements, identifying separately any basis, timing and entity differences. There are also differences in formats and classification schemes adopted for the presentation of financial statements and the budget.

24.3 Differences in bases occur when the approved budget is prepared on a basis other than the accounting basis, as stated in note 24.1 above.

24.4 Timing differences occur when the budget period differs from the reporting period reflected in the financial statements. There are no timing differences for the Court for the purposes of comparison of the budget and the actual amounts.

24.5 Entity differences occur as the budget includes the Secretariat for the Trust Fund of Victims (note 1.2(g)) which is not part of the reporting entity for which the financial statements are prepared. On the other hand, the annual programme budget does not include the trust funds segments, whereas the financial statements do.

24.6 Differences in presentation are due to differences in the format and classification schemes adopted for the presentation of the Statement of cash flows and Statement of comparison of budget and actual amounts.

24.7 Reconciliation between the actual amounts on a comparable basis in the Statement of comparison of budget and actual amounts (Statement V) and the actual amounts in the Statement of cash flows (Statement IV) for the period ended 31 December 2018 is presented below:

<i>In thousands of euros</i>	<i>Operating</i>	<i>Investing</i>	<i>Financing</i>	<i>Total</i>
Actual amount on comparable basis (Statement V)	2,406	-	-	2,406
Basis differences	14,736	-	-	14,736
Presentation differences	-	(2,471)	(3,585)	(6,056)
Entity differences	669	-	-	669
Actual amount in the Statement of cash flows (Statement IV)	17,810	(2,471)	(3,585)	11,754

24.8 Open commitments including open purchase orders and net cash flows from operating, investing and financing activities are presented as basis differences. Revenue and other fund related expenses that do not form part of the Statement of Comparison of Budget and Actual Amounts are reflected as presentation differences. Under entity differences, the activities of the Secretariat of the Trust Fund for Victims are not reported in the financial statements, but are included in the budgetary process. The trust funds are included in the financial statements but are not part of the actual amounts on a comparable basis.

24.9 An explanation of material differences between the budget and actual amounts is included in the Report on activities and programme performance of the International Criminal Court for the year 2018.

25. Segment Reporting

Statement of financial position by segment as at 31 December 2018

<i>In thousands of euros</i>	<i>General</i>	<i>Trust Funds</i>	<i>Inter-segment</i>	<i>Total</i>
Assets				
<i>Current assets</i>				
Cash and cash equivalents	14,790	4,102	-	18,892
Accounts receivable (non-exchange transactions)	14,797	35	-	14,832
Other accounts receivable	2,175	-	(823)	1,352
Prepayments and other current assets	2,909	26	-	2,935
Total current assets	34,671	4,163	(823)	38,011
<i>Non-current assets</i>				
Accounts receivable (non-exchange transactions)	31	-	-	31
Property, plant and equipment	179,103	-	-	179,103
Intangible assets	1,530	-	-	1,530
Reimbursement right	28,648	-	-	28,648
Total non-current assets	209,312	-	-	209,312
Total assets	243,983	4,163	(823)	247,323
Liabilities				
<i>Current liabilities</i>				
Accounts payable	5,614	937	(823)	5,728
Employee benefit liabilities	10,121	8	-	10,129
Host State loan	1,843	-	-	1,843
Deferred revenue and accrued expenses	7,560	1,196	-	8,756
Provisions	1,212	-	-	1,212
Total current liabilities	26,350	2,141	(823)	27,668
<i>Non-current liabilities</i>				
Accounts payable	636	-	-	636
Employee benefit liabilities	59,345	-	-	59,345
Host State loan	68,865	-	-	68,865
Total non-current liabilities	128,846	-	-	128,846
Total liabilities	155,196	2,141	(823)	156,514
Net assets/equity				
Contingency Fund	5,243	-	-	5,243
Working Capital Fund	9,058	-	-	9,058
Other fund balances	74,487	2,021	-	76,508
Total net assets/equity	88,788	2,021	-	90,809
Total liabilities and net assets/equity	243,983	4,163	(823)	247,323

Statement of financial position by segment as at 31 December 2017

<i>In thousands of euros</i>	<i>General</i>	<i>Trust Funds</i>	<i>Inter-segment</i>	<i>Total</i>
Assets				
<i>Current assets</i>				
Cash and cash equivalents	4,238	2,844	-	7,082
Accounts receivable (non-exchange transactions)	24,188	244	-	24,432
Other accounts receivable	1,357	-	(229)	1,128
Prepayments and other current assets	2,316	5	-	2,321
Total current assets	32,099	3,093	(229)	34,963
<i>Non-current assets</i>				
Accounts receivable (non-exchange transactions)	36	-	-	36
Property, plant and equipment	189,286	-	-	189,286
Intangible assets	1,109	-	-	1,109
Reimbursement right	28,688	-	-	28,688
Total non-current assets	219,119	-	-	219,119
Total assets	251,218	3,093	(229)	254,082
Liabilities				
<i>Current liabilities</i>				
Accounts payable	5,486	458	(229)	5,715
Employee benefit liabilities	10,613	18	-	10,631
Host State loan	1,801	-	-	1,801
Deferred revenue and accrued expenses	7,950	922	-	8,872
Provisions	2,380	-	-	2,380
Total current liabilities	28,230	1,398	(229)	29,399
<i>Non-current liabilities</i>				
Accounts payable	505	-	-	505
Employee benefit liabilities	54,645	-	-	54,645
Host State loan	70,708	-	-	70,708
Total non-current liabilities	125,858	-	-	125,858
Total liabilities	154,088	1,398	(229)	155,257
Net assets/equity				
Contingency Fund	3,764	-	-	3,764
Working Capital Fund	17	-	-	17
Other fund balances	93,349	1,695	-	95,044
Total net assets/equity	97,130	1,695	0	98,825
Total liabilities and net assets/equity	251,218	3,093	(229)	254,082

Statement of financial performance by segment for the year ended 31 December 2018

<i>In thousands of euros</i>	<i>General</i>	<i>Trust Funds</i>	<i>Total</i>
Revenue			
Assessed contributions	145,446	-	145,446
Voluntary contributions	-	2,038	2,038
Financial revenue	158	-	158
Other revenue	411	2	413
Total revenue	146,015	2,040	148,055
Expenses			
Employee benefit expenses	107,384	715	108,099
Travel and hospitality	5,289	379	5,668
Contractual services	5,746	412	6,158
Counsel fees	5,602	1	5,603
Operating expenses	12,762	207	12,969
Supplies and materials	2,456	-	2,456
Depreciation and amortization	12,344	-	12,344
Financial expenses	1,859	1	1,860
Total expenses	153,442	1,715	155,157
Surplus/(deficit) for the period	(7,427)	325	(7,102)

Statement of financial performance by segment for the year ended 31 December 2017

<i>In thousands of euros</i>	<i>General</i>	<i>Trust Funds</i>	<i>Total</i>
Revenue			
Assessed contributions	140,060	-	140,060
Voluntary contributions	-	1,662	1,662
Financial revenue	162	(1)	161
Other revenue	218	1	219
Total revenue	140,440	1,662	142,102
Expenses			
Employee benefit expenses	106,515	350	106,865
Travel and hospitality	5,969	663	6,632
Contractual services	5,331	219	5,550
Counsel fees	6,243	-	6,243
Operating expenses	13,943	359	14,302
Supplies and materials	2,151	-	2,151
Depreciation and amortization	12,311	-	12,311
Financial expenses	1,894	-	1,894
Total expenses	154,357	1,591	155,948
Surplus/(deficit) for the period	(13,917)	71	(13,846)

26. Commitments and operating leases

Operating leases

26.1 Operating costs include lease payments in an amount of €2,532 thousand, recognized as operating lease expenses during the year. The amount includes minimum lease payments. No sublease payments or contingent rent payments were made or received.

Commitments

26.2 At 31 December 2018 contractual commitments of the Court for the acquisition of property plant and equipment contracted but not delivered amounted €78 thousand.

27. Contingent liabilities

27.1 At the end of 2018, two cases filed by staff members of the Court with the ILOAT have been identified for which it is not considered likely that an outflow of economic resources will be required. A total of approximately €85 thousand is disclosed as contingent liabilities for these cases. In addition, there are cases from current or former staff members of the Court, the liability for which cannot be reliably estimated.

27.2 On 19 March 2019, Mr Jean-Pierre Bemba Gombo filed a second public redacted Version of his request for compensation and damages pursuant to article 85 of the Rome Statute (ICC-01/05-01/08-3673-Red2). Both the Prosecution and the Registry filed their respective observations on 6 May 2019 as ordered ((ICC-01/05-01/08-3680-Red and ICC-01/05-01/08-3681-Red, respectively) and a hearing was publicly held on 9 May 2019. Additional submissions will be filed by lawyers for Mr Bemba on 4 June 2019 and replies thereto may be filed by both the Prosecution and the Registry on 26 June 2019. At this early stage of the proceedings, liability for this claim, if any, cannot be reliably estimated.

27.3 The Court may receive claims for reimbursements of child allowance previously deducted by the Court from the entitlements of the staff members who were in receipt of the Host State subsidy “kinderbijslag”. Host State Government recently reviewed the eligibility of the staff members of International Organisations, resulting in number of cases where staff was deemed ineligible to the subsidy and obliged to repay the amount received from the Host State. The probability of such outcome for the Court’s staff members is unknown, as well as the amount of potential reimbursement to staff is uncertain, and will depend on occurrence or non-occurrence of future events which are not within control of the Court.

28. Related party disclosures

28.1 Key management personnel are defined as the President, the Chef de Cabinet, the Registrar, the Prosecutor, the Deputy Prosecutor and Directors.

28.2 The aggregate remuneration paid to key management personnel includes net salaries, post adjustment, entitlements, assignment and other grants, rental subsidy, employer contributions to the pension plan and current health insurance contributions.

28.3 The amounts paid during the year and outstanding balances of receivables at year end are as follows:

<i>In thousands of euros</i>	<i>No. of individuals</i>	<i>Aggregate remuneration</i>	<i>Receivables</i>
Key management personnel	13	2,626	187

28.4 Key management personnel also qualify for post-employment benefits and other long-term benefits. At year end, accrued liabilities amounted to:

<i>In thousands of euros</i>	<i>Annual leave accrual</i>	<i>Other long-term benefits</i>	<i>Post-employment benefits</i>	<i>Total</i>
Key management personnel	322	618	1,484	2,424

28.5 In its resolution ICC-ASP/1/Res.6, the Assembly established the Trust Fund for Victims for the benefit of victims of crimes within the jurisdiction of the Court, and the families of such victims.

28.6 In the annex to that resolution, the Assembly established a Board of Directors, which is responsible for management of the Trust Fund, and decided that the Registrar of the Court shall be responsible for providing such assistance as is necessary for the proper functioning of the Board in carrying out its tasks and shall participate in the meetings of the Board in an advisory capacity.

28.7 In 2018, the Assembly approved an appropriation of €2,542 thousand for the Secretariat of the Trust Fund for Victims, which administers the Trust Fund and provides administrative support to the Board and its meetings. The amount of assessment net of expenses incurred by the Secretariat for the current and prior period in an amount of €1,142 thousand is recognized as a liability towards the Trust Fund for Victims. The Court provides various services to the Trust Fund for Victims, including office space, equipment and administrative services free of charge.

29. Write-off losses of cash and receivables

29.1 In addition to the items written off during 2018 as stated in note 7 above, a total amount of €2 thousand was written off as the value of receivables deemed to be irrecoverable.

30. Events after the reporting date

30.1 On the date of signing of these accounts, there were no material events, favourable or unfavourable, between the reporting date and the date on which the financial statements were authorized for issue that affected these statements.

Annex

Schedule 1

International Criminal Court

Status of contributions as at 31 December 2018 (in euros)

States Parties	Outstanding as	Collections	Outstanding	Assessed	Credits	Collections	Outstanding	Total	Receipts
	at 31-12-2017				from 2017				
	Prior years			2018					
Afghanistan	-	-	-	15,091	-	15,091	-	-	-
Albania	-	-	-	19,563	-	19,563	-	-	-
Andorra	-	-	-	14,672	-	14,672	-	-	-
Antigua and Barbuda	11,688	-	11,688	5,077	-	-	5,077	16,765	-
Argentina	2,146,569	2,146,569	-	2,185,464	-	-	2,185,464	2,185,464	-
Australia	-	-	-	5,725,819	-	5,725,819	-	-	-
Austria	-	-	-	1,877,379	-	1,877,379	-	-	-
Bangladesh	-	-	-	15,278	-	15,278	-	-	-
Barbados	16,850	16,850	-	17,118	-	17,118	-	-	-
Belgium	-	-	-	2,310,149	-	2,310,149	-	-	-
Belize	115	115	-	2,588	-	2,588	-	-	-
Benin	-	-	-	7,766	-	7,766	-	-	-
Bolivia	-	-	-	29,345	-	29,345	-	-	-
Bosnia and Herzegovina	-	-	-	31,790	-	31,790	-	-	-
Botswana	-	-	-	36,504	-	36,504	-	-	-
Brazil	16,540,369	16,471,110	69,259	9,783,462	-	-	9,783,462	9,852,721	-
Bulgaria	-	-	-	116,865	-	116,865	-	-	-
Burkina Faso	8,939	4,406	4,533	9,947	-	-	9,947	14,480	-
Cabo Verde	1,277	-	1,277	2,588	-	-	2,588	3,865	-
Cambodia	-	-	-	10,223	-	10,223	-	-	-
Canada	-	-	-	7,156,663	-	7,156,663	-	-	-
Central African Republic	5,724	-	5,724	2,588	-	-	2,588	8,312	-
Chad	24,558	-	24,558	12,381	-	-	12,381	36,939	-
Chile	-	-	-	977,582	-	977,582	-	-	-
Colombia	754,515	754,515	-	788,855	-	-	788,855	788,855	-
Comoros	19,367	-	19,367	2,588	-	-	2,588	21,955	-
Congo	62,390	-	62,390	15,378	-	-	15,378	77,768	-
Cook Islands	-	-	-	2,588	2	2,586	-	-	-
Costa Rica	-	-	-	115,221	11,015	104,206	-	-	2,784
Côte d'Ivoire	-	-	-	23,571	-	23,571	-	-	23,572
Croatia	-	-	-	260,427	-	260,427	-	-	-
Cyprus	-	-	-	105,295	-	105,295	-	-	-
Czechia	-	-	-	842,798	-	842,798	-	-	-
Democratic Republic of the Congo	-	-	-	14,417	-	14,417	-	-	14,104
Denmark	-	-	-	1,430,843	-	1,430,843	-	-	-
Djibouti	4,129	-	4,129	2,588	-	-	2,588	6,717	-
Dominica	10,647	10,647	-	2,588	-	2,588	-	-	262
Dominican Republic	260,490	112,817	147,673	119,024	-	-	119,024	266,697	-
Ecuador	-	-	-	164,129	-	164,129	-	-	-
El Salvador	-	-	-	34,235	-	34,235	-	-	-
Estonia	-	-	-	93,069	-	93,069	-	-	-
Fiji	-	-	-	7,766	2	7,764	-	-	-
Finland	-	-	-	1,117,257	-	1,117,257	-	-	-
France	-	-	-	12,699,594	-	12,699,594	-	-	-
Gabon	42,555	42,555	-	43,508	-	43,508	-	-	-
Gambia	-	-	-	2,588	-	2,580	8	8	-
Georgia	-	-	-	19,563	-	19,563	-	-	-
Germany	-	-	-	15,653,545	-	15,653,545	-	-	-
Ghana	4,525	-	4,525	41,256	-	-	41,256	45,781	-
Greece	-	-	-	1,153,938	-	1,153,938	-	-	-
Grenada	-	-	-	2,588	-	2,588	-	-	-
Guatemala	-	-	-	72,451	3,807	68,644	-	-	327
Guinea	19,506	-	19,506	5,034	-	-	5,034	24,540	-
Guyana	144	144	-	5,034	-	5,034	-	-	1,738
Honduras	19,727	19,727	-	20,699	-	14,225	6,474	6,474	-
Hungary	-	-	-	400,017	-	400,017	-	-	-
Iceland	-	-	-	56,388	-	56,388	-	-	-
Ireland	-	-	-	820,789	-	820,789	-	-	-
Italy	-	-	-	9,182,888	-	9,182,888	-	-	-
Japan	-	-	-	25,255,675	-	25,255,675	-	-	-

States Parties	Outstanding as at 31-12-2017		Outstanding	Assessed	Credits from 2017		Outstanding	Total outstanding	Receipts relating to 2019
	Collections	Prior years			Collections	2018			
Jordan	-	-	-	49,052	-	49,052	-	-	-
Kenya	-	-	-	46,011	-	46,011	-	-	-
Latvia	-	-	-	122,557	-	122,557	-	-	-
Lesotho	-	-	-	2,588	-	2,588	-	-	-
Liberia	2,671	-	2,671	2,588	-	-	2,588	5,259	-
Liechtenstein	-	-	-	17,118	-	17,118	-	-	-
Lithuania	-	-	-	176,357	176,357	-	-	-	-
Luxembourg	-	-	-	156,792	-	156,792	-	-	-
Madagascar	200	-	200	7,766	-	-	7,766	7,966	-
Malawi	-	-	-	5,178	-	-	5,178	5,178	-
Maldives	9,796	9,796	-	5,034	-	5,034	-	-	-
Mali	-	-	-	7,910	-	7,910	-	-	-
Malta	-	-	-	39,270	-	39,270	-	-	-
Marshall Islands	5,963	-	5,963	2,588	-	-	2,588	8,551	-
Mauritius	-	-	-	29,345	-	29,345	-	-	-
Mexico	3,460,846	3,460,846	-	3,515,902	-	3,515,902	-	-	-
Mongolia	-	-	-	12,227	-	12,227	-	-	-
Montenegro	4	4	-	9,782	-	9,782	-	-	-
Namibia	-	-	-	24,454	-	24,454	-	-	-
Nauru	-	-	-	2,588	51	-	2,537	2,537	-
Netherlands	-	-	-	3,630,979	-	3,630,979	-	-	-
New Zealand	-	-	-	692,612	-	692,612	-	-	-
Niger	31,784	-	31,784	5,178	-	-	5,178	36,962	-
Nigeria	1,286,628	1,252,459	34,169	524,880	-	-	524,880	559,049	-
North Macedonia	-	-	-	18,254	-	18,254	-	-	-
Norway	-	-	-	2,201,083	-	2,201,083	-	-	-
Panama	5,473	5,473	-	84,036	-	84,036	-	-	86
Paraguay	29,756	-	29,756	35,658	-	-	35,658	65,414	-
Peru	-	-	-	349,770	19,318	209,031	121,421	121,421	-
Philippines	-	-	-	404,209	-	404,209	-	-	-
Poland	-	-	-	2,060,460	2,060,460	-	-	-	1,466,500
Portugal	-	-	-	960,465	-	960,465	-	-	-
Republic of Korea	-	-	-	5,226,281	-	5,226,281	-	-	-
Republic of Moldova	-	-	-	9,782	-	9,782	-	-	-
Romania	-	-	-	450,815	-	450,815	-	-	-
Saint Kitts and Nevis	-	-	-	2,588	-	2,588	-	-	-
Saint Lucia	-	-	-	2,588	-	2,588	-	-	-
Saint Vincent and the Grenadines	252	252	-	2,588	-	2,588	-	-	-
Samoa	-	-	-	2,445	2	2,443	-	-	7
San Marino	-	-	-	7,336	-	7,336	-	-	-
Senegal	326	-	326	13,077	-	-	13,077	13,403	-
Serbia	-	-	-	78,396	-	78,396	-	-	-
Seychelles	-	-	-	2,588	-	2,588	-	-	-
Sierra Leone	-	-	-	2,588	1,672	-	916	916	-
Slovakia	-	-	-	391,982	-	391,982	-	-	-
Slovenia	-	-	-	205,845	-	205,845	-	-	-
South Africa	-	-	-	891,850	-	891,850	-	-	-
Spain	-	-	-	5,985,606	-	5,985,606	-	-	-
State of Palestine	-	-	-	17,824	-	17,824	-	-	-
Suriname	-	-	-	15,113	-	-	15,113	15,113	-
Sweden	-	-	-	2,342,256	-	2,342,256	-	-	-
Switzerland	-	-	-	2,793,072	-	2,793,072	-	-	-
Tajikistan	-	-	-	10,212	-	10,212	-	-	-
Timor-Leste	7,290	7,257	33	7,336	-	-	7,336	7,369	-
Trinidad and Tobago	-	-	-	83,287	-	-	83,287	83,287	-
Tunisia	-	-	-	73,727	-	59,176	14,551	14,551	-
Uganda	-	-	-	15,235	-	6,120	9,115	9,115	-
United Kingdom	-	-	-	10,934,653	-	10,934,653	-	-	-
United Republic of Tanzania	1,012	1,012	-	15,278	-	12,670	2,608	2,608	-
Uruguay	2,449	2,449	-	193,618	-	193,618	-	-	-
Vanuatu	8,846	8,846	-	2,588	-	2,588	-	-	-
Venezuela	6,207,902	937,984	5,269,918	1,488,140	-	-	1,488,140	6,758,058	-
Zambia	29,004	-	29,004	15,235	-	-	15,235	44,239	-
Burundi (withdrawn State)	3,588	-	3,588	-	-	-	-	3,588	-
Rounding difference	-	-	-	1,005	-	1,005	-	-	-
Total (123 States Parties)	31,047,874	25,265,833	5,782,041	147,431,719	2,272,686	129,819,149	15,339,884	21,121,925	1,509,380

Schedule 2

International Criminal Court - Status of Working Capital Fund and Contingency Fund as at 31 December 2018 (in euros)

Status of Working Capital Fund

	2018	2017
Balance at beginning of financial period	-	3,634,515
Receipts from States Parties	15,782	12,461
Refunds to States Parties	-	-
Refund to withdrawn State	-	(149)
Temporary withdrawal for liquidity	-	(9,041,272)
Replenishments	9,041,272	-
Cash Surplus	-	5,394,445
Balance as at 31 December	9,057,054	-
Established level	11,600,000	11,600,000
Due from States Parties (Schedule 3)	(953)	(16,735)
Funding shortage / to be financed through future surplus funds	(2,541,993)	(2,541,993)
Temporary withdrawal for liquidity	-	(9,041,272)
Balance as at 31 December	9,057,054	-

Status of Contingency Fund

	2018	2017
Balance at beginning of financial period	3,759,138	5,785,308
Receipts from States Parties	4,991	452
Refund to withdrawn State	-	(46)
Temporary withdrawal for liquidity	-	(1,478,982)
Withdrawal - not absorbed by regular budget	-	(547,594)
Replenishments	1,478,982	-
Balance as at 31 December	5,243,111	3,759,138
Established level	7,000,000	7,000,000
Due from States Parties (Schedule 4)	(295)	(5,286)
Funding shortage	(1,756,594)	(1,756,594)
Temporary withdrawal for liquidity	-	(1,478,982)
Balance as at 31 December	5,243,111	3,759,138

¹⁾ ICC-ASP/16/Res.1, Section B, para. 4

Schedule 3

International Criminal Court - Status of advances to the Working Capital Fund as at 31 December 2018 (in euros)

<i>States Parties</i>	<i>Working Capital Fund</i>	<i>Cumulative payments</i>	<i>Outstanding</i>
Afghanistan	791	791	-
Albania	1,358	1,358	-
Andorra	1,061	1,061	-
Antigua and Barbuda	298	298	-
Argentina	91,904	91,904	-
Australia	322,986	322,986	-
Austria	113,380	113,380	-
Bangladesh	906	906	-
Barbados	1,121	1,121	-
Belgium	140,858	140,858	-
Belize	149	149	-
Benin	446	446	-
Bolivia	1,513	1,513	-
Bosnia and Herzegovina	2,272	2,272	-
Botswana	2,246	2,246	-
Brazil	488,335	488,335	-
Bulgaria	6,835	6,835	-
Burkina Faso	507	507	-
Cabo Verde	149	149	-
Cambodia	594	594	-
Canada	437,867	437,867	-
Central African Republic	149	141	8
Chad	480	87	393
Chile	53,391	53,391	-
Colombia	42,165	42,165	-
Comoros	149	141	8
Congo	798	463	335
Cook Islands	149	149	-
Costa Rica	6,173	6,173	-
Côte d'Ivoire	1,507	1,507	-
Croatia	17,006	17,006	-
Cyprus	6,713	6,713	-
Czechia	54,582	54,582	-
Democratic Republic of the Congo	621	621	-
Denmark	94,382	94,382	-
Djibouti	149	149	-
Dominica	149	149	-
Dominican Republic	6,719	6,719	-
Ecuador	7,909	7,909	-
El Salvador	850	850	-
Estonia	5,800	5,800	-
Fiji	446	446	-
Finland	72,995	72,995	-
France	783,276	783,276	-
Gabon	2,780	2,780	-
Gambia	149	149	-
Georgia	1,095	1,095	-
Germany	1,011,325	1,011,325	-
Ghana	2,193	2,193	-
Greece	84,285	84,285	-
Grenada	149	149	-
Guatemala	4,058	4,058	-
Guinea	210	76	134
Guyana	210	210	-
Honduras	1,182	1,182	-
Hungary	32,989	32,989	-
Iceland	3,754	3,754	-
Ireland	56,829	56,829	-
Italy	615,860	615,860	-
Japan	1,533,276	1,533,276	-

<i>States Parties</i>	<i>Working Capital Fund</i>	<i>Cumulative payments</i>	<i>Outstanding</i>
Jordan	3,137	3,137	-
Kenya	2,233	2,233	-
Latvia	7,142	7,142	-
Lesotho	149	149	-
Liberia	149	149	-
Liechtenstein	1,209	1,209	-
Lithuania	10,743	10,743	-
Luxembourg	10,955	10,955	-
Madagascar	446	446	-
Malawi	298	298	-
Maldives	210	210	-
Mali	533	533	-
Malta	2,368	2,368	-
Marshall Islands	149	141	8
Mauritius	1,865	1,865	-
Mexico	247,922	247,922	-
Mongolia	568	568	-
Montenegro	677	677	-
Namibia	1,480	1,480	-
Nauru	149	149	-
Netherlands	234,377	234,377	-
New Zealand	38,364	38,364	-
Niger	298	268	30
Nigeria	20,554	20,554	-
North Macedonia	1,121	1,121	-
Norway	125,843	125,843	-
Panama	4,333	4,333	-
Paraguay	1,723	1,723	-
Peru	18,470	18,470	-
Philippines	23,461	23,461	-
Poland	131,467	131,467	-
Portugal	65,180	65,180	-
Republic of Korea	297,893	297,893	-
Republic of Moldova	507	507	-
Romania	30,902	30,902	-
Saint Kitts and Nevis	149	149	-
Saint Lucia	149	149	-
Saint Vincent and the Grenadines	149	149	-
Samoa	149	149	-
San Marino	446	446	-
Senegal	825	825	-
Serbia	5,436	5,436	-
Seychelles	149	149	-
Sierra Leone	149	149	-
Slovakia	24,644	24,644	-
Slovenia	13,830	13,830	-
South Africa	54,580	54,580	-
Spain	407,860	407,860	-
State of Palestine	769	769	-
Suriname	715	715	-
Sweden	141,862	141,862	-
Switzerland	160,632	160,632	-
Tajikistan	507	507	-
Timor-Leste	358	358	-
Trinidad and Tobago	5,903	5,903	-
Tunisia	4,843	4,843	-
Uganda	878	878	-
United Kingdom	723,004	723,004	-
United Republic of Tanzania	906	906	-
Uruguay	9,337	9,337	-
Vanuatu	149	149	-
Venezuela	89,402	89,402	-
Zambia	878	841	37
Rounding difference	(4)	(4)	-
Total (123 States Parties)	9,058,007	9,057,054	953

Schedule 4

International Criminal Court Status of contributions to the Contingency Fund for 2018 (in euros)

<i>States Parties</i>	<i>Outstanding as at 31-12-2017</i>	<i>Replenishments</i>	<i>Collections</i>	<i>Outstanding as at 31-12-2018</i>
Afghanistan	-	-	-	-
Albania	-	-	-	-
Andorra	-	-	-	-
Antigua and Barbuda	-	-	-	-
Argentina	-	-	-	-
Australia	-	-	-	-
Austria	-	-	-	-
Bangladesh	-	-	-	-
Barbados	-	-	-	-
Belgium	-	-	-	-
Belize	-	-	-	-
Benin	-	-	-	-
Bolivia	-	-	-	-
Bosnia and Herzegovina	-	-	-	-
Botswana	-	-	-	-
Brazil	-	-	-	-
Bulgaria	-	-	-	-
Burkina Faso	-	-	-	-
Cabo Verde	-	-	-	-
Cambodia	-	-	-	-
Canada	-	-	-	-
Central African Republic	-	-	-	-
Chad	-	-	-	-
Chile	-	-	-	-
Colombia	-	-	-	-
Comoros	46	-	-	46
Congo	73	-	-	73
Cook Islands	-	-	-	-
Costa Rica	-	-	-	-
Côte d'Ivoire	-	-	-	-
Croatia	-	-	-	-
Cyprus	-	-	-	-
Czechia	-	-	-	-
Democratic Republic of the Congo	-	-	-	-
Denmark	-	-	-	-
Djibouti	-	-	-	-
Dominica	8	-	8	-
Dominican Republic	-	-	-	-
Ecuador	-	-	-	-
El Salvador	-	-	-	-
Estonia	-	-	-	-
Fiji	-	-	-	-
Finland	-	-	-	-
France	-	-	-	-
Gabon	-	-	-	-
Gambia	-	-	-	-
Georgia	-	-	-	-
Germany	-	-	-	-
Ghana	-	-	-	-
Greece	-	-	-	-
Grenada	-	-	-	-
Guatemala	-	-	-	-
Guinea	84	-	-	84
Guyana	-	-	-	-
Honduras	-	-	-	-
Hungary	-	-	-	-
Iceland	-	-	-	-
Ireland	-	-	-	-
Italy	-	-	-	-
Japan	-	-	-	-

<i>States Parties</i>	<i>Outstanding as at 31-12-2017</i>	<i>Replenishments</i>	<i>Collections</i>	<i>Outstanding as at 31-12-2018</i>
Jordan	-	-	-	-
Kenya	-	-	-	-
Latvia	-	-	-	-
Lesotho	-	-	-	-
Liberia	-	-	-	-
Liechtenstein	-	-	-	-
Lithuania	-	-	-	-
Luxembourg	-	-	-	-
Madagascar	-	-	-	-
Malawi	-	-	-	-
Maldives	-	-	-	-
Mali	-	-	-	-
Malta	-	-	-	-
Marshall Islands	-	-	-	-
Mauritius	-	-	-	-
Mexico	-	-	-	-
Mongolia	-	-	-	-
Montenegro	-	-	-	-
Namibia	-	-	-	-
Nauru	-	-	-	-
Netherlands	-	-	-	-
New Zealand	-	-	-	-
Niger	92	-	-	92
Nigeria	-	-	-	-
North Macedonia	-	-	-	-
Norway	-	-	-	-
Panama	-	-	-	-
Paraguay	-	-	-	-
Peru	-	-	-	-
Philippines	-	-	-	-
Poland	-	-	-	-
Portugal	-	-	-	-
Republic of Korea	-	-	-	-
Republic of Moldova	-	-	-	-
Romania	-	-	-	-
Saint Kitts and Nevis	-	-	-	-
Saint Lucia	-	-	-	-
Saint Vincent and the Grenadines	-	-	-	-
Samoa	-	-	-	-
San Marino	-	-	-	-
Senegal	-	-	-	-
Serbia	-	-	-	-
Seychelles	-	-	-	-
Sierra Leone	-	-	-	-
Slovakia	-	-	-	-
Slovenia	-	-	-	-
South Africa	-	-	-	-
Spain	-	-	-	-
State of Palestine	-	-	-	-
Suriname	-	-	-	-
Sweden	-	-	-	-
Switzerland	-	-	-	-
Tajikistan	-	-	-	-
Timor-Leste	-	-	-	-
Trinidad and Tobago	-	-	-	-
Tunisia	-	-	-	-
Uganda	-	-	-	-
United Kingdom	-	-	-	-
United Republic of Tanzania	-	-	-	-
Uruguay	-	-	-	-
Vanuatu	-	-	-	-
Venezuela	4,983	-	4,983	-
Zambia	-	-	-	-
Total (123 States Parties)	5,286	-	4,991	295

Schedule 5

International Criminal Court Status of cash surplus as at 31 December 2018 (in euros)¹

<i>Current year</i>	<i>2018</i>	<i>2017</i>
Credits		
Receipts of assessed contributions	132,091,835	126,352,729
Receipts of voluntary contributions	-	-
Receipts of miscellaneous income	546,285	645,925
	132,638,120	126,998,654
Charges		
Disbursed expenditures	138,114,484	137,180,914
Unliquidated obligations	6,054,319	5,287,423
Provision for US Tax liability	37,403	86,011
Provision for doubtful debt	179,330	318,707
Provision for ILOAT cases	334,987	1,760,288
Provision for staff entitlements	9,100	194,311
Accrual for annual leave and relocation allowance for Judges	295,800	307,200
	145,025,423	145,134,854
Provisional cash surplus/(deficit)	(12,387,303)	(18,136,200)
Contingency Fund withdrawal (Schedule 2)	-	547,594
Prior year's cash deficit	-	(5,621,876)
Provisional cash surplus/(deficit) after Contingency Fund withdrawal and prior year's cash deficit	(12,387,303)	(23,210,482)
Disposition of prior year's provisional surplus/(deficit)		
Prior year's provisional surplus/(deficit)	(23,210,482)	(13,180,870)
Plus: receipt of prior period contributions and other income	25,265,833	5,591,759
Savings on, or cancellation of, prior period obligations	937,165	1,967,235
Prior year's cash surplus/(deficit)	2,992,516	(5,621,876)
Reconciliation of provisional surplus/(deficit) to budget surplus/(deficit)		
Provisional cash surplus/(deficit)	(12,387,303)	(18,136,200)
Assessed contributions receivables	15,339,884	18,234,667
Assessed contributions / difference between budgeted and actual host State loan amount	73	3,647
Assessed contributions / net adjustment withdrawn State	-	(3,783)
Miscellaneous income receipts	(546,285)	(645,925)
Budget surplus/(deficit) (Statement V)	2,406,369	(547,594)

(a) ¹Includes Major Programme VI: Secretariat of the Trust Fund for Victims.

Schedule 6

International Criminal Court Status of voluntary contributions as at 31 December 2018 (in euros)

<i>Trust Fund</i>	<i>Donors</i>	<i>Balance brought forward</i>	<i>Contributions received in 2018</i>	<i>Contributions recorded in 2018</i>	<i>Contributions related to 2019</i>	<i>Balance due from donors</i>
Building Legal Expertise and Fostering Cooperation, 2017-2018	European Commission	372,290	-	407,256	-	34,966
<i>Sub-total</i>		<i>372,290</i>	<i>-</i>	<i>407,256</i>	<i>-</i>	<i>34,966</i>
Building Legal Expertise and Fostering Cooperation, 2018-2019	European Commission	-	850,000	206,647	643,353	-
<i>Sub-total</i>		<i>-</i>	<i>850,000</i>	<i>206,647</i>	<i>643,353</i>	<i>-</i>
Lessons Learned Project, 2017-2018	Open Society Foundation	79,081	-	79,081	-	-
<i>Sub-total</i>		<i>79,081</i>	<i>-</i>	<i>79,081</i>	<i>-</i>	<i>-</i>
20th Anniversary of the Rome Statute, 2018	Cyprus	-	1,000	1,000	-	-
	Finland	-	5,000	5,000	-	-
	Municipality of The Hague	-	10,000	10,000	-	-
	Netherlands	-	10,000	10,000	-	-
	Nigeria	-	2,000	2,000	-	-
	Organisation internationale de la Francophonie	-	10,000	10,000	-	-
	Republic of Korea	-	10,000	10,000	-	-
<i>Sub-total</i>		<i>-</i>	<i>48,000</i>	<i>48,000</i>	<i>-</i>	<i>-</i>
Development of Interns and Visiting Professionals, 2016-2018	Netherlands	-	100,000	100,000	-	-
	Republic of Korea	-	39,839	39,839	-	-
<i>Sub-total</i>		<i>-</i>	<i>139,839</i>	<i>139,839</i>	<i>-</i>	<i>-</i>
Access to Justice / Justice and Law Enforcement Capacity Building, 2017-2018	Denmark	64,284	123,019	187,303	-	-
<i>Sub-total</i>		<i>64,284</i>	<i>123,019</i>	<i>187,303</i>	<i>-</i>	<i>-</i>
Special Fund for Relocations	Australia	-	188,800	188,800	-	-
	Belgium	-	95,000	95,000	-	-
	Luxembourg	15,000	35,000	50,000	-	-
<i>Sub-total</i>		<i>15,000</i>	<i>318,800</i>	<i>333,800</i>	<i>-</i>	<i>-</i>
Family Visit for Indigent Detainees	United Kingdom	-	11,362	11,362	-	-
<i>Sub-total</i>		<i>-</i>	<i>11,362</i>	<i>11,362</i>	<i>-</i>	<i>-</i>

<i>Trust Fund</i>	<i>Donors</i>	<i>Balance brought forward</i>	<i>Contributions received in 2018</i>	<i>Contributions recorded in 2018</i>	<i>Contributions related to 2019</i>	<i>Balance due from donors</i>
Junior Professional Officer Programme	Japan	155,683	496,787	347,346	305,124	-
	Republic of Korea	105,943	95,022	77,151	123,814	-
	Switzerland	117,759	107,688	106,919	118,528	-
<i>Sub-total</i>		<i>379,385</i>	<i>699,497</i>	<i>531,416</i>	<i>547,466</i>	<i>-</i>
Least Developed Countries	Finland	-	20,000	20,000	-	-
	Ireland	-	10,000	10,000	-	-
	Philippines	-	4,034	4,034	-	-
	Private	-	81	81	-	-
<i>Sub-total</i>		<i>-</i>	<i>34,115</i>	<i>34,115</i>	<i>-</i>	<i>-</i>
Sponsored Travel to External Conferences	Germany	-	268	268	-	-
	Netherlands	-	14,243	14,243	-	-
	Republic of Korea	-	21,589	21,589	-	-
	Senegal	-	4,262	4,262	-	-
	Other, Non-Government	-	18,952	18,952	-	-
<i>Sub-total</i>		<i>-</i>	<i>59,314</i>	<i>59,314</i>	<i>-</i>	<i>-</i>
Total voluntary contributions		910,040	2,283,946	2,038,133	1,190,819	34,966

Schedule 7

International Criminal Court Status of trust funds as at 31 December 2018 (in euros)

<i>Trust Fund</i>	<i>Balance brought forward</i>	<i>Contributions recorded</i>	<i>Financial/ other revenue</i>	<i>Expenses (Including donor refunds)</i>	<i>Balance carried forward</i>
General Trust Fund	10,669	-	-	-	10,669
Building Legal Expertise and Fostering Cooperation, 2017-2018	-	407,256	356	407,612	-
Building Legal Expertise and Fostering Cooperation, 2018-2019	-	206,647	-	206,647	-
Lessons Learned Project, 2017-2018	-	79,081	-	79,081	-
20th Anniversary of the Rome Statute	-	48,000	-	37,848	10,152
Development of Interns and Visiting Professionals	110,608	139,839	-	107,890	142,557
Access to Justice and Justice and Law Enforcement Capacity Building, 2017-2018	-	187,303	-	187,303	-
Special Fund for Relocations	1,457,202	333,800	-	95,000	1,696,002
Family Visits for Indigent Detainees	25,303	11,362	1,044	22,051	15,658
Junior Professional Officer Programme	-	531,416	-	531,416	-
Least Developed Countries	6,468	34,115	808	16,556	24,835
Sponsored Travel to External Conferences	-	59,314	-	59,314	-
Programme Support	84,695	-	10	(36,781)	121,486
Total	1,694,945	2,038,133	2,218	1,713,937	2,021,359

General description and purpose of 2018 trust funds disclosed in Schedule 7

1. The *General Trust Fund* relates to unrestricted funds, implementation of which was on hold during 2018.

2. Contracts with the European Commission and other donors for the *Building legal expertise and fostering cooperation* programme provide financial support to the implementation of the following three sub-projects:

(a) *Seminars, events and trainings for fostering cooperation, sharing expertise and building national capacity*: provide representatives and professionals from States Parties and non-States Parties, including situation countries, with opportunities to develop their knowledge as well as to share mutually relevant information, thus strengthening the Court's capacity to implement its mandate based on improved judicial cooperation; and to develop the knowledge and practical skills of legal professionals, build and maintain relationships with counsel and associations of lawyers, and provide a forum for consultations with the legal profession;

(b) *Legal Professional Programme*: provides representatives and professionals from situation countries, countries in which the ICC is conducting preliminary investigations, and any other relevant developing country State Parties to the Rome Statute with opportunities to develop their legal knowledge and enhance national capacities to investigate and prosecute crimes within the jurisdiction of the ICC; and

(c) *Legal Tools Database*: under the responsibility of the Office of the Prosecutor facilitates development of the capacity to investigate, prosecute and adjudicate core international crimes cases, in particular at the national level. It has been designed to assist legal professionals to work on core international crimes as enshrined in the Rome Statute and relevant national legislation, by providing (a) free access to legal information in international criminal law, legal digests of such information, and specialized software to work with such law; and (b) training, coaching and offering help desk services. The sub-project forms one important element in the Court's effort to reinforce national capacity and to ensure that those alleged of such crimes can be brought to justice in accordance with international standards.

3. Collectively, these sub-projects stem from the programme's overall objective to "contribute to the fight against impunity, by promoting the Rome Statute System and increasing support for the ICC" and its sub-objectives to: (i) broaden the understanding of the ICC and the Rome Statute amongst the key stakeholders, in particular ICC States Parties and legal professionals, and achieve greater support and cooperation of States with the ICC; and (ii) to reinforce national capacities in dealing with crimes under the Rome Statute, particularly in countries related to situations before the ICC, by promoting the principle of complementarity.

4. The *Lessons Learned Project* encompassed an objective assessment, performed by three external experts, involving a root cause analysis of how the Office of the Prosecutor conducted the preliminary examination, investigations and prosecutions in a specific situation, examining how both internal processes and external factors were handled. The exercise was designed to determine whether the Office has corrected and improved its working methods since that experience, and what changes may still be necessary, in order to hone performance internally and to manage more effectively external factors that impinge on success.

5. The Trust Fund for the 20th Anniversary of the Rome Statute aimed to raise global awareness of the role and significance of the Rome Statute, to increase public recognition and foster a genuinely positive narrative focused on the victims and survivors of the world's gravest crimes. The initiative was targeting national governments, NGOs, civil society, media, academia and general public worldwide. The objectives were achieved through a number of events and have been finalized in cooperation with the States Parties. The central events took place on 16 and 17 July at the Court, with the participation of high profile officials from ICC situation countries, the experts and panellists. The communication programme facilitated further the presentation of the ICC's 'Trauma, Healing and Hope' exhibit, displaying the history and work of the Court and comprising photos from the situation countries. The exhibitions were on display at the Court, at the Atrium in the Hague, marking the anniversary and International Criminal Justice Day (17 July). Aimed at strengthening further the role and significance of the Rome Statute at global level, the exhibits were also displayed by the Court in the field offices throughout the year and at the UN headquarters in New York.

6. The Trust Fund for the *Development of Interns & Visiting Professionals* has been established to provide funded internship and visiting professional opportunities to nationals from developing regions that are a State Party to the Rome Statute. The programme provides the participants an opportunity for intellectual growth, development of knowledge and skills specific to a career or career setting and the acquisition of transferable professional skills. Funding for the trust fund is provided by interested donors.

7. The "*Access to Justice and Justice and Law Enforcement Capacity Building*", July 2017- December 2018: although the Uganda Field Office had been implementing outreach activities for 12 years in Uganda, following the arrest of Dominic Ongwen, it was identified that due to the very high number of affected communities residing across the Norther Uganda, parallel to existing ones, new structures and channels needed to be created that would allow greater dialogue and participation of the affected communities. Since the Court does not have a sub-office in any of the affected communities, through implementation of the Special Project, funded by the Danish Embassy in Kampala, the Office was able to partner with 48 community volunteers, two from each of the 23 beneficiary parishes, who created forums of trust amongst its communities, enabled its members to have direct access to the proceedings in the HQ and ultimately, galvanised the support for the ICC. By

engaging the community volunteers in the project, the Court was furthermore able to overcome immense challenges to provide access timely and accurately on the trial of Ongwen, bringing the proceedings closer to and understandable for the affected communities. Another component of the project relates to the sharing of best practices and experiences with representatives of the Ugandan Justice, Law and Order sectors with a view to contribute to the strengthening of their capacities in the handling of international crimes. The ICC intervention was intended to contribute to enhancing coordinated investigative and prosecutorial strategies for the handling of international crimes and the closing of the impunity gap. It was also aimed to help strengthening Ugandan relevant institutions to adequately start, manage and complete a criminal judicial process, and to develop stronger and more capable justice and law enforcement mechanisms.

8. The *Special Fund for Relocations* is established to assist States which are willing but do not have the capacity to enter into relocation agreements with the Court with cost neutral solutions. It aims at increasing the number of effective relocations and building local capacity to protect witnesses. The fund receives voluntary contributions from States Parties and covers direct expenses of the person at risk relocated in the receiving State.

9. The Trust Fund for *Family Visits for Indigent Detainees* was established within the Registry by the Assembly in its resolution ICC-ASP/8/Res.4. The purpose is to fund family visits for indigent detainees through voluntary contributions.

10. The Trust Fund for the *Junior Professional Officer Programme* has been established to provide funded appointments to nationals from sponsoring participating countries. The programme provides opportunities for young professionals to be placed in entry level positions, at the cost of their governments, in an effort to familiarize them with the inner workings of the Court and the International Legal system as a whole, with an aim at creating increased suitability to positions at the Court. The programme provides the participants with an opportunity for professional growth and the development of real world skills that can be applied to their careers at the ICC and the International Public Sector.

11. The Trust Fund for *Least Developed Countries* was established by ICC-ASP/2/Res.6 and amended by ICC-ASP/4/Res.4. It is managed by the Secretariat of the Assembly of States Parties and promotes participation of delegates of the least developed countries and other developing countries in the work of the Assembly of States Parties by covering their travel costs to the Assembly as determined by the Fund.

12. The *Sponsored Travel to External Conferences* stands for travel and accommodation costs, funded by various donors for the Court's officials and other delegates to participate in external conferences, trainings and public events. The sponsors are mainly Governments, universities and other educational institutions, and international non-profit organizations.

Final audit report on the financial statements of the International Criminal Court for the period ended 31 December 2018

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I. Audit objectives, scope and approach

1. We have audited the financial statements of the International Criminal Court (the Court) in accordance with the International Standards on Auditing (ISA) and regulation 12 of its Financial Regulations and Rules, including the additional terms of reference governing the audit of the International Criminal Court.
2. The objective of the audit was to determine with reasonable assurance that the financial statements, taken as a whole, did not present any significant anomalies, either through fraud or through error, so that the External Auditor could provide an opinion as to whether these statements were drawn up, in all material respects, in accordance with the International Public Sector Accounting Standards (IPSAS) for financial year 2018.
3. The additional terms of reference governing the External Auditor are set out in the annex to the Financial Regulations and Rules, paragraph 6 (c), which stipulates that the improper use of the Court's money and other assets and any expenditure not in accordance with the intention of the Assembly of States Parties (Assembly) must be brought to the notice of the Assembly of States Parties.
4. Financial statements prepared in accordance with IPSAS contain a statement of financial position, a statement of financial performance, a statement of changes in net assets, a statement of cash flows, a statement of comparison between budget and actual data and notes for the financial year then ended.
5. A set of seven schedules statements presenting additional information not falling within the scope of this audit was appended to the financial statements by the Organization. The audit team ensured that those schedules were coherent with the financial statements, but did not carry out any other due diligence concerning them
6. The audit consisted of two phases:
 - (a) An interim audit, focused on aspects relating to internal controls (from 3 to 14 December 2018); and
 - (b) A final audit, focused on the financial statements and the disclosure obligations imposed by IPSAS (from 6 May to 24 May 2019).
7. The findings and recommendations were discussed with the Registry team. The final meeting with the Director of the Division of Management Services, the Head of the Finance Section and his team, and the Deputy Head of the Human Resources Section, was held on 24 May 2019.
8. We hereby provide an **unqualified** opinion on the financial statements of the International Criminal Court for the year ended 31 December 2018.

II. List of recommendations

Recommendation n° 1. The External Auditor recommends that Finance Section should strengthen its controls on the veracity of figures proposed by the consultants to be reported in the financial statements of the International Criminal Court for employee benefits, in particular in obtaining more detailed information.

Recommendation n° 2. The External Auditor recommends to implement a control to prevent granting access rights that lead to inappropriate access to the information system or non-respect of segregation of duties principles in a context of an integrated and centralized information system. The External Auditor recommends also to implement a yearly control (at least) of review to detect any inappropriate access rights granted within the SAP system.

Recommendation n° 3. The External Auditor recommends to perform an annual test in order to ensure the ability to fully restore the IT environment in case of any disaster.

III. Overview of the financial position

9. Assets represent €247.323 million at 31 December 2018 compared with €254.082 million at 31 December 2017, a decrease of €6,759 million (- 2.7 per cent). The overall level of cash and cash equivalents¹ increased from €7.082 million to €18.892 million (+ €11.810 million, increase of 167 per cent), level mainly linked to an improvement in collection of assessed contributions.

10. The total of receivables from non-exchange transactions represents a gross figure of €21.194 million at 31 December 2018. It mainly relates to assessed contributions from States Parties. Outstanding assessed contributions to Regular Budget amount to €21.122 million at the end of 2018. Although still high, this level is in progress compared with €31.048 million at the end of 2017. The net amount of accounts receivable is €14.863 million, due to the deduction of the provision for doubtful debt (€6.331 million) recognized for 90 percent of arrears in contributions older than two years €6.887 million in 2017, decrease of €0.556 million). Brazil, Venezuela and Argentina hold the major part of outstanding contributions from State Parties, €18 796 million out of €21.122 million.

11. Property, plant and equipment represent €179.103 million vs €189.286 million at 31 December 2017, and amount to 72.4 per cent of assets. Depreciation of the permanent premises was calculated over a full year for €10.365 million roughly as in 2017, the net book value of the building being €164.859 million at 2018 year end.

12. Reimbursement rights which amount to €28.648 million (€28.688 million at the end of 2017, after restatement) correspond to fair value of the insurance contract with Allianz to which the Court contributes in order to cover the after-service pensions of Judges.

13. Liabilities are mainly debts to suppliers, to employees and to the Host State for the loan to finance the permanent premises. Proven risks are also recorded there as part of the contingencies and provisions.

14. Liabilities are split between current liabilities and non-current liabilities. This distinction is primarily based on the expected delay of payment of the provisioned amount² in accordance with IPSAS. The provision mainly includes the amounts covering disputes before the International Labor Organization Administrative Tribunal (ILOAT). This amount has sharply decreased from €2.060 million to €0.898 million during the year. This decrease results mainly from payments and reversals registered on the litigations provisioned in the past years. There is however an increase of provision of €0.258 million mainly due to new ILOAT or internal on going litigations cases. The provisions for US Tax are stable at €0.111 million for 2018 (€0.126 million for 2017)

15. Employee benefits liabilities are also split between current and non-current liabilities:

(a) The annual leave accrued and other long term and post-employment benefits due within one year appear in current liabilities (€10.129 million); and

(b) The non-current portion corresponds to the Court's long-term liabilities, such as Judges' pensions and After Service Health Insurance (ASHI) (€59.345 million).

16. The loan from the Host State was intended to finance the permanent premises project. It amounts to €70.708 million at the end of 2018 (*versus* €72.509 million at the end of 2017).

17. Deferred revenue and accrued expenses, totaling €8.756 million, are essentially composed of assessed contributions collected in advance (€1.509 million), voluntary contributions collected in advance (€1.191 million), invoices not yet received at the closing of the accounts for services related to the Court's operations (€2.471 million), as well as €3.585 million in annual payments and interest on the loan maturing on 1 February 2019.

¹ The amounts in "cash and cash equivalents" correspond to immediately available funds or demand deposits.

² Debts due in less than 12 months are considered current, while others are classified as non-current debts.

18. Net assets, amounting to €90.809 million (€98.825 million in 2017), constitute the Court's net equity, the various components of which are detailed in Statement III - "Statement of changes in net assets/equity" with the following breakdown:

(a) A positive balance of €79.272 million (vs €105.142 million at the end of 2017) for the component of the General fund merging the previous "fund for permanent premises project" and other general funds, under the denomination of "Other general fund balances" since 2017 Statement III;

(b) A positive amount of €5.243 million (vs €3.764 million in 2017) for the contribution of States Parties to finance the Contingency Fund reserve and a strong increase for the Working Capital Fund reserve growing to €9.058 million in 2018 compared to €0.017 million³ last year;

(c) A negative equity of €4.785 million for the remaining funds of the General Fund. They include the positive equity of the Fund for employee benefits liabilities (€0.263 million) and the cash surplus (€2.993 million), and the negative equity of remeasurement of post-employment related plans (- €8.041 million); and

(d) The positive equity of the 13 Trust funds fueled through voluntary contributions to the Court (not to be confused with the Trust Fund for Victims, which is a distinct entity producing its own Financial statements), with a total of €2.021 million.

19. The statement of financial performance shows a negative result of €7.102 million, compared to - €13.846 million for 2017. The deterioration of performance noticed last year has been reduced by the half, but there still remains a significant deficit up to 4.8 per cent of the revenues of the Court. The main factors explaining this evolution is the low growth of employee benefits expenses which are the most important part of the expenses (+ 1.15 per cent, compared with +12.14 % in 2017). Among other expenses, operating expenses, travel & hospitalities and counsel fees have notably decreased, while contractual fees have increased, the other expenses remaining stable. All in all, the level of expenses of the Court is stable and has even slightly decreased in 2018, at €155.157 million compared to €155.948 million in 2017, which was a year of major growth for expenses (€144.741 million in 2016). Total revenue growth is 4.2 percent, mainly from assessed contributions. The gap between the rate growth of revenues and 0.5 percent decrease for expenses explains the reduction of the deficit of the statement of financial performance.

IV. Observations and recommendations

20. The External Auditor's observations and recommendations on 2018 financial statements relate to:

- (a) Overall comments on budget and funding of the Court;
- (b) Outstanding assessed contributions;
- (c) Payroll and employee benefits;
- (d) Employee benefits liabilities;
- (e) ILOAT fees;
- (f) Procurement, Miscellaneous Obligation Documents;
- (g) Information systems (IS); and
- (h) The internal audit functions.

³ The Working Capital Fund is used to meet short-term liquidity needs at the end of the year in the context of outstanding assessed contributions. The Contingency Fund has also been used to meet short term liquidity problems.

A. Overall comments on budget and funding of the Court

21. The External Auditor has taken note of the budget for 2018 approved by the Assembly in its 16th session (4-13 December 2017) and of the "Report on activities and programme performance of the International Criminal Court for the year 2018"⁴ distributed on 22 March 2019 to the Committee on Budget and Finance (CBF) which details the budgetary performance for every Major Programme of the Court in 2018.

22. A separate performance audit has been conducted in 2019 by a distinct external audit team on "ICC Budgetary Process" according to specific terms of reference. Detailed comments on these budgetary issues can be found in a separate report that will not be duplicated here.

23. As part of its specific audit works on the 2018 financial statements, the External Auditor has checked the compliance of Statement V of comparison of budget and actual amounts, and the correlated note n°24, with the requirements of IPSAS 24. No observation is made on this topic. The methodology of the reconciliation and its checking had been developed in annex I of the audit report on 2017 financial statements and will not be duplicated here either.

24. In the audit report on 2017 financial statements, the comments and analysis of the External Auditor were concluded by the expression of a risk on the going concern of the Court due to a possible shortage of cash during the year 2018. This situation was due to persistent delays in the payments of arrears of assessed contributions from some States Parties, and the inadequate availability of funding from the Working Capital Fund and the Contingency Fund at the moment. This risk had also been underlined by the CBF in previous reports in 2018.

25. However, risks of liquidity shortages appear to be recurrent in the Court in the long run, with periods of tensions alternating with periods of recovery. Divergences among States Parties exist on the budgetary solutions and tools to be provided to the Court for the treatment of the recurrent periodic volatility of the liquidity and the decisions to take on the basis of the reports and proposals of the Committee.

26. The risks emphasized in the audit report of July 2018 have been monitored in the second half of 2018, where an improvement of the level of cash has been recorded, due to payments of arrears and payments from States Parties (see below).

27. In the scope of the present audit report on 2018 financial statements, the External Auditor has analyzed the monthly liquidity forecasts for 2019, and the according reporting from the Registry to the CBF. The assumptions used as the basis for this forecasting have been communicated. According to these forecasts, the liquidity of the Court should be positive, unless some assessed contributions were to be delayed or postponed, especially in November 2019. The Court has no grasp on the date of payment, which is totally under the contributing State Party control. In this scope there could be a risk of liquidity shortage and inability of the Court to face its commitments about the end of the year, even after using all available funds provided by the Working Capital Fund and the Contingency Fund. At the time of this report, the External Auditor has no additional visibility on the commitments of relevant contributors to deliver payments in time and amounts as forecasted.

28. A more detailed development on the topic and the attached problematics for its treatment is exposed in the above mentioned performance audit report on "ICC Budget Process".

⁴ CBF/32/14.

B. Outstanding assessed contributions

1. Evolution of arrears

29. The following table shows a long term (12 years) evolution of the assessed contributions and related outstanding arrears:

Table 1: Outstanding assessed contributions from 2007 to 2018 (in thousands of euros)

Year	Assessed contributions	Collections for current year	Collection current year/ Assessed contribution	Outstanding current year as at 31 December	Outstanding current year/ Assessed contribution	Collections for prior year	Outstanding as prior year as at 31 December	Total Outstanding as at 31 December
2007	88,872	83,021	93%	5,851	7%	9,672	2,298	8,149
2008	90,382	90,077	100%	305	0%	7,896	252	557
2009	96,230	95,469	99%	761	1%	225	332	1,093
2010	103,623	97,849	94%	5,774	6%	612	481	6,255
2011	103,608	101,222	98%	2,386	2%	5,849	406	2,792
2012	108,800	102,640	94%	6,160	6%	2,382	410	6,569
2013	112,040	105,380	94%	6,659	6%	6,248	321	6,980
2014	118,706	110,672	93%	8,034	7%	525	6,455	14,489
2015	125,598	112,959	90%	12,639	10%	6,343	8,147	20,786
2016	138,786	124,726	90%	14,060	10%	16,440	4,345	18,405
2017	144,587	126,353	87%	18,235	13%	5,592	12,813	31,048
2018	147,432	132,092	90%	15,340	10%	25,266	5,782	21,122

Source: External Auditor from aging balances.

30. Outstanding contributions reached its highest level in 2017 and amounted to €31.0 million. Indeed, unpaid debts increased by 67 per cent in 2017 while the assessed contributions progressed only by 4 per cent.

31. In terms of current year's collections, the collected amount has increased compared to last year, from 87 per cent to 90 per cent. In 2018 main outstanding States Parties paid their ageing contributions. In fact, the collection related to previous periods amounts to €25.3 million. Since 2014, the outstanding contributions as prior years reaches one of its lower level. However the outstanding contributions related to current year is still high €15.3 million.

Table 2: Most significant outstanding assessed contributions as of 31 December 2018 (in thousands of euros)

State Parties	Outstanding as of 31 December 2018	Outstanding related to 2018	Outstanding related to prior years
Brazil	9,853	9,783	70
Venezuela	6,758	1,488	5,270
Argentina	2,185	2,185	0
Colombia	789	789	0
Nigeria	559	525	34
Total five States Parties	20,144	14,770	5,374
%	95%	96%	93%
Total all States Parties	21,122	15,340	5,782

Source: External Auditor from aging balance as of 31 December 2018.

32. By the end of 2018, thirty-five States Parties had not entirely paid their assessed contributions. In comparison, in the previous year the overdue receivables concerned forty States Parties. However, the structure of the ageing balance remains nearly the same as last year. The five most important outstanding arrears represent 95 per cent of the total outstanding balance as of 31 December 2018.

33. Brazil cleared a significant portion of its arrears prior to 2018, but the full amount for 2018 remains outstanding. The last payment from Brazil was in November 2018.

34. Venezuela has accumulated unpaid amounts for several years. Its outstanding contributions (€5.3 million) related to prior years represent 91 per cent of the total amount (€5,9 million). According to article 112 of the Rome Statute, Venezuela should be declared ineligible for voting at the Assemblies of States Parties. The receivables attached to its contributors are classified as doubtful debts.

35. While Argentina, Colombia and Nigeria made payments in 2018, respectively in April, September and March, these payments were used to settle arrears prior to the current year.

2. Ineligibility for the vote

36. The Court recognizes provision with respect to doubtful debts. It represents 90 per cent of the receivables' balance unpaid for more than two years. As of 31 December 2018, the amount of this provision amounted to €6.3 million and concerns ten countries that should be ineligible for votes at the ASP. The largest share of provision relates to Venezuela amounting to €6.1 million.

37. In order to strengthen the process of recovering payment arrears, the External Auditor recommended last year to permit to vote States Parties in arrears for the preceding two full years only once the payment schedule has been respected⁵. In consequence, the Court set up a proposal of a multi-year payment plan for States Parties in arrears as a mechanism offered to them in order to regularize their ageing contributions.

38. During his final mission, the External Auditor updated the arrears as of 30 April 2019. This leads to the following table:

Table 3: Breakdown of outstanding assessed contributions by year (in thousands of euros)

	<i>Outstanding as of 30 April 2019</i>	<i>Outstanding as of 31 December 2018</i>	<i>Collections related to prior years</i>
2007	1	1	0
2008	1	1	0
2009	3	3	0
2010	5	5	0
2011	6	6	0
2012	13	13	0
2013	16	16	0
2014	1,200	1,200	0
2015	1,280	1,280	0
2016	1,474	1,474	0
2017	1,746	1,784	-38
2018	13,678	15,340	-1,662
2019	56,289	-	-
Total	75,712	21,123	-1,700

Source: External Auditor from aging balance as of 30 April 2019 and 31 December 2018.

⁵ In accordance with the conditions of article 112 of the Rome Statute.

39. As at 30 April 2019, the Court collected a total of €92 million related to assessed contributions, compared to €95.6 million at the same time of previous year. The payments made during the first four months of 2019 were mainly related to 2019 assessed contributions. Only €1.7 million was used to clear outstanding balances related to 2018.

40. At the end of April 2019, three other countries should also be ineligible for votes at the ASP. As a result, the outstanding balance related to those thirteen countries ineligible for votes increased from €7.1 million to €9.5 million especially due to the increase of Venezuela arrears from €6.8 million to €8.8 million.

C. Payroll and employee benefits

41. The Court's staff expenditure had a moderate increase of 1.15 per cent compared to 6.4 per cent in 2017 from 2016, stepping from €106.9 million in 2017 to €108.1 million in 2018. It is comparable to the moderate growth of 1.1 per cent that was measured in 2016 from 2015.

Table 4: Change in 2017-2018 Employee benefit expenses (in thousands of euros)

	2017	2018	Change 2018/2017	Change as %
Judges' salaries	3,237	3,373	136	+4.2
Judges' entitlements and allowances	1,718	1,516	- 202	- 11.8 %
Staff salaries	56,112	57,571	1,459	+ 2.6 %
Staff entitlements and allowances	29,231	29,414	183	0.6 %
Temporary assistance	16,567	16,225	- 342	-2.1 %
Total	106,865	108,099	1,234	+1.15%

Source: External Auditor, on the basis of note 16 to the financial statements.

42. This moderate increase of total payroll is explained by various effects:

(a) Staff salaries and allowances have increased by €1.6 million, which is significantly lower than the increase of €12.7 million registered in 2017. Temporary assistance also decreased by €0.342 million. Non temporary staff (established, excluding GTA⁶ and short-term appointment – STA) amounts to 80.5 per cent staff costs (including judges) or 84.9 per cent (excluding judges);

(b) Temporary assistance, which includes mostly GTA and STA, represents a minor part of staff costs, and this part is decreasing, with 15 per cent in 2018, compared to 15.5 per cent in 2017 and 21.3 per cent in 2016; and

(c) Staff costs represent 69.7 per cent of expenses. 59 per cent of this share is for established positions (and Judges). This confirms that employee benefits are the major component of Court's expenses, and that most of them are fixed costs.

D. Employee benefits liabilities

43. The post-employment benefits, termination benefits and other long-term employee benefit liabilities are composed by the judges pension scheme, the after service health insurance for the staff, the termination benefits and the other long-term benefits.

44. The accounting for employee benefits under IPSAS 39 "Employee Benefits" is technically complex as the liabilities are frequently material because they are long-term and measurement has to take into consideration various assumptions. For this purpose, the Organization relies on the services of a consultant (Deloitte).

⁶ General temporary assistance.

45. The populations entitled to benefits are:

(a) The judges, who have defined retirement benefits and disability benefits based on vested rights and covered by an insurance contract recorded as a reimbursement right; and

(b) The staff who benefit from the health regime for retirees, named “after service health insurance” (ASHI) plan financed by 50 per cent by the Organization. In addition, internationally recruited professional staff under long-term contracts, who benefit from other long-term benefits such as home leave benefits, removal/travel on separation, relocation allowance, survivors benefit, family visits, repatriation grant and death grant.

46. The post-employment benefits and the other long-term benefits amount to €62.703 million vs €58.187 million in 2017 and €50.1 million in 2016. This important increase is linked to the commitment towards judges and staff whose cumulated number, active and retired, is growing in time. The reimbursement rights related to the judges pension amounts to €28.6 million, vs €28.7 million after correction in 2017 (€27.3 million before correction).

47. The External Auditor found that the opening balances on items related to employee benefits liabilities of 2018 financial statements were not similar to the figures that were settled in the closing balances of 2017 financial statements. It appeared that the difference resulted from the correction of an error made in the valuation of the pensions and related rights of a retired judge, that was ousted of the model parameters used by the consultant.

48. When the error was flagged by the consultant in 2019, the Court implemented a retrospective correction of error. The effect was an increase in the asset and in the liabilities of the same amount of €1.358 million. The accounts moved were “reimbursements rights” (asset side), “employee benefits liabilities” and “provisions” on the liabilities side. This correction did not have any effect on the net asset nor on the performance of 2017.

49. However, even if the case was in the end correctly treated in the final version of the financial statements, the External Auditor regrets that this specific situation was not disclosed to them from the start, as well as not initially mentioned in the financial statements. The External Auditor required, as settled by IPSAS 3, that additional information should be written in the notes, which was done in note 2.79 of the financial statements.

50. The External Auditor had to ask for further explanations to verify the amount of €1.358 million. The Finance Section had to refer to Deloitte to specify how the exact amount was calculated, arguing, which was confirmed by Deloitte, of the complexity of the actuarial model. The External Auditor remarks that the detection of the error, the valuation of the correction to be made, and the verification of its accuracy, relied mostly on the consultant.

51. In order to strengthen the control by the Finance Section on the veracity of outsourced figures, the reports from the consultant should provide some additional supporting documentation, such as disclosing the number of judges, active and retired, with their identification number, used as a basis of calculation of reimbursement rights.

<p>Recommendation n° 1. The External Auditor recommends that the Finance Section should strengthen its controls on the veracity of figures proposed by the consultants to be reported in the financial statements of the International Criminal Court for employee benefits, in particular in obtaining more detailed information.</p>

E. ILOAT Fees

52. Apart from the awards and compensations eventually claimed by staff members through the International Labour Organization Administrative Tribunal procedures, for which the Court discloses information on its provisions in notes n°2.58, 2.59, 13.1 and 27.1, “ILOAT fees” are recorded as “employee benefits” expenses. The related amount charged in 2018 was €165,542, among which €156,037 as ILOAT sessions share of costs.

53. According to the annex to the statute of the ILOAT, article IX, paragraph 2: “Expenses occasioned by the sessions or hearings of the Tribunal shall be borne by the international organization against which the complaint is filed.”. These expenses are invoiced to each organization in proportion with the number of judgements delivered during a session by the ILOAT.

54. The ILOAT holds two sessions per year. The External Auditor took note that 11 judgements have been delivered in 2018 by the ILOAT: six in January 2018 as a result of its 125th session; five in June 2018 as a result of its 126th session. The fees paid by the Court to the ILOAT for these two sessions amounted to €156,037.

55. The Court considers that these “ILOAT fees” are recorded as invoiced expenses, and the External Auditor does not challenge this doctrine.

56. The amount of ILOAT fees appears anyway as an unavoidable expense likely to be charged when a case is judged. The CBF expressed its concern in its 31st session report to the ASP (ICC-ASP/17/15) on the growing number of cases pending before the ILOAT and their costs implications, among them ILOAT fees, no matter if the judgement turns in favour or disfavour to the Court, of a gross average cost of about €14 thousand per judgement in 2018.

F. Procurement, Miscellaneous Obligation Documents

57. The Court uses different acquisition methods: through Procurement as per rules 110.12 to 110.19 of the Court’s Financial Regulations and Rules (FRR), and also through the use of Miscellaneous Obligation Document (MOD) as per financial rule 110.8.

58. As per financial rule 110.8 (Obligating documents) “an obligation must be based on a formal contract, agreement, purchase order or other form of undertaking, or on liability recognized by the Court. All obligations must be supported by an appropriate obligating document”.

59. The External Auditor obtained the “Standard Operating Procedure (SOP) for Miscellaneous Obligation Document” dated 2 January 2013. This SOP refers to the Court’s financial rule 110.8 and specifies that “*the MOD’s should be avoided and the volume of MOD’s should be minimized at the ICC*”. These MOD are signed by a Certifying Officer (CO) as requested by FRR 110.4.

60. However, the MOD’s amounts to €6.8 million in 2018 and €7.7 million in 2017, which represents 21 per cent of the Court non-staff expenses (excluding depreciation and financial expenses). The sections using this procedure are mainly the Counsel Support Section (CSS) for €4.8 million and the Victims and Witnesses Section (VWS) for 1.1 million in 2018.

61. The use of MOD is understandable for some activities of the ICC which require confidentiality when only few trusted third parties should intervene, for example for activities of the Victims and Witnesses Section. It is less understandable when the MOD procedure is used for generic acquisitions or activities that could go through a procurement procedure.

62. The following table shows the detail of the MOD amounts as per FRR 110.8 compared with the total of expenses in the accompanying notes 17 to 21 to financial statements.

Table 5: Expenses documented according to FRR 110.8 (in thousands of euros) as part of total non-staff expenses (excluding depreciation and financial expenses)

<i>Expenses from the notes 17 to 21 of the financial statements</i>	<i>Total expenses 2018</i>	<i>Obligating Documents (MOD) 2018</i>	<i>%</i>	<i>Total expenses 2017</i>	<i>Obligating Documents (MOD) 2017</i>	<i>%</i>
Counsel Support Section	5,612	4,839	86%	6,246	5,285	85%
Victims Witnesses Section	2,221	1,104	50%	2,827	1,592	56%
Deputy Prosecutor for Investigations	2,880	455	16%	3,093	364	12%
Field Office	2,596	312	12%	2,782	296	11%
Other sections	19,545	89	1%	19,929	159	1%
Total	32,854	6,780	21%	34,877	7,696	22%

Source: External Auditor, based on the notes 17 to 21 of the financial statements, (the expenses are travel and hospitality, contractual services, counsel fees, operating expenses and supplies and materials expenses).

63. Furthermore the MODs do not fall under the ICC's FRR 110.12 to 110.19 regarding procurement rules and specifically regarding the required competition level as per rule 110.15 and the procurement review committees as per rule 110.14.

G. Information systems

64. The External Auditor focused its work on the IT internal control framework. The overall objective was to assess whether IT internal control procedures are adequately designed and effectively implemented to reduce risks related to the use of ICC Information systems. As such, the work covered the IT environment, Information Systems (IS) governance and the internal control procedures implemented around the use of the SAP application.

1. IT environment and IS governance

65. Initiated in 2017, the five-year IT strategy pursued in 2018 the roadmap planned. This strategy is detailed into annual objectives for each section. Those objectives are followed on a regularly basis by the IMSS⁷ management. However, IT resources, mainly focused on daily task are consequently less available for mid and long term projects.

66. Information systems had been sparsely improved in 2018. A new tool for evidence management was implemented in 2018. Some projects were initiated in 2018 but will be delivered only in 2019, as the self-service HR Solution or the new budget control system.

67. Moreover, since 2015, the management of the SAP application is shared between the "SAP team" (under DMS supervision) in charge of the applicative and functional support and IMSS (under DJS⁸ supervision) in charge of the infrastructure management. This organization requires a good cooperation and communication between teams with different hierarchical dependence.

2. Information systems risk management

68. In the framework of the risk management improvement of the ICC, the Head of IMSS Section was nominated as responsible of the information systems risk management in 2018. IS risk definition and actions plan were also documented.

69. The risk on information security is described as follows: "unauthorized disclosure of confidential information". The actions plan relies on four pillars: Governance, Process,

⁷ Information Management Services Section.

⁸ Division of Judicial Services.

People and Technology. In 2018, actions plans were deployed on People and Technology themes. The information security training is now mandatory and included for the new joiners in their HR inboard program. Several communication campaigns are broadcasted within the facility.

70. New tools were implemented to analyze internal systems vulnerabilities as well as external. A pen test has been scheduled between the fourth quarter 2018 and the first quarter 2019. For the Governance and Process parts, actions plans should be finalized in 2019.

3. Internal control

71. Efforts have been deployed by IS teams to reinforce and rationalize internal control procedures notably by the use of an unique tool for all IT requests. However, efforts need to be maintained by defining a complete and operational control environment.

72. The SolveIT tool is now used systematically for all access management requests. However, the access rights approval is still under the only responsibility of the SAP team whereas it should be under business responsibility. Controls aiming at ensuring that access rights are aligned with business responsibilities and aiming at guaranteeing the respect of segregation of duties principles do not exist. No user's access review was implemented as of 2018.

Recommendation n° 2. The External Auditor recommends to implement a control to prevent granting access rights that lead to inappropriate access to the information system or non-respect of segregation of duties principles in a context of an integrated and centralized information system. The External Auditor recommends also to implement a yearly control (at least) of review to detect any inappropriate access rights granted within the SAP system.

73. IMSS initiated the process of data restorations in 2018. However it is in only 2019 that a test was planned on the SAP environment.

Recommendation n° 3. The External Auditor recommends to perform an annual test in order to ensure the ability to fully restore the IT environment in case of any disaster.

H. The internal audit function

74. According to ISA 315 and 610, the External Auditor on financial statements has to look at internal audit works, and appreciates its level of support at its disposal for external audit tasks. This appreciation has, among other criteria, to check if the internal audit established in the entity is compliant with International internal audit standards, and especially on its independency criteria.

75. The External Auditor must take into consideration the compliance of the internal audit function with international standards of internal audit such as the International standards for the professional practice of internal audit (International Professional Practices Framework of the Institute of Internal Auditors -IPPF Standards).

76. In that view, the report of the External Auditor on 2013 financial statements contained a recommendation on the replacement of the existing Audit Committee by a renewed Audit Committee that would proceed from the Assembly.

77. At its fourteenth session in November 2015, the Assembly approved the establishment of the renewed Audit Committee, to whom the Director of Internal Audit now reports. This reform strengthened the link between the internal audit function and the governance of the Court, which is a condition of its independency.

78. The International standards for the professional practice of internal audit also require that the Internal Audit function shall not only be linked to the Audit committee but also to the Top Management.

79. The Audit Committee expressed similar concerns as early in its 2016 report on its 1st and 2nd session, that the Director of the OIA was not invited to attend the Coordination Council (CoCo) meetings, and recommended the Court to enhance and deepen collaboration with the OIA, in particular by inviting the Director of the OIA, as appropriate, to attend the meetings of the CoCo and other inter-organ coordination mechanisms.

80. The Director of internal audit has stated that, in 2018 and in 2019, she had periodic individual meetings with each Head of Organ, and with Directors of each Organ, but none with the CoCo as a whole. This is a sign that the concern expressed in 2016 by the Audit Committee is still valid.

81. The CoCo appears as the highest level of management of the Court associating the Heads of organs. According to the International standards of the IPPF paragraph 2060, the Director of Internal Audit should report to it on major topics such as fraud risks, risk management, subjects related to governance, communication on internal audit reports and results, on internal audit independency, and on the internal audit plan and its achievement.

82. While underlying the risk of a weakness in the link between OIA and the the CoCo, the External Auditor has taken knowledge with great interest of internal audit reports that were provided by the IOA without restriction, and used them as supporting information in various works dealing with Field Offices, SAP accesses and physical and environmental protection.

83. IOM (Independent Oversight Mechanism) mandate enables this entity (internal to the Court but independent from organs) to accomplish tasks in domains such as inspections and evaluation which could be seen as close to Internal Audit domains. However, according to the definition of IOM functions in resolution ICC-ASP/12/Res.6 of 27 November 2013, IOM is not to be considered as a part of the Internal Audit function. For the External Auditor, IOM is then considered as participating to the global system of controls internally operated in the Court, but not to the Internal Audit function. No report from IOM has been delivered nor used for external audit purposes.

V. Follow-up of previous recommendations

84. The External Auditor reviewed the implementation of the recommendations still pending at the date of the audit, altogether coming from previous audits of the financial statements or from other reports produced by the External Auditor.

85. 25 recommendations were pending at the end of 2017. Five came from previous audit reports on the financial statements, and four from the audit report on 2017 financial statements. One recommendation came from the report on cash reserves (2015), and five from the Division of External Operations (2017). The performance audit on Human resources management added ten new recommendations..

86. The follow-up of recommendations coming from performance reports on Cash reserves (one), the DEO (five) and Human resources management (10) is developed in Appendices.

87. The following table displays the recommendations still partially implemented at the beginning of 2019, coming from previous audit reports on financial statements, and the appreciation on their implementation at the end of the review by the External Auditor.

88. Globally, out of these nine recommendations related to audits on financial statements, six have been implemented, two are partially implemented, and one has not started to be implemented. The implementation of the three remaining pending recommendations will have to be reviewed again in future audit reports, altogether with the new recommendations issued by the present audit report on 2018 financial statements, and with the nine recommendations partially implemented resulting from previous performance audits on Cash reserves, the DEO and Human Resources management.

Table 6 : Previous financial audit report recommendations still pending as of 1 January 2019

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
ICC-2017-1	Article 112 of the Rome Statute.	In order to strengthen the process of recovering payment arrears, the External Auditor recommends to allow States Parties in arrears for the preceding two full years to vote only once the payment schedule has been fulfilled, in accordance with the conditions of article 112 of the Rome Statute.		X	
ICC-2017-2	Disclosure of judges insurance contract conditions	Due to the particular nature of the insurance contract related to the judges pension plan, the External Auditor recommends that the ICC elaborate more precisely in the notes of the financial statements for a better insight into the consequences that would arise from a decision to move to another insurer or a change of the insurance policy conditions in force.		X	
ICC-2017-3	Detailed disclosures of actuarial gains/losses	The External Auditor recommends to the ICC, starting 2018, to disclose in more detail explanations of the significant actuarial gains and losses in the notes to the financial statements.	X		
ICC-2017-4	Disclosure of VWS Expenditures	The External Auditor requires that all disclosable, not highly sensitive audit evidence regarding VWS expenditures, for the 2018 interim audit, be available before the beginning of the mission, for audit test sampling. The External Auditor recommends to the concerned to prepare this documentation before the first day of the mission. In the future, if the amount of highly sensitive non-disclosable evidence for testing appears to exceed the audit materiality threshold, the External Auditor would have to refer to the matter in his opinion and in his report on the financial statements.	X		
ICC-2016-1	Staff	In order to strengthen the internal control dedicated to the administration of salaries and benefits, the External Auditor recommends incorporating, into each step of the current monthly payroll calculation procedure, the risk associated (missing supporting documents, non-compliance with the staff rules, creation of fictitious staff, discrepancy between staff paid and real staff, parameter setting error, miscalculation...), the control to be performed in relation to the identified risk and the control owner, into each step of the current monthly payroll calculation procedure..	X		
ICC-2016-2	Staff	The External Auditor recommends that the Human Resources section formalise all the verifications and controls carried out during the preparation of the monthly payroll and retain them for documentation purposes.	X		
ICC-2015-3	Permanent premises	For better visibility and budgeting of maintenance costs, the External Auditor recommends that the ICC: (i) first, finalise the development of a reliable maintenance plan as soon as possible; then, (ii) review the breakdown of components so as to align them with the maintenance plan projections and distinguish the components properly.			X
ICC-2015-6	Accounting internal control	In order to ensure effective and efficient internal control, the External Auditor recommends that the ICC complete the full deployment of the information system to prepare financial statements according to IPSAS and ensure the stability and strength of the accounting function.	X		

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
ICC-2013/1	Provisions for bad debts and funds received from defendants	In order to clarify the decision-making process regarding the treatment of funds received in connection with the seizure of assets, the External Auditor recommends that the Court establish an official directive setting out the details of the treatment of funds received in the various stages of the judicial proceeding with a clear definition of functions and responsibilities within the Court's system. This directive will form the basis of an appropriate accounting and budgetary treatment.	X		
Total number of recommendations: 9			6	2	1

89. Recommendation ICC-2017-1. In December 2018, the ASP requested the Court to develop guidelines and provide information on the States Parties in arrears. A draft was to be submitted to the CBF in May 2019. The External Auditor can then deem that the recommendation has started to be partially implemented.

90. Recommendation ICC-2017-2. The reference to Judges Pensions and the information are given in note 2.51 of the 2018 financial statements. However, the note does not provide any figure on the potential costs of the new contract in the case of another insurer. These figures should be disclosed in the 2019 financial statements in order to fulfil the requirements of the recommendation, which can now only be considered as partially implemented.

91. Recommendation ICC-2017-3. Additional relevant information has been disclosed in paragraphs 10.6 and 10.5 of the notes to the 2018 financial statements. The recommendation is implemented.

92. Recommendation ICC-2017-4. It can be considered as implemented since the External Auditor has been given adequate access to all the supporting documentation.

93. Recommendation ICC-2016-1. It was aimed to strengthen the monitoring of risks and the internal control on staff expenditures. It has started to be implemented in May 2018 on some HR processes, and a further set of 10 processes were automated in February 2019, the last process being planned in April 2019. This allows the recommendation to be considered as implemented.

94. Recommendation ICC-2016-2. It is considered implemented, the relevant documentation of payroll controls being available as a result of the achievement of automation processes.

95. Recommendation ICC-2015-3. It is considered not implemented yet. The new contractor selected for the maintenance contract entered into effect has not yet provided a maintenance plan, this task being done progressively. A first phase, focused on a five year rolling plan for capital replacements, was expected to be submitted to the CBF in April 2019. This plan, when available, will serve as a basis for defining the various components of the PP (Permanent Premises). In the meantime, the entry in the accounts of the PP and its depreciation schedule will not change.

96. Recommendation ICC-2015-6. It is considered as implemented. The ASP has approved a post redeployment of an established post among the Registry.

97. Recommendation ICC-2013-1. It is considered as implemented, after approval by the ASP in the 13 December 2018 resolution ICC-ASP/17/Res.4 "Amendments to the financial regulations and rules", annex, part B "Amendments concerning seizure of assets".

VI. Acknowledgements

98. The External Auditor wishes to express deep appreciation to the directors and staff members of the ICC for their reception and the accuracy of the information that they provided.

End of audit observations.

External Auditor
First President of the
Cour des Comptes (France)
13 rue Cambon
75001 Paris, France

Annexes

Annex I

Follow-up of Report on cash reserves

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
ICC-2015-6-3	Cash reserves	Put in place a financing plan for employee liabilities, in order to even out the corresponding expenses, which are likely to increase in the future. A study should be undertaken to determine whether a reserve should be established and its possible amount.		X	

1. No change was noticed in 2018 for recommendation ICC-2015-6-3, which then remains under consideration at the ICC level. The External Auditor deems that the choice between creating a dedicated reserve and securing a relevant flow of resources to match with futures employee benefits commitments has to be made by States Parties.

Annex II

Follow-up of Report on the Division of External Operations (DEO)

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
DEO-2017-1	Synergy among organs	When the effects of the ReVision project are stabilized, the External Auditor recommends that further reflection should be undertaken in order to deepen the synergies between the various organs of the Court in relation to external operations and relations, while at the same time ensuring that basic legal rules are respected, which would, presuppose a more pragmatic and rational, and therefore less dogmatic, approach to the principles of neutrality, independence and confidentiality, approach which currently seems to prevail, even if synergies between different bodies already happened		X	
DEO -2017-2	Coordination on security matters	The External Auditor recommends to deepen the reflection on the role of the central Coordinator of field security and to ensure that he gets the means to fulfil his mission, despite a complex, and uneasy to define, positioning between DEO, Division of Management Services and heads of field offices. On a more ad hoc basis, re-evaluate the subject and format of the Weekly Security Reports required from field offices.	X		
DEO-2017-3	Reporting and communication between VPRS and HFO	If the suggested interchangeability or even merger of the Outreach and VPR field teams is a complete success, and it will be confirmed at Headquarters level, the External Auditor recommends that the current official Organizational structure should be reviewed by organizing, with precise arrangements defined jointly by DEO and DJS, a functional reporting or communication line between Heads of field offices on the one hand and the VPR section on the other hand, which is currently non-existent and its practical content should be clearly defined.	X		

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
DEO-2017-4	Relevant information for HFO	The External Auditor recommends to formalise and rationalise the coordination procedures initially set up being “improvised” by the new Heads of offices (various levels may be envisaged: Standard Operational Procedure, Services Level Agreements, Book of Best Practices...). They should be defined in the framework of bilateral agreements between the Heads of field offices and the other VWS, OTP and TFV, TFV and field offices, in order to institutionalise the access of Heads of field offices to all information in a timely manner regarding the mobilisation of local resources without breaching confidentiality or transgressing the principles of neutrality of the Registry or of independence of the Office of the Prosecutor and of the Trust Fund for Victims.	X		
DEO-2016-6	adjustment of staff, opening/closing of offices,	The External Auditor recommends that when, by the end of the first half of 2017, the Office of the Registry sets up procedures for the adjustment of staff, and opening/closing of offices, a strategic field workforce planning be implemented, defining clearly the responsibilities, not only of the Registry, but also of all the organs of the ICC resorting to field office services, in particular OTP and TFV.	X		
Total number of recommendations: 5			4	1	-

1. Recommendation DEO-2017-1 on synergy is partially implemented. Nine actions for an improvement of coordination and cooperation actions among the organs of the Court have been committed, backed by approbation by the CoCo, in various areas. The DEO considers three of them as still “in progress” while six are declared as “implemented”. As it was mentioned last year, it will require time to evaluate the overall degree of implementation of the whole of the scope of this structural recommendation. However, the External Auditor recognizes the positive steps taken such as definition of priorities, Joint Analysis Cell (JAC) and other ways towards a deeper synergy among the organs of the Court, as listed in the memo approved by the CoCo on synergy among the Court.

2. Recommendation DEO-2017-2 is considered as implemented. A new framework for weekly security report has been settled, and action has been intensified to streamline the reporting lines, position and coordination procedures relevant for the Field Security Coordinator (FSCO) interlocutors, as well as to reform the weekly security reports and clarify the role of the FSCO.

3. Recommendation DEO-2017-3 may now be considered as implemented. An action plan has been committed in order to map out the field functions of Outreach and VPR (Victim Participation and Reparations), strengthen the working relationships of the staff and units involved, sharing of information between VPRS, Public Information and Outreach Section (PIOS) and Field Offices (FO). The “Guideline on workflow HQ/FO” is drafted and finalized, keeping the status of a live documents open to future adaptations. Managerial actions, periodical discussions and video-conferences on cross cutting issues and common strategy between Field Offices, VPRS, other HQ Sections involved in outreach and communication are conducted on regular basis.

4. Recommendation DEO-2017-4 is considered as implemented. The implementation was only deemed partial last year in the waiting of results of initiatives for coordination procedures between HFO (Head of Field Offices) and other organs of the Court. The efforts have been sustained, the HFO being in a situation to get a better access to relevant information needed for field management and visibility, in respect of the independence and the security concerns of the organs.

5. Recommendation DEO-2017-6 is considered as implemented. The CBF has approved the report on the SOP and the protocol on operations of opening and closing of Field Offices at its 30th session in April 2018.

Annex III

Follow-up of Report on Human Resources Management (July 2018)

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
HR-2018-1	Gender balance	In order to adequately address the issue of gender (im)balance at the ICC, the External Auditor recommends to the Court, based on a study to be prepared by the Human Resources Section, to introduce additional measures aimed at increasing the representation of female staff, particularly at more senior levels, such as through a mentoring programme and the establishment of a Focal Point for Women.		X	
HR-2018-2	HR management policies	The External Auditor recommends that all organs strive to apply one set of HR management policies through the same operational rules, with the Registry HRS responsible for maintaining, developing and promoting these unified Court-wide HR rules, in consultation and cooperation with the other organs.		X	
HR-2018-3	Management of professional profiles	In the management of professional profiles, the External Auditor recommends: (a) organizing management reviews to better identify the development needs and the development potential of ICC employees; (b) initiating negotiations with a view to achieving the integration of the ICC into the UN Inter-Organization Agreement in order to broaden the career prospects of its staff; (c) proposing to the Court a limited modification of the rules of appointment by reserving a priority round for staff in place at ICC for a proportion of the positions to be filled that should remain limited to prevent the risk of killing de facto most of the external recruitment (10 per cent for example).		X	
HR-2018-4	Training plans for performance appraisal	The External Auditor recommends that the appraisers be instructed to ensure that the interview sheets are completed with the definition of training plans.	X		
HR-2018-5	Performance appraisal system changes	In terms of performance appraisal, the External Auditor recommends that the new Registrar: (a) quickly decide on the principle of the proposed change and, in the event of a positive conclusion, approve the procedure with the legal office and implement it; (b) whatever the chosen performance appraisal system, put in place a mechanism to make the appraisals of the various departments more homogenous.	X		
HR-2018-6	Elected officials	The External Auditor recommends to the Court to establish: (a) either an incompatibility between belonging to ICC staff and running for election; (b) or strict conditions guaranteeing the absence of exposure of the Court's departments to risks of conflicts of interest in the performance of the duties of the internal candidates for elected functions.		X	

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
HR-2018-7	Opinion surveys	The External Auditor recommends that the Court periodically (for example every 2-3 years) carry out an opinion survey to monitor changes in staff perceptions and to identify areas for improvement.	X		
HR-2018-8	Ombudsman function	The External Auditor recommends that the ICC finalize its thoughts on the establishment of an Ombudsman function to be shared with one or more nearby institutions.		X	
HR-2018-9	Ethics charter	The External Auditor recommends that the ICC develop and publish an ethics charter.		X	
HR-2018-10	Annual report on HR management	The External Auditor recommends supplementing the annual report on the Human Resources management presented to the CBF with: (a) the inclusion of all information relevant to a comprehensive HR report, i.e., a standardized document, addressing all the quantitative aspects (workforce, diversity, absenteeism, performance, training, etc.); (b) the definition of a stable standard for calculating the number of recruitments done during the year presented in the annual Human Resources report to the CBF; (c) the improvement of tools for inventory and identification of STA recruitments, by tracking all assessment reports and by precisely measuring the number of STA recruitments to be mentioned in the Human Resources report.		X	
Total number of recommendations: 10			3	7	-

1. Recommendation HR 2018-1 (gender balance) is partially implemented. An action plan has been launched on five sets of actions such as mentoring, training, focal point (for women), recruitment framework and recruitment measures proposals. As for some of the other recommendations issued from the same audit report, still recent at the moment of the review, the implementation has started but its total achievement requires time, not precisely determined by ICC.

2. Recommendation HR 2018-2 (HR Management policies) might be considered as having started to be partially implemented. Human Resources Section (HRS) has been designed as responsible in the perspective of promoting and developing Court wide rules in relevant HR management areas. Recognition of outcomes will need time according to the independence of organs and required consultation processes.

3. Recommendation HR 2018-3 (Management of professional profiles) is partially implemented. Some of the actions planned have been implemented, such as a new Administrative Instruction (AI) and access for staff to relevant existing tools. Other actions have started to be implemented, such as the integration in UN interorganization agreement (letter sent in that view to the UN Secretariat) and on internal access to vacancy announcements. The other aspects are just at the early stage of preparation of a concept paper.

4. Recommendation HR 2018-4 (Training plans for performance appraisal) is implemented, as settled in the new AI on Performance Management promulgated in February 2019 and in the organization of related workshops with Managers.

5. Recommendation HR 2018-5 (Performance appraisal system changes) can be considered as implemented, as linked to the above recommendation HR 2018-4 and the new AI on Performance Management appraisal promulgated in February 2019. In addition to the training of the evaluators indicated above, the system now includes more flexible evaluation interviews adapted to the services and units concerned.

6. Recommendation HR 2018-6 (Elected officials and incompatibility) is only partially implemented, since consultations have started on this recommendation which imply to explore and resolve strong legal issues.
7. Recommendation HR 2018-7 (Opinion Surveys) can be considered as implemented. A survey has been carried out in October 2018, with a high response rate. Results have been communicated and periodical surveys will follow in the future.
8. Recommendation HR 2018-8 (Ombudsman function) can be considered as partially implemented at the time of the audit review. The Court has selected an external expert in conflicts resolution who, according to ICC, will join in mid-2019. He will develop a Court wide Alternative Dispute resolution scheme.
9. Recommendation HR 2018-9 (Ethics charter) has been taken in charge by “Immediate Offices” of the Head of Organs. This can be considered as a starting point towards the implementation of the recommendation.
10. Recommendation HR 2018-10 (Annual report on HR management) can be considered as partially implemented. The automation of HR processes and final stage of its deployment in 2019 (with “Education grant” process) enables HRS to be supplied by data covering a wider scope. In line with the recommendation, as well as requests from several States Parties, the report on HR Management that was provided to the CBF at its 32nd session (April 2019) introduces a more data-driven presentation with, when possible, year-on-year comparisons. HRS has indicated having obtained some corresponding reports from other international organization as a sample of existing practices. The report will continue to be further developed.

2. Financial statements of the Trust Fund for Victims for the year ended 31 December 2018*

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*Previously issued as ICC-ASP/18/13.

Letter of transmittal

13 June 2019

In accordance with Financial Regulation 11.1 the Registrar shall submit to the Auditor accounts for the financial period. I have the honour of submitting the financial statements of the Trust Fund for Victims for the financial period 1 January to 31 December 2018.

Peter Lewis
Registrar

Michel Camoin
External Audit Director
Cour des Comptes,
13 rue Cambon,
75100 Paris Cedex 01
France

Letter to the Registrar

13 June 2019

Dear Mr Registrar,

Pursuant to Regulation 77(b) of the Regulations of the Trust Fund for Victims, the Board of Directors must submit the accounts and the financial statements of the Trust Fund for Victims for review by the External Auditor.

I would be grateful if you would sign the Letter of Transmittal to the External Auditor.

Respectfully yours

Felipe Michelini,
Chair,
Board of Directors of
the Trust Fund for Victims

Certification of Financial Statements

13 June 2019

The financial statements and supporting notes are approved.

Felipe Michelini,
Chair,
Board of Directors of
the Trust Fund for Victims

Independent auditor's opinion

Cour des comptes
FRANCE



The First President

Paris, - 1 JUL. 2019

To Mr Felipe Michelini
Chair, Board of Directors
The Trust Fund for Victims

Addressed to Mr Pieter de Baan
Executive Director
Secretariat - The Trust Fund for Victims

AUDIT OPINION

Opinion

We have audited the Financial Statements of the Trust Fund for Victims (TFV), for the 12 months period ended 31 December 2018. These Financial Statements include a Statement of Financial Position as at 31 December 2018, a Statement of Financial Performance, a Statement of Changes in Net Assets, a Statement of Cash Flows, a Statement of Comparison of Budget and Actual Amounts and Notes including a summary of the accounting principles and other information.

Based on our audit, the financial statements give a fair view of the financial position of the Trust Fund for Victims as at 31 December 2018, as well as the financial performance, the changes in net assets, the cash flow and the comparison of budget and actual amounts for the 12 months period ending 31 December 2018 in conformity with the International Public Sector Accounting Standards (IPSAS).

Basis for Opinion

We have conducted our audit in accordance with the International Standards on Auditing (ISA). These Standards require us to comply with the ethical rules and to plan and perform our audit in order to obtain a reasonable assurance that the financial statements are free from material misstatements. As required by the Charter of ethics of the *Cour des comptes*, we guarantee the independence, the fairness, the neutrality, the integrity and the professional discretion of the auditors. Furthermore, we also fulfilled our other ethical obligations in compliance with the Code of Ethics of the International Organisation of Supreme Audit Institutions (INTOSAI). The responsibilities of the auditor are more extensively described in the section "Auditor's Responsibilities for the Audit of the Financial Statements".

We believe that the audit evidence collected is sufficient and appropriate to constitute a reasonable basis for our opinion.

...

Management's Responsibilities for the Financial Statements

By virtue of Part IV, paragraph 77 of the Regulations of the Trust Fund for Victims, the Board of Directors is responsible for preparing and presenting the financial statements. These statements are in conformity with the International Public Sector Accounting Standards. This responsibility includes the design, implementation and monitoring of internal control procedures to ensure the preparation and the fair presentation of financial statements, free of significant misstatements, resulting either from frauds or errors. This responsibility also includes the determination of fair accounting estimates adapted to the circumstances.

Auditor's Responsibilities for the Audit of the Financial Statements

The goal of the audit is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

An audit therefore consists in implementing audit procedures in order to collect audit evidence regarding the amounts and the information presented in the financial statements. The External auditor takes into account the internal control in effect in the entity, relative to the establishment and preparation of financial statements, so as to define appropriate audit procedures in the circumstances, and not with the aim of expressing an opinion on the effectiveness of this control. The choice of the audit procedures is based on the External auditor's professional judgment, as is the case for the risk evaluation of the financial statements, for the assessment of the appropriateness of the accounting policies and of the accounting estimates, and for the overall presentation of the financial statements.



Didier MIGAUD

Statement I

Trust Fund for Victims - Statement of financial position as at 31 December 2018 (in thousands of euros)

	<i>Note</i>	<i>2018</i>	<i>2017</i>
Assets			
<i>Current assets</i>			
Cash and cash equivalents	3	17,857	14,650
Prepayments	4	16	156
Receivables	5	597	528
<i>Total current assets</i>		<i>18,470</i>	<i>15,334</i>
<i>Non-current assets</i>			
Receivables	5	636	505
<i>Total non-current assets</i>		<i>636</i>	<i>505</i>
Total assets		19,106	15,839
Liabilities			
<i>Current liabilities</i>			
Provisions	6	961	473
Deferred revenue and accrued expenses	7	854	204
<i>Total current liabilities</i>		<i>1,815</i>	<i>677</i>
<i>Non-current liabilities</i>			
Provisions	6	5,055	1,302
<i>Total non-current liabilities</i>		<i>5,055</i>	<i>1,302</i>
Total liabilities		6,870	1,979
Net assets/equity	8	12,236	13,860
Total liabilities and net assets/equity		19,106	15,839

The accompanying notes form an integral part of these financial statements

Statement II

Trust Fund for Victims - Statement of financial performance for the year ended 31 December 2018 (in thousands of euros)

	<i>Note</i>	<i>2018</i>	<i>2017</i>
Revenue			
Assessed contributions	9	2,542	2,174
Voluntary contributions	9	3,605	2,878
Financial revenue	9	18	6
Total revenue		6,165	5,058
Expenses			
Administrative expenses	10	1,982	1,435
Programme expenses	10	5,332	3,213
Total expenses		7,314	4,648
Surplus/(deficit) for the period		(1,149)	410

The accompanying notes form an integral part of these financial statements.

Statement III

Trust Fund for Victims - Statement of changes in net assets/equity for the year ended 31 December 2018 (in thousands of euros)

	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Secretariat of the Trust Fund</i>	<i>Total Net Assets/equity</i>
Opening balance as at 1 January 2017	5,000	8,228	271	13,499
Movement in net assets/equity in 2017				
Surplus/(deficit)	(1,703)	1,354	759	410
Credits to States Parties/donors	-	-	(49)	(49)
Transfer to reserve	500	(500)	-	-
<i>Total movements during the year</i>	<i>(1,203)</i>	<i>854</i>	<i>710</i>	<i>361</i>
Total net assets/equity as at 31 December 2017	3,797	9,082	981	13,860
Movement in net assets/equity in 2018				
Surplus/(deficit)	(3,465)	1,756	560	(1,149)
Credits to States Parties/donors	-	-	(476)	(476)
Transfer to reserve	1,500	(1,500)	-	-
<i>Total movements during the year</i>	<i>(1,965)</i>	<i>256</i>	<i>84</i>	<i>(1,625)</i>
Total net assets/equity as at 31 December 2018	1,832	9,339	1,065	12,236

Fund balance of assistance programme includes amounts pending allocation.
The accompanying notes form an integral part of these financial statements.

Statement IV

Trust Fund for Victims - Statement of cash flows for the year ended 31 December 2018 (in thousands of euros)

	2018	2017
Cash flows from operating activities		
Surplus/(deficit) for the period (Statement II)	(1,149)	410
Unrealized foreign exchange differences	(4)	2
(Increase)/decrease in time deposits	-	-
(Increase)/decrease in receivables	(199)	(371)
(Increase)/decrease in prepayments	140	405
Increase/(decrease) in accounts payable	-	-
Increase/(decrease) in deferred revenue and accrued expenses	650	204
Increase/(decrease) in provisions	4,241	1,411
Less: interest income	(6)	(6)
<i>Net cash flows from operating activities</i>	<i>3,673</i>	<i>2,055</i>
Cash flows from investing activities		
Plus: interest received	6	6
<i>Net cash flows from investing activities</i>	<i>6</i>	<i>6</i>
Cash flows from financing activities		
Credits to States Parties	(476)	(49)
<i>Net cash flows from financing activities</i>	<i>(476)</i>	<i>(49)</i>
Net increase/(decrease) in cash and cash equivalents	3,203	2,012
Unrealized foreign exchange gains/losses on cash and cash equivalents	4	(2)
Cash and cash equivalents at beginning of financial period	14,650	12,640
Cash and cash equivalents at 31 December (Statement I)	17,857	14,650

The accompanying notes form an integral part of these financial statements.

Statement V

Trust Fund for Victims - Statement of comparison of budget and actual amounts for the year ended 31 December 2018 (in thousands of euros)

<i>Object of expenditure*</i>	<i>Appropriation approved</i>	<i>Total expenditure</i>	<i>Total surplus</i>
Staff costs	1,124	639	485
General temporary assistance	752	826	(73)
<i>Sub-total staff costs</i>	<i>1,876</i>	<i>1,465</i>	<i>412</i>
Travel	300	361	(61)
Hospitality	3	-	3
Contractual services	307	193	114
Training	32	10	22
General operating expenses	20	-	20
Supplies and materials	3	3	-
Furniture & Equipment	-	-	-
<i>Sub-total non-staff costs</i>	<i>665</i>	<i>567</i>	<i>98</i>
Total	2,542	2,031	510

* The budget for the Secretariat is approved as Major Programme VI of the Court's budget. The accompanying notes form an integral part of these financial statements.

Notes to the financial statements

1. The Trust Fund for Victims and its objectives

1.1 *Reporting entity:*

The Trust Fund for Victims (“the Trust Fund”) was established by the Assembly of States Parties (“the Assembly”) in its resolution ICC-ASP/1/Res.6, for the benefit of victims of crimes within the jurisdiction of the International Criminal Court (“the Court”), and the families of such victims.

In the annex to the resolution ICC-ASP/1/Res.6, the Assembly established a Board of Directors (“the Board”), which is responsible for management of the Trust Fund.

The Secretariat of the Trust Fund (“the Secretariat”) administers the Trust Fund, offers administrative support to the Board and its meetings and operates under the full authority of the Board. For administrative purposes, the Secretariat and staff are attached to the Registry of the Court and are part of the staff of the Registry and, as such, of the Court, and enjoy the same rights, duties, privileges, immunities and benefits.

By resolution ICC-ASP/4/Res.3, the Assembly adopted the Regulations of the Trust Fund for Victims, which state that the Trust Fund is a separate reporting entity. The Trust Fund and the Secretariat are controlled by the Board and are considered to be a single economic entity for financial reporting purposes. The Trust Fund and the Secretariat are referred to together as the Trust Fund.

2. Summary of significant accounting and financial reporting policies

Basis of preparation

2.1 The financial statements of the Trust Fund are maintained in accordance with the Financial Regulations and Rules of the Court, as established by the Assembly in the annex to resolution ICC-ASP/1/Res.6. The financial statements of the Trust Fund have been prepared on the accrual basis of accounting, in compliance with the International Public Sector Accounting Standards (IPSAS). These notes form an integral part of the Trust Fund’s financial statements. Figures in the statements and notes are rounded to thousand euros. Amounts may not add-up due to rounding differences.

2.2 *Financial period:* the financial period is one calendar year.

2.3 *Historical cost basis:* the financial statements are prepared on the historical cost basis of accounting.

Currency of accounts and treatment of exchange rate movements

2.4 The Trust Fund’s functional and presentation currency is the euro.

2.5 Foreign currency transactions are translated into the functional currency using the United Nations operational rates of exchange which approximate the exchange rates prevailing at the dates of the transactions. Foreign exchange gains and losses resulting from the settlement of such transactions and from the translation at year-end of exchange rates of monetary assets and liabilities denominated in foreign currencies are recognized in the Statement of financial performance.

2.6 Non-monetary assets and items that are measured in terms of historical cost in foreign currency are translated using the exchange rate at the date of the transaction and are not retranslated at the reporting date.

Use of estimates and judgements

2.7 The preparation of the financial statements in conformity with IPSAS requires management to make judgements, estimates and assumptions that affect the application of accounting policies and the reported amounts of assets, liabilities, revenue and expenses. The estimates and associated assumptions are based on past experience and various other factors that are believed to be reasonable under the circumstances, and information available at the date of preparation of the financial statements, the results of which form the basis of judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

2.8 The estimates and underlying assumptions are reviewed on an on-going basis. Revisions to accounting estimates are recognized in the period in which the estimate is revised and any future periods affected.

Cash and cash equivalents

2.9 Cash and cash equivalents are held at nominal value and comprise cash on hand, funds held in current accounts, interest-bearing bank accounts and time deposits with a maturity of less than three months.

Financial instruments

2.10 The Trust Fund classifies its financial instruments as loans and receivables and other financial liabilities. Financial assets consist mainly of short-term bank deposits and accounts receivable. Financial liabilities consist of accounts payable.

2.11 All financial instruments are initially recognized in the Statement of financial position at their fair values plus transaction costs. Subsequently, they are measured at amortized cost using the effective interest method. The historical cost-carrying amount of receivables and payables subject to normal trade credit terms approximates the fair value of the transaction.

Financial Risks

2.12 The Trust Fund has instituted prudent risk management policies and procedures in accordance with the Court's Financial Regulations and Rules. The Trust Fund makes short-term investments of moneys not needed for immediate requirements. In the normal course of business, the Trust Fund is exposed to financial risk, such as market risk (foreign currency exchange and interest rate), credit risk and liquidity risk.

2.13 *Currency risk*: the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in foreign exchange rates. The Trust Fund is exposed to currency risk through transactions in foreign currencies relating to the projects it funds.

2.14 *Interest rate risk*: the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The Trust Fund deposits its funds only in short-term fixed interest accounts, and therefore has no significant interest rate risk exposure.

2.15 *Credit risk*: the risk that one party to a financial instrument will cause a financial loss for the other party by failing to discharge an obligation. The Trust Fund is exposed to credit risk through advances of funds to project implementing partners and deposits at banks. The Trust Fund has policies that limit exposure to risk from any one financial institution.

2.16 *Liquidity risk*: this risk arises from the general funding of the Trust Fund's activities. The operations of the Secretariat are funded from assessed contributions through the Court. Grants to implementing partners are made on the basis of voluntary contributions received.

Prepayments and Receivables

2.17 The Trust Fund advances funds to implementing partners on the basis of contractual provisions. The status of funds advanced is disclosed under Schedule 1.

2.18 Receivables and advances are recognized initially at nominal value. Allowances for estimated irrecoverable amounts are recognized for receivables and advances when there is objective evidence that the asset is impaired, the impairment losses being recognized in the statement of financial performance.

2.19 *Receivables from the Court* are recognized for the amount assessed for funding the activities of the Secretariat, net of expenses incurred against these assessments. In its resolution ICC-ASP/3/Res. 7, the Assembly decided that, pending further evaluation by the Assembly, the Secretariat would be funded by the regular budget. The Board submits a proposed budget for the Secretariat which is presented as a separate Major Programme VI in the Court's budget and is adopted by the Assembly. The Court assesses States Parties for the budget of the Secretariat. In substance, the Court collects assessed contributions as an agent of the Trust Fund and these assessments do not increase net assets or revenue of the Court, but are recognized as a receivable and revenue of the Trust Fund. The receivables are reduced as expenses are incurred by the Secretariat. Liabilities to vendors and the staff of the Secretariat are settled directly by the Court. The receivables are finally settled when the Court credits any cash surplus pertaining to Major Programme VI to States Parties, in accordance with the Financial Regulations and Rules of the Court.

Other current assets

2.20 Other current assets comprise interest accrued on bank accounts and deposits.

Accounts payable

2.21 Accounts payable are recognized initially at nominal value, which best estimates the amount required to settle the obligation at the reporting date.

Deferred revenue and accrued expenses

2.22 Deferred revenue includes pledged contributions with conditions and other revenue received but not yet earned.

2.23 Accrued expenses are recognized in respect of goods and services delivered during the reporting period for which invoices have not been received.

Related party disclosures

2.24 The Trust Fund will disclose related parties that have the ability to exercise control or significant influence over the Trust Fund by making financial and operational decisions, or will disclose if a related party and the Trust Fund are subject to common control. Transactions that are within a normal supplier or client/recipient relationship on terms and conditions not more or less favourable than those done at arm's length in the same circumstances between the Trust Fund and its related parties will not be considered as related party transactions and therefore will not be disclosed.

2.25 The key management personnel of the Trust Fund are the Board of Directors and the Executive Director, both of whom have authority and responsibility for planning, directing and controlling the activities of the Trust Fund and influencing its strategic direction. The remuneration and benefits of key management personnel are disclosed. In addition, the Trust Fund will disclose any specific transactions with key management personnel and their family members.

Provisions and contingent liabilities

2.26 *Provisions* are recognized when the Trust Fund has a present legal or constructive obligation as a result of past events, it is more likely than not that an outflow of resources will be required to settle that obligation, and the amount can be reliably estimated. The amount of the provision is the best estimate of the expenditure required to settle the present obligation at the reporting date. Provisions are released only for such expenses in respect of which provisions are recognized at inception. If the outflow of economic benefits to settle the obligations is no longer probable, the provision is reversed.

2.27 *Contingent liability* is a possible obligation that arises from past events and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Trust Fund, or a present obligation which will probably not result in an outflow of economic resources/service potential or the amount of which cannot be measured with sufficient reliability. Contingent liabilities, if any, are disclosed in the notes to the financial statements.

Commitments

2.28 *Commitments* are non-cancellable obligations to provide funds in the future to organizations that are implementing projects based on a contract entered into with the Trust Fund. Commitments are recognized off-balance sheet and are disclosed in the financial statements until such time as funds are advanced or the implementing partner submits financial reports demonstrating that activities, for which the organization is entitled to receive funds, have been performed.

Non-exchange revenue

2.29 *Voluntary contributions*: revenue from voluntary contributions that include restrictions on their use is recognized upon signature of a binding agreement between the Trust Fund and the donor providing the contribution. Revenue from voluntary contributions that attach conditions to their use, including an obligation to return the funds to the contributing entity if such conditions are not met, is recognized as the conditions are satisfied. Until such conditions are met, the obligation is recognized as a liability. Voluntary contributions and other revenues which are not provided for by binding agreements are recognized as revenue when received.

2.30 *Goods-in-kind contributions* are recognized at their fair value and the corresponding revenue is recognized immediately if no condition is attached. If conditions are attached, a liability is recognized until such time as the conditions are met and the obligation is satisfied. Revenue is recognized at fair value, measured as of the date of acquisition of the donated assets.

2.31 *Services-in-kind*: revenue resulting from services-in-kind is not recognized. Major services-in-kind are disclosed in the financial statements, including their fair value, when it is practicable to determine it.

Exchange revenue

2.32 *Financial revenue* comprises interest revenue and net foreign exchange gains. Interest revenue is recognized in the Statement of financial performance as it accrues, taking into account the effective yield on the asset. At the end of the financial period, a net balance of the account for foreign exchange gains and losses, if positive, is recognized as revenue.

Expenses

2.33 *Financial expenses* comprise bank charges and net foreign exchange loss. At the end of the financial period, a net balance of the account for foreign exchange gains and losses, if negative, is recognized as an expense.

2.34 *Expenses arising from the purchase of goods and services* are recognized at the point that the supplier has performed its contractual obligations, which is when the goods and services are received and accepted by the Trust Fund.

2.35 *Expenses arising from transactions with implementing partners* are recognized when goods are delivered or services rendered by implementing partners, as confirmed by the receipt of certified expense reports, financial reports or project delivery reports, as applicable. If funds are advanced on the basis of contracts that do not include measurable performance conditions, expenditure is recognized when funds are disbursed.

Fund accounting and segment reporting

2.36 A segment is a distinguishable activity or group of activities for which it is appropriate to separately report financial information. Segment information is based on principal activities and sources of financing of the Trust Fund. To achieve its aims, the Trust Fund implements reparations awards ordered by the Court against a convicted person and it provides assistance to victims and their families through programmes of physical and psychological rehabilitation and material support.

2.37 Separate financial information is reported for three segments: reparations programme, assistance programme and Secretariat of the Trust Fund.

2.38 *Fund accounting*: the Trust Fund's accounts are maintained on a fund accounting basis to allow for the separation of funds to facilitate the receipt of earmarked contributions, money and other property collected through fines or forfeiture transferred by the Court, where the Court has stipulated particular usages, or resources collected through awards for reparations.

Net assets/equity

2.39 Net assets/equity comprises surpluses or deficits in the fund. Reserves may be created on the basis of a decision of the Board.

Budget comparison

2.40 A comparison of actual amounts with the amounts in the original and final annual programme budget is presented in Statement V. This comparison is made on the same modified cash basis of accounting as adopted for the annual programme budget.

2.41 A reconciliation of the actual amounts on a modified cash basis with actual amounts presented in the financial statements is included in note 11, considering that the full accrual accounting and modified cash basis budget differ.

3. Cash and cash equivalents

<i>In thousands of euros</i>	2018	2017
Cash at bank – current account	6,027	2,823
Cash at bank – savings account	11,830	11,827
Total	17,857	14,650

3.1 Cash and cash equivalents include amounts equivalent to €130 thousand (2017: €50 thousand) held in currencies other than the euro.

4. Prepayments

<i>In thousands of euros</i>	2018	2017
Advances to implementing partners	16	156
Total	16	156

5. Receivables

<i>In thousands of euros</i>	2018	2017
Voluntary contributions receivable	88	30
Refunds due from implementing partners	-	19
Receivable from the Court 2016	-	476
Receivable from the Court 2017	505	505
Receivable from the Court 2018	636	-
Other receivables from the Court	1	-
Accrued interest	3	3
Total	1,233	1,033

5.1 For detailed information on receivables from the Court, refer to Note 2.19.

5.2 Voluntary contributions receivable represent amounts pledged to the Trust Fund in December 2018 and not paid by the reporting date.

6. Provisions

<i>In thousands of euros</i>	2018	2017
Provision for ILOAT cases	76	-
Provision for Reparation awards	5,940	1,775
Total	6,016	1,775

Changes in Provisions

<i>In thousands of euros</i>	<i>Provision for ILOAT cases</i>	<i>Provision for reparation awards</i>
Provision as at 1 January 2018	-	1,775
Decrease due to payments	-	(66)
Decrease due to reversals	-	-
Revaluation of provision	-	36
Increase in provision	76	4,195
Provision as at 31 December 2018	76	5,940

6.1 Provision for reparation awards pertain to the complementary funding provided by the Trust Fund towards the payment of the reparations awards due to the indigence of the convicted persons. Pursuant to the Regulation 56 of the Trust Fund for Victims (ICC-ASP/4/Res.3) a decision to complement to reparations awards is a discretionary decision within the sole authority of the Board and is governed by the factors set out in the Regulation, such as ensuring a complement does not prejudice its assistance mandate activities and taking particular account of ongoing legal proceedings that may give rise to other reparations awards that may require a complement.

6.2 In 2018 the Board of the Directors of the Trust Fund made decision to complement the reparation awards in the cases of The Prosecutor v. Thomas Lubanga Dyilo (ICC-01/04-01/06) in the amount of EUR 2.85 million and The Prosecutor v. Ahmad Al Faqi Al Mahdi (ICC-01/12-01/15) in the amount of EUR 1.34 million.

6.3 Provision for ILOAT cases of €76 thousand corresponds to the case filed with the Administrative Tribunal of the International Labour Organization (ILOAT) by former staff member of the Secretariat.

7. Deferred revenue and accrued expenses

<i>In thousands of euros</i>	2018	2017
Deferred voluntary contributions	727	200
Accrued Expenses	127	4
Total	854	204

7.1 Deferred voluntary contributions revenue represents earmarked contributions received in 2018. The activities funded under this contribution agreement will commence in 2019.

8. Net assets/equity

<i>In thousands of euros</i>	2018	2017
Reparations programme	1,832	3,797
Assistance programme	9,339	9,082
Secretariat of the Trust Fund	1,065	981
Total	12,236	13,860

9. Revenue

<i>In thousands of euros</i>	2018	2017
<i>Assessed contributions</i>	2,542	2,174
<i>Voluntary contributions</i>		
Earmarked contributions	1,570	383
Non-earmarked contributions	2,035	2,495
<i>Sub-total voluntary contributions</i>	3,605	2,878
<i>Financial revenue</i>		
Interest revenue	6	6
Net foreign exchange gain	12	-
<i>Sub-total financial revenue</i>	18	6
Total	6,165	5,058

Contributions in kind

9.1 The Court provides various services free of charge to the Trust Fund, including office space, equipment and administrative services.

10. Expenses

<i>In thousands of euros</i>	2018	2017
Administrative expenses	1,982	1,435
Reparations expenses	4,231	1,903
Sexual and gender-based violence project expenses	199	158
Other Assistance project expenses	902	1,152
Total	7,314	4,648

10.1 Administrative expenses include a provision for ILOAT case of €76 thousand (Note 6.3).

10.2 Reparations expenses consist of the provision for reparation awards of €4,195 thousand pertaining to the complementary funding provided by the Trust Fund in 2018 and €36 thousand revaluation of prior year provision for the case *The Prosecutor v. Germain Katanga* ICC-01/04-01/07 (Note 6.1).

11. Statement of comparison of budget and actual amounts

11.1 The Trust Fund's budget and accounts are prepared on different bases. The Statement of financial position, Statement of financial performance, Statement of changes in net assets/equity and Statement of cash flows are prepared on a full accrual basis, whereas the Statement of comparison of budget and actual amounts (Statement V) is prepared on a modified cash basis of accounting.

11.2 As required under IPSAS 24, where the financial statements and the budget are not prepared on a comparable basis, the actual amounts presented on a comparable basis to the budget are reconciled to the actual amounts presented in the financial statements, identifying separately any basis, timing and entity differences. There are also differences in formats and classification schemes adopted for the presentation of financial statements and the budget.

11.3 Differences in basis occur when the approved budget is prepared on a basis other than the accounting basis, as stated in paragraph 11.1 above.

11.4 Timing differences occur when the budget period differs from the reporting period reflected in the financial statements. There are no timing differences for the Trust Fund for the purposes of comparison of the budget and the actual amounts.

11.5 Entity differences occur when the budget omits programmes or entities that are part of the entity for which the financial statements are prepared. Entity differences include reparations and assistance funds that are reported in detail in the financial statements but are not included in the budgetary process.

11.6 Differences in presentation are due to differences in the format and classification schemes adopted for the presentation of the Statement of cash flows and Statement of comparison of budget and actual amounts.

11.7 Reconciliation between the actual amounts on a comparable basis in the Statement of comparison of budget and actual amounts (Statement V) and the actual amounts in the Statement of cash flows (Statement IV) for the period ended 31 December 2018 is presented below:

<i>In thousands of euros</i>	<i>Operating</i>	<i>Investing</i>	<i>Financing</i>	<i>Total</i>
Actual amount on comparable basis (Statement V)	510	-	-	510
Basis differences	(35)	-	-	(35)
Presentation differences	470	6	(476)	-
Entity differences	2,728	-	-	2,728
Actual amount in the Statement of cash flows (Statement IV)	3,673	6	(476)	3,203

11.8 Open commitments including open purchase orders versus accrued expenses and net cash flows from operating activities are presented as basis differences. The credits to States Parties that do not form part of the Statement of comparison of budget and actual amounts are reflected as presentation differences. Under entity differences, the activities funded from voluntary contributions that are reported in the financial statements are included, as these are not included in the budgetary process.

11.9 An explanation of material differences between the budget and actual amounts is included in the Report on Activities and Programme Performance of the International Criminal Court for the year 2018.

12. Segment Reporting

Statement of financial position by segment as at 31 December 2018

<i>In thousands of euros</i>	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Secretariat of the Trust Fund</i>	<i>Total</i>
Assets				
<i>Current assets</i>				
Cash and cash equivalents	8,274	9,583	-	17,857
Prepayments	15	1	-	16
Receivables	-	92	505	597
<i>Total current assets</i>	<i>8,289</i>	<i>9,676</i>	<i>505</i>	<i>18,470</i>
<i>Non-current assets</i>				
Receivables	-	-	636	636
<i>Total non-current assets</i>	<i>-</i>	<i>-</i>	<i>636</i>	<i>636</i>
Total assets	8,289	9,676	1,141	19,106
Liabilities				
<i>Current liabilities</i>				
Provisions	885	-	76	961
Deferred revenue and accrued expenses	517	337	-	854
<i>Total current liabilities</i>	<i>1,402</i>	<i>337</i>	<i>76</i>	<i>1,815</i>
<i>Non-current liabilities</i>				
Provision	5,055	-	-	5,055
<i>Total non-current liabilities</i>	<i>5,055</i>	<i>-</i>	<i>-</i>	<i>5,055</i>
Total liabilities	6,457	337	76	6,870
Net assets/equity	1,832	9,339	1,065	12,236
Total liabilities and net assets/equity	8,289	9,676	1,141	19,106

Statement of financial performance by segment for the year ended 31 December 2018

<i>In thousands of euros</i>	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Secretariat of the Trust Fund</i>	<i>Total</i>
Revenue				
Assessed contributions	-	-	2,542	2,542
Voluntary contributions	766	2,839	-	3,605
Financial revenue	-	18	-	18
Total revenue	766	2,857	2,542	6,165
Expenses				
Administrative expenses	-	-	1,982	1,982
Sexual and gender-based violence project expenses	-	199	-	199
Other assistance project expenses	-	902	-	902
Reparations expenses	4,231	-	-	4,231
Total expenses	4,231	1,101	1,982	7,314
Surplus/(deficit) for the period	(3,465)	1,756	560	(1,149)

Statement of financial position by segment as at 31 December 2017

<i>In thousands of euros</i>	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Secretariat of the Trust Fund</i>	<i>Total</i>
Assets				
<i>Current assets</i>				
Cash and cash equivalents	5,557	9,093	-	14,650
Prepayments	-	156	-	156
Receivables	19	33	476	528
<i>Total current assets</i>	<i>5,576</i>	<i>9,282</i>	<i>476</i>	<i>15,334</i>
<i>Non-current assets</i>				
Receivables	-	-	505	505
<i>Total non-current assets</i>	<i>-</i>	<i>-</i>	<i>505</i>	<i>505</i>
Total assets	5,576	9,282	981	15,839
Liabilities				
<i>Current liabilities</i>				
Provisions	473	-	-	473
Deferred revenue	4	200	-	204
<i>Total current liabilities</i>	<i>477</i>	<i>200</i>	<i>-</i>	<i>677</i>
<i>Non-current liabilities</i>				
Provision	1,302	-	-	1,302
<i>Total non-current liabilities</i>	<i>1,302</i>	<i>-</i>	<i>-</i>	<i>1,302</i>
Total liabilities	1,779	200	-	1,979
Net assets/equity	3,797	9,082	981	13,860
Total liabilities and net assets/equity	5,576	9,282	981	15,839

Statement of financial performance by segment for the year ended 31 December 2017

<i>In thousands of euros</i>	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Secretariat of the Trust Fund</i>	<i>Total</i>
Revenue				
Assessed contributions	-	-	2,174	2,174
Voluntary contributions	200	2,678	-	2,878
Financial revenue	-	6	-	6
Total revenue	200	2,684	2,174	5,058
Expenses				
Administrative expenses	-	20	1,415	1,435
Sexual and gender-based violence project expenses	-	158	-	158
Other assistance project expenses	-	1,152	-	1,152
Reparations expenses	1,903	-	-	1,903
Total expenses	1,903	1,330	1,415	4,648
Surplus/(deficit) for the period	(1,703)	1,354	759	410

13. Related party disclosures

13.1 The expense recognized includes aggregate remuneration paid to key management personnel, including net salaries, post adjustment, entitlements, assignment and other grants, rental subsidy, employer contributions to the pension plan and current health insurance contributions. It also includes expense in respect of post-employment benefits and other long-term benefits.

13.2 The key management personnel of the Trust Fund are the Board of Directors and the Executive Director. The Board serves on a pro bono basis.

13.3 The expense recognized during the year and outstanding balances of receivables at year end are as follows:

<i>In thousands of euros</i>	<i>No. of individuals</i>	<i>Aggregate remuneration</i>	<i>Receivables</i>
Key management personnel	6	183	-

13.4 Key management personnel also qualify for post-employment benefits and other long-term benefits. At year end, accrued liabilities amounted to:

<i>In thousands of euros</i>	<i>Annual leave accrual</i>	<i>Other long-term benefits</i>	<i>Post-employment benefits</i>	<i>Total</i>
Key management personnel	18	1	114	133

13.5 In 2018, the Assembly approved an appropriation of €2,542 thousand for the Secretariat of the Trust Fund for Victims, which administers the Trust Fund and provides administrative support to the Board and its meetings. The amount of assessment net of expenses incurred by the Secretariat for the current and prior period in an amount of €1,142 thousand is recognized as a receivable from the Court.

13.6 The Court provides various services free of charge to the Trust Fund, including office space, equipment and administrative services.

14. Events after the reporting date

14.1 On the date of signing of these accounts, there were no material events, favourable or unfavourable, between the reporting date and the date on which the financial statements were authorized for issue that affected these statements.

Annex

Schedule 1

Status of projects as at 31 December 2018

<i>Annual project</i>	<i>Project currency</i>	<i>Budget</i>	<i>Outstanding advances/ refunds due at 1 January 2018</i>	<i>Advances Paid</i>	<i>Expense recorded</i>	<i>Refunds collected</i>	<i>Outstanding advances at 31 December 2018</i>	<i>Budget spending (including prior years)</i>
TFV/UG/2007/R1/014 (c) - Provision of quality substantial mental health services for traumatised war-affected populations in Northern Uganda (PO # 5100108)	USD	390,000	17,289	-	17,289	-	-	390,000
TFV/UG/2007/R1/014 (c) - Provision of quality substantial mental health services for traumatised war-affected populations in Northern Uganda (PO # 5100116)	USD	390,000	-	331,500	390,000	-	-	390,000
4701286 - TFV - CAR - Situational Assessment - 2018 (XAF)	XAF	6,500,000	-	6,500,000	5,500,000	-	1,000,000	5,500,000
TFV/UG/2007/R1/018 & R2/042 - Provision of the capacity building, advocacy and medical rehabilitation for Northern Uganda victims of war (PO # 5100109)	EUR	258,870	38,830	-	38,830	-	-	258,870
TFV/UG/2007/R1/014 (b) - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda (PO # 5100110)	EUR	100,000	13,369	15,000	28,369	-	-	100,000
TFV/UG/2007/R1/016 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda (PO # 5100111)	EUR	100,000	17,419	15,000	32,419	-	-	100,000
TFV/UG/2007/R1/014 (a) - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda (PO # 5100112)	EUR	100,000	9,110	15,000	24,110	-	-	100,000
TFV/UG/2007/R1/023 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda (PO # 5100113)	EUR	100,000	38,123	15,000	53,123	-	-	100,000
TFV/UG/2007R1/035 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda (PO # 5100114)	EUR	100,000	11,390	15,000	26,390	-	-	100,000
TFV/UG/2007/R2/041 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda (PO # 5100115)	EUR	100,000	13,280	15,000	28,280	-	-	100,000
30061 -TFV - Communication Project	EUR	15,300	-	-	4,096	-	-	4,096
TFV/UG/2007/R1/018 & R2/042 - Provision of the capacity building, advocacy and medical rehabilitation for Northern Uganda victims of war (PO # 5100117)	EUR	260,699	-	260,693	260,693	-	-	260,693
TFV/UG/2007/R1/014 (a) - Integrated physical and psychosocial rehabilitation support to victims (PO # 5100118)	EUR	40,000	-	40,000	40,000	-	-	40,000

<i>Annual project</i>	<i>Project currency</i>	<i>Budget</i>	<i>Outstanding advances/ refunds due at 1 January 2018</i>	<i>Advances Paid</i>	<i>Expense recorded</i>	<i>Refunds collected</i>	<i>Outstanding advances at 31 December 2018</i>	<i>Budget spending (including prior years)</i>
TFV/UG/2007/R1/035 - Integrated physical and psychosocial rehabilitation support to the war victims (PO # 5100119)	EUR	40,000	-	40,000	40,000	-	-	40,000
TFV/UG/2007/R1/014 (b) - Health and dignity restoration of war victims in northern Uganda (PO # 5100120)	EUR	40,000	-	34,000	39,659	-	-	39,659
TFV/UG/2007/R1/016 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda (PO # 5100121)	EUR	40,000	-	40,000	40,000	-	-	40,000
TFV/UG/2007/R1/023 - Centre for expertise in psychosocial well-being of war affected children (PO # 5100122)	EUR	40,000	-	40,000	40,000	-	-	40,000
TFV/UG/2007/R2/041 - Integrated physical and psychological rehabilitation assistance for victims in Northern Uganda (PO # 5100123)	EUR	40,000	-	40,000	40,000	-	-	40,000
Reparations Mandate								
5100102 - Identification et evaluation des prejudices psychologiques, physique et socioeconomique des jeunes ayant participe dans les groupes armes de 2002-2003 en Ituri	USD	112,000	23,078	-	-	23,078	-	71,595
4701273 - Katanga Collective Awards	USD	58,560	-	32,710	25,514	-	7,196	25,514
4701270 - Katanga Collective Awards	EUR	59,971	-	53,040	43,610	722	8,709	43,610

Final audit report on the financial statements of the Trust Fund for Victims for the period ended 31 December 2018

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I. Audit objectives, scope and approach

1. We have audited the financial statements of the Trust Fund for Victims (TFV). The audit was conducted in accordance with the International Standards on Auditing (ISSAI and ISA¹) and Article 12 of the Financial Regulations and Rules (FRR) of the International Criminal Court (the “Court”), including the additional terms of reference governing the audit.
2. The overall objective of an audit of financial statements is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, thereby enabling the External Auditor to express an opinion on whether the financial statements are prepared, in all material respects, in accordance with the applicable financial framework.
3. The additional terms of reference governing the audit of ICC and all trust funds, including the Trust Fund for Victims, are disclosed in annex 6(c) to the Financial Regulations and Rules. They indicate that the External Auditor can consider matters that should be brought to the notice of the Assembly of States Parties (ASP), such as wasteful or improper expenditure of the Trust Fund for Victims’ money and other assets, and expenditure not in accordance with the intention of the ASP.
4. The audit mission consisted of two phases:
 - (a) An interim audit (from 3 to 14 December 2018) focusing on aspects relating to internal control, voluntary contributions and International Public Sector Accounting Standards (IPSAS); and
 - (b) A final audit (from 6 May to 24 May 2019) focusing on the financial statements, the follow-up of previous recommendations and IPSAS disclosure requirements, as well as financial and governance controls.
5. A closing meeting with the Executive Director of the Trust Fund for Victims and his staff was held on 23 May 2019. This report has been prepared, taking into account the written comments sent by the Trust Fund for Victims on 14 June 2019.
6. We express an **unqualified opinion** on the financial statements of the Trust Fund for Victims for the financial year ended 31 December 2018.

II. Recommendations

Recommendation n° 1: The External Auditor recommends 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, approved by the adequate level of its governance.

Recommendation n° 2: The External Auditor recommends implementing a procedure to identify all the accruals with a deadline in accordance with the preparation of the financial statements.

III. Follow-up on prior year recommendations

7. The External Auditor reviewed implementation of recommendations arising from prior year audits of the financial statements.

¹ International Standards of Supreme Audit Institutions.

Table 1: Follow-up on previous recommendations

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
2017-1	IT in the scope of reparations	In order to be able to accurately substantiate all of its commitments related to the enforcement of the reparations awards, the External Auditor recommends that (i) the TFV Secretariat have access to the victim identification software (VAMS) and that (ii) additional IT developments be configured to take account of the specific needs of the reparations activity (eligibility status, individual and/or collective reparations, status of implementation of reparations, justification of granted sums, relations with the victims' legal representative, etc.).		X	
2016-2	Monitoring of local partner's audit reports	The External Auditor recommends that the TFV Secretariat systematically require its local partners to provide audit reports, and that it conduct methodical formalised monitoring of recommendations set out in these reports, in order continually to improve the quality of action taken by implementing partners.		X	
2015-2	Field operations	The External Auditor recommends that the TFV Secretariat implement financial training initiatives for field programme officers.	X		
2015-3	Field operations	The External Auditor recommends that the TFV Secretariat strengthen the financial control of operations carried out by the implementing partners by requiring that the Field Programme Officers' duties include spot-checks of expenses incurred (invoices and purchase orders). The results of these checks should be made available to headquarters to justify the actual expenses incurred.		X	
2015-4	Field operations	To ensure effective project monitoring and control, the External Auditor recommends that the TFV Secretariat strengthen the field teams.		X	
2014/1	Delegation of the Registrar's administrative authority	In order to clarify the scope of the Registrar's delegation of authority to the Secretariat of the Trust Fund for Victims, the External Auditor recommends to: (a) For the TFV Secretariat, in consultation with the Registrar, (i) to review the scope of the delegation of authority in order to clarify the roles and responsibilities over all eventualities, such as the conclusion, suspension, termination and extension of contracts with implementing partners; and (ii) to ensure proper authority has been granted to the TFV Secretariat staff so they may manage their operations and activities, as indicated in the TFV Regulations; and (b) - Establish a suitable arbitration mechanism, involving if necessary the Board of Directors of the TFV and the Bureau or another appropriate subsidiary organ of the Assembly of State Parties, to guarantee a smooth decision making process and avoid unnecessary delays and tensions..			X
2014/2	Management roles and responsibilities	The External Auditor recommends putting an end to existing managerial ambiguities within TFV Secretariat leading to a lack of clarity about accountability and responsibilities by clarifying the roles and responsibilities of the TFV staff mainly as regards to fund-raising, donor relations and project contract management in order to avoid overlaps and to make the decisions and activities of TFV more effective and coordinated. This could be done through the review of the work surveys and job descriptions; and adoption of the responsibility assignment chart as proposed by TFV, which identifies roles and responsibilities and avoids any confusion.		X	
Total number of recommendations: 7			1	5	1

8. Recommendation TFV-2017-1 has started to be considered partially implemented. Taking into account the affirmation by the TFV Secretariat (STFV) that access to the victim identification software (VAMS) is already available on an “as needed basis” in cooperation with the Victims Participation and Reparations Section (VPRS), that a joint analysis is ongoing with the Information Management Services Section (IMSS) and VPRS on IT requirements and adjustments of VAMS.

9. Recommendation TFV-2016-2 is considered partially implemented. As indicated last year, the implementation of the recommendation has started, with the preparation of the call for tender of an External audit company in charge of auditing the local partners, and the new cycle of operations launched in Uganda, and to be committed in *Côte d'Ivoire* (CIV) and Democratic Republic of Congo (DRC) in 2019.

10. Recommendation TFV-2015-2 is considered implemented. The STFV has mentioned that training actions for field programme managers and associate programme officers were held in the second half of 2018 and planned for 2019, and confirmed that financial and managerial skills were required in their recruitment process. The recommendation is then to be considered as implemented, bearing in mind that training efforts have to continue after 2019.

11. Recommendation TFV-2015-3 is considered partially implemented. The STFV has indicated that spot checks were made in 2018 in Uganda, and planned for 2019 in other countries. Following a workshop on internal control held in February 2019, a collection of tools, templates and guidelines is under drafting with the purpose to be achieved in the last quarter of 2019.

12. Recommendation TFV-2015-4 is considered partially implemented. The External Auditor acknowledges that the TFV has been granted an important level of additional budgetary resources in 2019, as well as an approval of funding of new temporary posts. The results of this important step in human and financial resources will have to be measured on the field in order to appreciate if the implementation of the recommendation has reached its objectives.

13. Recommendation TFV-2014-1 is considered not implemented. On the one hand, the renewal of the Board of Directors in December 2018 has postponed the discussions on an arbitral procedure of disagreements between TFV and the Registry. On the other hand, the TFV must, prior to further discussions with the Registry, finalise its responsibility matrix related to the clarification and renewal of the organisation of the STFV, which should be put in place in the second half of 2019, at the end of the annual seminar at the end of June 2019.

14. Recommendation TFV-2014-2 is considered partially implemented. The clarification of responsibilities inside the TFV has been accelerated in 2018 and, following the May 2018 retreat, a new responsibility matrix is expected to be finalized in 2019 through the next retreat.

IV. Summary of the financial position

15. The TFV's statement of financial performance shows a deficit of €1.149 million compared with a surplus of €0.410 million in 2017. This change is mainly due to the increase in programme expenses (€5.332 million compared to €3.213 million in 2017) and administrative expenses (€1.982 million compared to €1.435 million in 2017). Accordingly, the growth rate of resources has been lower than for expenses, even if the assessed contributions have grown at a significant rate of 17 percent, reaching €2.542 million. Voluntary contributions have also grown at a high rate of 25 percent, reaching €3.605 million (compared to €2.878 million in 2017). This confirms the more proactive approach of the TFV to mobilize voluntary contributions from donors in order to meet the new needs created by the victim reparations ordered by the Court.

16. After the Trial Chamber's decision in December 2017 on Mr Lubanga's liability, the TFV has been involved in identification of victims potentially eligible to collect reparations. The TFV continued its identification, planning and reparation of victims

activities on Mr Katanga's and Mr Al Mahdi's cases, including the cultural heritage destruction side.

17. The TFV is in an advanced phase of launching new assistance programme cycles in Côte d'Ivoire. A relaunch of the assistance programme in the Central African Republic (CAR) was decided following Mr. Bemba's acquittal in June 2018, as reparations projects were reoriented towards assistance. The TFV launched a new five years cycle of its assistance mandate in various locations, such as Uganda and DRC. Other potential assistance projects were prepared on Georgia and Kenya.

18. The statement of financial position improved overall with total assets increase from €15.839 million in 2017 to €19.106 million in 2018. The financial position is sound, with a net asset at a level of €12.236 million and liabilities mostly composed on non-current provisions at a level of €5.055 million. The TFV has no financial debts and a major part of its current liabilities (€0.854 million) consists of accruals and deferred revenues, these being likely to become revenues in the future.

19. The cash and cash equivalent account amounts to €17.857 million, as at December 31st 2018. This high level of funds does not produce a significant amount of interest, with only €six thousand in 2018. The Trust Fund Financial Regulations and Rules refer to the article 108 of the Financial Regulations and rules of the ICC, while the possibility to proceed to investments (limited in time) in case of "money not needed during the investment period" is mentioned in article 109.

20. A significant provision for reparation awards has been made in 2018 (€4.195 million, increasing the cumulative provision for victims reparations up to €5.940 million). In spite of its present positive financial position (net assets up to €12.236 million and a reparation provision up to €5.940 million), the TFV estimates that a minimum annual inflow of resources of €10 million will be necessary in the middle or long term to face its activities and mainly the charges of the reparations. In this scope, the TFV, not neglecting to explore other potential hypotheses of funding, is aware of the strategic necessity to attract and keep a growing network of donors and voluntary contributors.

21. The statement of financial performance does display the amounts of reparations expenses approved by the Board of Directors through provisions, following an external audit recommendation. Annual reparations expenses presented in Note 6 to the financial statements appear then as a reduction of former provision. The amount of annual expenses in 2018, €0.066 million, appears at the present stage rather modest compared to the cumulated amount of provisions (€5.940 million).

22. A part of these provisions is classified in current liabilities (€0.961 million), meaning that it should be used during 2019, and the other part is in non-current liabilities (€5.055 million). Last year, €0.473 million were classified in current liabilities, but only €0.066 million has been paid in 2018. The TFV Secretariat should be careful to do the best estimation for this classification.

V. Budgetary governance of the Trust Fund

23. The reconciliation between the financial statements and the budget is disclosed in the note n° 11. This reconciliation is limited to the perimeter of the available budget only, which is the Major Programme VI "Secretariat of the Trust Fund for Victims" of the ICC. The reconciliation disclosed in note 11 does not raise issues as long as it is limited to the Major Programme VI perimeter.

24. The application of IPSAS 24 is not mandatory in the case of public sector entities not required to make approved budgets publicly available, and the Financial Regulations and Rules of the TFV do not require the presentation of a formalized and public budget, which would include resources and expenses not related to the Major Programme VI. In that view, the practice of the TFV does not raise questions of compliance with IPSAS.

25. However, the "annual reports" of the TFV, which are public documents, disclose in their annexes lists of projects and mention a "budget" envelope for each project, which suggests an implicit budgetary approach. This shows that the TFV has its own process of planning and programming projects, developed on a pluriennial period. This process

includes an annual formal approval by the Board. Figures mentioned in the projects represent the contract values of service agreements with the TFV partners, and have no budgetary meaning.

26. The TFV has produced to the External Auditor the “List of Decisions” of the 18th Meeting of the TFV Board of Directors, in The Hague, on 22 to 24 May 2018. This document formalizes the approval by the Board of Directors of budgetary proposals to the ASP for the next STFV Major Programme VI, and a list of “financial package proposal for programme allocations”.

27. This practice is not (and does not pretend to be) a kind of budgetary process. However, the implementation of a formalized and stable budgetary cycle is a good practice in public sector elected entities, including those supported by voluntary contributions, especially when the annual budgetary period is the same as the accounting period of the financial statements.

28. The voluntary contributions received by the TFV may be “earmarked” or not. In both cases, a structured annual budget for operations funded through voluntary contributions would give an adequate visibility on the progressive use of funds to the donors, to the Assembly, and to the public.

29. The External Auditor recommends that the governance of the TFV clarifies its practices of planning and authorization of commitments given and received on expenses and resources in a budgetary chart or framework covering all activities, including those funded by resources coming from other sources than the ICC’s Major programme VI, mainly voluntary contributions. The TFV could get technical support and assistance from the Registry, especially the Finance and Budget sections of the Division of Management Services.

30. Such a practice could improve the visibility on the implementation of conventions, including those covering plurennial programmes in assistance or reparation. Some of these include conditions on commitments and calendar targets, eventually with reimbursement obligations in case of non-fulfilments of operational objectives, and reporting duties from the TFV towards the donors.

Recommendation n° 1: The External Auditor recommends that the TFV adopt a budgetary chart or framework in order to clarify the annual and plurennial 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, approved by the adequate level of its governance.

VI. Monitoring of conventions and agreements with donors

31. Voluntary contributions have grown 25 percent in 2018, reaching €3.605 million (compared to €2.878 million in 2017). This confirms the outcome of the TFV efforts to mobilize donors in order to meet the new needs of victim reparations. An important part of voluntary contributions is supported by written agreements with donors, some of them earmarked.

32. It appeared during the audit works that part of these written agreements include conditions to be fulfilled. Otherwise, donors might claim the funds back. The financial statements record these funds as deferred revenues, according to IPSAS.

33. These agreements may include complex reporting or monitoring duties for the TFV, among which obligations to deliver reports or insurances on the due use of funds by the External Auditor of ICC. The TFV should be aware that the External Auditor only reports to the Assembly and cannot be assigned, in agreements with donors, to works that are not included in its mandate as settled by the Assembly. The External Auditor cannot be involved in any additional process without his knowledge or consent.

34. The inclusion of such conditions, whose achievement is not realistic nor under control of the TFV, could furthermore give rise to difficulties with the donors, and should be avoided in future conventions.

VII. Adjustment

35. IPSAS standards require to record transactions and events in the accounts and to recognize them in the financial statements of the periods to which they relate.

36. The External Auditor conducted some tests to ensure that all expenses are booked in the corresponding period. The tests identified some charges booked in the 2019 accounts for expenses that occurred in 2018, for a total amount of €44,420. The Secretariat of the TFV should have accrued these expenses.

37. To be in accordance with the accrual principle, these charges were adjusted at the request of the External Auditor in the 2018 accounts and financial statements for €44,420.

38. In order to prevent this kind of error, as the activity of the TFV should go increasing in the future, the Secretariat of the TFV should implement a procedure to ensure that the information of the accruals are reported on time to the Finance section.

Recommendation n° 2: The External Auditor recommends implementing a procedure to identify all the accruals with a deadline in accordance with the preparation of the financial statements.

VIII. Acknowledgements

39. The External Auditor wishes to thank the Trust Fund for Victims Secretariat and the members of the Office of the Registrar of the International Criminal Court, for the cooperation and general support provided to the audit team during the audit.

End of audit observations.

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