

**Thirteenth session**

New York, 8-17 December 2014

**Proposed Programme Budget for 2015 of the International Criminal Court****Executive Summary - 17 July 2014***Key Messages***1. The proposed budget for 2015 is based on the following main factors**

- (a) Continued increase in judicial and prosecutorial activities with at least 2 new trials in addition to current cases;
- (b) Departure of a total of 6 judges and arrival of 7 new judges, with complicated implications for judges' pension costs;
- (c) Implementation of new strategy and an increase in the OTP's workload - 21 cases in eight situations;
- (d) A corresponding increase in services required from the Registry; and
- (e) Built-in increases, i.e. staff costs due to the application of the UN common system.
- (f) The Court's proposed programme budget for 2015 amounts to €35.39 million, representing an increase of €3.74 million, or 11.3 per cent, over the 2014 approved budget (or €2.23 million without the increase in PP interest).

**2. Judiciary**

- (a) The proposed budget in 2015 for the Judiciary is €2.71 million, an increase of €2.67 million or 26.6 per cent from the 2014 levels.
- (b) For most of 2015 the Court will require 18 judges in regular full-time service compared to a maximum of 16 in 2014;
- (c) The Court will be paying pension contributions for all 18 judges in 2015, compared to 2014 when it has done so for only the 12 judges who have not yet completed 9 years' service;
- (d) Renewal of the five-year judges' pension contract with the Court's insurer Allianz has unavoidably increased the cost of the scheme for 2014-18 given current financial market conditions; and
- (e) The arrival of seven new judges will require one-off provision for assignment costs.
- (f) Staff costs must increase moderately for 2015 if the Judiciary is to cope with the new trials, the heavy workload in Appeals and to make faster progress on "Lessons Learned" in order to improve the efficiency of judicial proceedings.

### 3. OTP

- (a) The OTP's proposed budget for 2015 is €41.67 million, representing an increase of €8.45 million over the previous year, or 25.4 per cent, compared to the 2014 approved budget of €33.22 million.
- (b) The budget increase is in line with the OTP Strategic Plan 2012-2015, which was fully endorsed by States Parties. Without the requested budgetary resources, the OTP will be unable to discharge its responsibilities adequately, with the risk that the credibility of the Court as a whole and its capacity to deter the commission of mass atrocities will suffer.
- (c) The Office is under severe pressure to cover an increasing number of conflict situations where the most serious crimes have been committed: four investigations of Rome Statute crimes and two investigations of offences against the administration of justice under Article 70 will continue into 2015, one of the four and the two Article 70 matters having already been notified under the contingency fund in 2014.
- (d) The Office will be actively engaged in the preparation or conduct of at least five trials and one post-judgment appeal, as well as in handling a host of interlocutory appeals.
- (e) The current preliminary examination of ten situations will continue in 2015, with potential financial savings where the Office is successful in encouraging national authorities to investigate and prosecute Rome Statute crimes, thus avoiding intervention by the Court.
- (f) The majority of the proposed budget increase would go to the essential staff costs and mission travel required by the Office's core investigative and prosecutorial activities. The Office must take into account the whole 12 months of 2015 in budgeting for the full complement of its staff brought on board over the course of 2014 using budgeted funds. Experience to date demonstrates that properly resourced investigation and prosecution teams ensure the quality, efficiency and effectiveness of the Office's core operations: note the success in having charges confirmed in the Ntaganda and Gbagbo cases in 2014.
- (g) The teams are being resourced in accordance with the model for creating effective team capacity accepted by States Parties. (Notwithstanding the complexity of the situations and cases, OTP team staffing levels are modest in comparison with the practice at the UN international criminal tribunals and special courts or for serious crime investigations at the national level.)
- (h) The proposed budget will give the OTP the basic resources that are indispensable to its ability to fulfil its mandate to the requisite standard of quality envisaged in the Strategic Plan.
- (i) Nevertheless, recognising the concerns of States Parties about substantial budgetary increases, the OTP has decided not to pursue, at this stage, the fifth full investigation it had originally projected in line with its strategy, with a consequent decrease in its budget proposal.

### 4. Registry

- (a) The proposed 2015 budget for Registry amounts to €66.26 million, representing a decrease of €35,700, or -0.1 per cent, compared to the 2014 approved budget of €66.29 million.
- (b) While the level of required Registry support has substantially increased following the budget assumptions and service requests for 2015, in particular in the areas of field operations, witness protection and detention, as a result of careful allocation, redeployment and reprioritization of resources, the Registry has offset a potential increase in resources required, as well as the in-built increase in staff costs, without jeopardizing the quality and efficiency of its service.
- (c) The Registry's proposed budget is the bare minimum to ensure Registry's essential functions will be carried out.
- (d) The Registrar seeks the continuation of the flexibility granted by the ASP, within the proposed budgetary envelope, to ensure the implementation of the envisaged structural changes for a more efficient and fit-for purpose Registry.

## 5. Other Major Programmes

- (a) Major Programmes IV (Secretariat of the Assembly of States Parties) and VI (Secretariat of the Trust Fund for Victims) have an increase in particular in the area of staffing, and MPIV also in contractual services due to the holding of the annual session of the Assembly in The Hague (the increase is €0.52 million or 18.2 per cent and €0.35 million or 21.8 per cent respectively).
- (b) Major Programme VII-2 (Permanent Premises Interest) has an increase of approximately € 1.5 million.
- (c) Other Major Programmes are more or less comparable to the level of 2014 approved budget.

## I. Introduction

1. The International Criminal Court's proposed programme budget for 2015 amounts to €35.39 million. This represents an increase of €13.74 million, or 11.3 per cent, over the 2014 approved budget (€21.66 million). This is mainly due to the following factors:

- a) following the steady growth in the Court's overall workload over recent years, a further increase in judicial activities foreseen in 2015;
- b) a continued increase in the total workload of the Office of the Prosecutor, as well as the inclusion of a major new situation in the regular budget for 2015, combined with the need to enhance the capacity of investigative and prosecutorial teams to deliver high quality and timely investigations and prosecutions;
- c) a corresponding increase in the services provided by the Registry to support the increase in investigative, prosecutorial and judicial activities;
- d) an approved staff structure of established posts which has remained unchanged for the last four years, requiring reinforcement to be achieved principally through the recruitment of GTA staff;
- e) built-in increases such as forward commitments in relation to staff costs through the application of the UN Common System.

2. After taking these drivers into account, the level of resources initially identified for the Court's 2015 proposed budget, including efficiency gains and a reduced number of active investigations, amounted to €148.16 million, which would have represented an increase of almost €26.50 million from the 2014 approved budget.

3. After a stringent, thorough-going internal review, which included harsh reductions and reprioritization of activities, as well as a decrease in the number of active investigations and redeployment of resources, a drastic reduction of nearly €13 million was achieved, lowering the level of the net increase in the proposed budget to €13.74 million.

### Budget development

Baseline (2014 Approved Budget)	€121.66 million
Identified resource requirements	€148.16 million
Growth linked to cost drivers	€26.50 million
Internal review	€12.76 million
<b>Net 2015 proposed increase</b>	<b>€13.74 million</b>

## II. Budgetary assumptions for 2015

4. The 2015 budget assumptions have been developed based on judicial and prosecutorial work plans for the following year, insofar as these could be accurately

estimated at the end of June 2014. However, the unpredictable nature of the Court's judicial work makes it difficult to produce fully reliable assumptions well in advance of the financial period for which the Court is budgeting. It is thus the Court's policy to budget only for events which are reasonably certain to occur in the following year and which can be accurately estimated.

5. The budget assumptions for judicial and prosecutorial activities developed by the Court, which underpin the proposed programme budget for 2015, provide for the following:

- a) trial preparation in two cases (*Ntaganda* and *L. Gbagbo*, six months each);
- b) trial hearings in five cases (*Ntaganda*, six months; *Kenyatta*, twelve months; *Ruto/Sang*, twelve months; *Banda*, twelve months; and *L. Gbagbo*, six months);
- c) sentencing and reparation proceedings in *Bemba* (as appropriate), three months; and
- d) final appeal in one case (*Bemba*) and interlocutory appeals.

6. The assumptions regarding these hearing timeframes have been developed on the basis that the hearings will take place consecutively rather than simultaneously.<sup>1</sup> The combined workload of the Pre-Trial Chambers, Trial Chambers and the Appeals Chamber is expected to exceed the level of judicial activity in 2014.

7. In addition, the OTP envisages that in 2015 it will continue to conduct investigations in eight situation countries: Côte d'Ivoire, Central African Republic, Libya, Uganda, Democratic Republic of Congo, Darfur, Kenya and Mali; and will continue to monitor other situations under preliminary examination (Afghanistan, the Central African Republic, Colombia, Georgia, Guinea, Honduras, Nigeria, the Union of the Comoros ('Mavri Marmara' incidents), Ukraine and Iraq).

8. Furthermore, the Registry will continue to support the non-judicial aspects of the administration and servicing of the Court. As well as supporting the increased judicial proceedings, the Registry will also support the increased investigative and prosecutorial activities following the implementation of the OTP's new strategy, in relation to, in particular, the protection and support of victims and witnesses, field operations and detention.

	<i>Approved Budget 2014</i>	<i>Proposed Budget 2015</i>	<i>Resource growth</i>	
	<i>(thousands of euro)</i>	<i>(thousands of euro)</i>	<i>2015 vs. 2014</i>	
<b>Total ICC</b>	<i>Total</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Judges	3,835.6	5,727.6	1,892.0	49.3
Staff costs	63,876.4	66,406.8	2,530.4	4.0
Other staff costs	18,199.8	26,193.3	7,993.5	43.9
Non-staff costs	35,744.4	37,064.0	1,319.6	3.7
<b>Total</b>	<b>121,656.2</b>	<b>135,391.7</b>	<b>13,735.5</b>	<b>11.3</b>

### III. Proposed Programme Budget for 2015

#### A. Major Programme I: Judiciary

9. Major Programme I comprises the Presidency, Chambers and the Liaison Offices. The New York Liaison Office, while located within Major Programme I, is a common representative of all the organs of the Court as well as providing logistical support for the Bureau of the ASP and its New York Working Group.

10. The budget for Major Programme I is based on the judicial activities foreseen in the budget assumptions for 2015. There will be extensive judicial activity across all three judicial divisions with a particular surge in the Trial Division, where in addition to existing

<sup>1</sup> However, the need for parallel trial hearings could well arise in the course of the year as a result of case-specific circumstances and judicial developments that cannot presently be accurately determined.

cases two new trials (*Gbagbo* and *Ntaganda*) will begin and two further potential trials may also begin dependent on current confirmation proceedings, which is also expected to increase the volume of interlocutory appeals. The combined workload of the three Divisions in 2015 is thus expected to be greater than in 2014.

11. The Judiciary will continue to exercise its functions in a manner that makes the most efficient use of the resources allocated to it. The staffing levels recommended in this budget are designed to meet currently known case requirements. They represent the minimum required to run the various expected proceedings efficiently and effectively. Should the actual workload turn out higher than currently expected, or should other unexpected needs arise, every effort will be made to absorb costs within the 2015 budget before resorting to the Contingency Fund.

12. The primary reason for the increase in the Judiciary's budget is an unavoidable increase in judges' costs from €3.84 million in 2014 to €5.73 million in 2015 because of the following factors:

- a) For most of 2015 the Court will require 18 judges in regular full-time service compared to budget provision for only 16 for most of 2014. Judges' salary costs will therefore rise by approximately €0.38 million in 2015.
- b) The Court will be paying pension contributions for all 18 judges, compared to 2014 when it has had to do so for only 12 judges, since no further contributions have been required for judges who have already completed nine years' service (this led to an artificially low budgetary cost for 2014).
- c) Renewal of the five-year pension contract with the Court's insurer Allianz has unavoidably increased the cost of the scheme for 2014-18 because of a combination of reduced investment returns in current financial market conditions and increased actuarial estimates of life expectancy. This factor, combined with the increased number of judges for whom pension contributions are required (see above) will lead to an overall increase of €1.01 million, of which approximately €0.5 million represents the estimated pension cost of newly elected judges.
- d) The arrival of seven new judges will require provision for costs of assignment, travel and removal of personal effects in accordance with the conditions of service for judges, which are currently estimated at a total of €0.38 million. These costs only arise every three years – the next occasion will be in 2018.

13. The expected increase in judicial activities for 2015 also has implications for GTA staffing requirements, at an additional cost of approximately €0.70 million:

- a) GTA provision for the Pre-Trial Division has been held at the same level as in the 2014 budget (2.5 P2 GTAs) based on the steady flow of new work in an ever-changing number of cases and situations in the two Pre-Trial Chambers. The Division needs to maintain the capability to react quickly to unforeseen developments (eg urgent arrest-related decisions).
- b) Trial Division's expected caseload of a minimum of five cases at the trial hearing or preparation stages will require moderate reinforcement to support the newly arriving cases, partly offset by a reduction in support for other cases, representing a net increase of 3 P2 GTAs to support *Gbagbo* and *Ntaganda*.
- c) Moderate reinforcement (2 P2 GTAs) is also required in the Appeals Division where practical experience in 2014 has clearly shown that the current and expected 2015 casework of one final and a substantial number of interlocutory appeals (which are expected to increase as a direct result of increased trial activity) will not be sustainable without either staff reinforcement or a slower pace of judicial decisions.
- d) Finally, for the first time since 2009 the Presidency requires an increase of one P3 GTA to accelerate the judicial "Lessons Learnt" project to improve the efficiency of the judicial process at the Court.

14. The total cost for Major Programme I will therefore rise from €0.05 million in 2014 to €2.71 million in 2015, representing an increase of 26.6 per cent.

Major Programme I Judiciary	Approved Budget 2014	Proposed Budget 2015	Resource growth	
	(thousands of euro)	(thousands of euro)	2015 vs. 2014	
	Total	Total	Amount	%
Judges	3,835.6	5,727.6	1,892.0	49.3
Staff costs	4,691.2	4,774.6	83.4	1.8
Other staff costs	1,238.1	1,935.0	696.9	56.3
Non-staff costs	280.9	277.2	-3.7	-1.3
<b>Total</b>	<b>10,045.8</b>	<b>12,714.4</b>	<b>2,668.6</b>	<b>26.6</b>

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

15. Under the Rome Statute, the fundamental mandate of the Office of the Prosecutor (“OTP” or “Office”) is to investigate and prosecute the worst crimes of concern to humanity when national authorities of States Parties are either unable or unwilling to do so.

16. In November 2013, States Parties accepted that the OTP needed a critical increase in resources in order to achieve its mandate and implement the OTP Strategic Plan 2012-2015 which called for significant improvement in the quality, efficiency and effectiveness of the OTP’s core operations. The States Parties fully endorsed this Strategic Plan.

17. The objective of the new prosecutorial strategy is the consistent achievement of positive results, by increasing the impact of preliminary examinations, diversifying investigative methods and evidence collection, and getting soundly based cases “trial ready” as early as possible. The OTP has already demonstrated this year what it can achieve with properly resourced teams in the cases of *Ntaganda* and *Gbagbo*, in which Pre-Trial Chambers confirmed charges against the accused.

18. Therefore, in order to achieve its mandate effectively, the OTP is seeking a budget increase of €8.45 million for 2015, that is, an increase in the budget from €3.22 million granted by the Assembly of States Parties for 2014 to €11.67 million for the coming year. This increase is indispensable to the ability of the OTP to continue to implement a successful prosecutorial strategy and achieve positive results in line with its Strategic Plan.

19. By far the largest component of the increase, namely, €6.73 million, relates to staffing costs that are unavoidable if the OTP is to retain the capacity to continue in 2015 the work it has already undertaken in 2014. To this end, it is essential for the OTP to keep staff members on board who were hired using 2014 budgetary funds plus staff members engaged via the Contingency Fund to meet unforeseen circumstances that arose in 2014.

20. The distribution of the increase of €8.45 million across the OTP is, as follows, with the most significant portion, totalling €6.7 million, being devoted to the OTP core activities of preliminary examinations, investigations, and prosecutions:

- a) Prosecution Division: €2.82 million, relating to staff costs and mission travel, to maintain sufficient capacity in the Division to discharge its responsibilities respecting investigations and trial and appellate litigation;
- b) Investigations Division: €2.66 million, relating to staff costs and mission travel, to allow the Division to carry out its essential investigative and trial support tasks;
- c) Jurisdiction, Complementarity and Cooperation Division: €0.55 million, relating to staff costs and mission travel, to permit the Division to meet significant increases in its workload respecting situation analysis and international cooperation needs;
- d) Services Section and the Immediate Office of the Prosecutor: €2.42 million, which reflects the budget-neutral re-allocation of transcription services from the Investigations Division to the Services Section, and includes in addition necessary administrative, travel and language support for the operational Divisions; information and evidence processing; and the training budget for the whole Office.

21. Thus, in 2015 the OTP plans to conduct 10 preliminary examinations into allegations that Rome Statute crimes have been or are being committed, 4 active investigations into alleged Rome Statute crimes, 2 investigations into offences against the administration of justice (article 70 of the Rome Statute), and at least 5 trials of Rome Statute crimes and one appeal, including necessary trial support investigations. The OTP will also maintain 9 investigations in “hibernation”.

22. This year the OTP has used essentially the same basic staffing model for investigation and prosecution teams as it did for the 2014 budget proposal and which was accepted by CBF and the Assembly of States Parties. This basic model recognised the need to increase team sizes in order to achieve sufficient capacity to implement effectively the new prosecutorial strategy. However, such capacity was not achievable for the full year with the funds granted by the 2014 budget. This capacity should, however, be achieved for 2015 in order to meet the assumptions underlying the budget proposal for the coming year.

23. Therefore, an OTP investigation team involved in an active investigation (as opposed to a case in “hibernation”) must have the equivalent of 26.5 staff members in order to operate effectively (17 staff members from the Investigations Division; 7.5 from the Prosecution Division; and one international cooperation adviser); a prosecution team must be composed of a minimum of 14 staff members (2 investigators per accused, which will increase the size of the team depending on the number of accused; 11 from the Prosecution Division; and one international cooperation adviser). Compared to team staffing levels at the UN international criminal tribunals and special courts, or to the investigation and prosecution of serious crime by domestic authorities, these staffing levels are extremely modest.

24. The necessary extension of staff contracts for a whole year in 2015 will also generate an increase in operational costs relating to preliminary examinations, investigations, trial support, and trial preparation, in the amount of €0.68 million.

25. The OTP must also make an investment in quality, by investing in the competency of its staff and by acquiring new technology. For 2015, this increased investment requires an addition of €0.57 million to the budget, with the following breakdown and objectives:

- a) staff training: €0.25 million (past training budgets have been inadequate: training assists the OTP to integrate new staff members from a variety of backgrounds into the working methods that apply in the OTP; it also enables the OTP to instruct staff on policies and codes of conduct and in new and effective investigative methods and techniques; and it permits staff members to meet their continuing professional development obligations);
- b) adaptive technology to permit the collection, extraction, processing and analysis of information and evidence from digital media carriers, the Internet or telecommunications companies: €0.27 million;
- c) annual review of the quality and efficacy of forensic investigation methods by a scientific review board of external experts and a technology advisory board, and the development of a certification program for investigators in partnership with a committee of experts in the investigation of international crimes: €0.05 million.

26. Recognising that it must be transparent and accountable for the use of limited resources, the OTP will continue to focus on gains in efficiency, in order to reduce the financial impact of its operations, by:

- a) continuing to re-deploy OTP-specific savings: the OTP achieved yearly savings in the past amounting to €0.81 million and it realised €0.23 million in savings in 2013;
- b) seeking to optimise in a collaborative way the delivery of a continuum of services on a rational and pragmatic basis as between the OTP and the Registry; and
- c) relying on external partners for highly specialised work that the OTP need not incur the cost to develop the capacity to perform in-house.

27. Furthermore, in order to avoid seeking an even greater increase in the budget for 2015, the OTP has put on hold the increase it forecasted in 2013 as being necessary for

2015, in line with the phased-in approach to the enhancement of its capacity – halting, in effect, certain projected activities.

28. The OTP faces heightened demands to intervene in situations of conflict and suffering, which it handles responsibly within the parameters set by the Rome Statute in an independent, impartial and systematic manner. With the budgetary resources it is requesting, the OTP will carry out the operations identified above. Moreover, it will continue to:

- a) implement a positive approach to complementarity in the conduct of preliminary examinations that will encourage national authorities to act to investigate and prosecute international crimes, thus avoiding the need for the Court to intervene;
- b) deter through preliminary examinations the commission of further atrocities in conflict situations;
- c) develop and maintain strong support for effective international cooperation in support of its preliminary examinations, investigations and prosecutions;
- d) conduct sophisticated and thorough investigations of situations where Rome Statute crimes are alleged to have been or are being committed;
- e) move toward trial readiness in prosecution cases as early as possible, to increase the efficiency, fairness and efficacy of proceedings before the Court;
- f) achieve further confirmations of charges, based on sound investigations and well researched legal theories of individual criminal responsibility;
- g) achieve better trial outcomes, based on the highly competent presentation of cases in court;
- h) meet the serious challenge to the integrity of ICC processes presented by those alleged to have committed article 70 offences against the administration of justice;
- i) contribute through appellate proceedings to the achievement of just conclusions in individual cases and the development of the Court's jurisprudence overall;
- j) achieve a needed measure of justice for victims and communities affected by mass atrocities;
- k) enhance the ability of the Court to deter mass atrocities; and
- l) contribute to the creation of public confidence in the Office and thus to the credibility of the Court as a whole.

29. Budget constraints will impair the ability of the OTP carry out its prosecutorial mandate. In particular, insufficient resources expose the Office and the Court itself to the following risks, among others:

- a) a poorer quality of investigations or prosecutions;
- b) a mismatch between the expectations of major stakeholders respecting the role and capacity of the Court to act and its actual role and capacity to act, resulting in loss of stakeholder support;
- c) postponement for purely budgetary reasons of projects or investments leading to higher budgetary costs in future, or preventing achievable efficiency or productivity gains;
- d) a perception of selective or one-sided justice; and
- e) lack of cooperation by States, particularly respecting the execution of arrest warrants.

30. In sum, the OTP's budget proposal for 2015 represents the basic resources required for it to continue to do in the coming year the work it has already undertaken in the current year, and to do so to the requisite standard of quality required by the new Strategic Plan endorsed by the States Parties.

31. Without the budgetary resources it is seeking for 2015, the OTP will simply be unable to discharge its responsibilities under the Rome Statute adequately, with the risk that the credibility of the Court as a whole and its capacity to deter the commission of mass

atrocities will suffer damage. Insufficient capacity will also leave the OTP vulnerable to the efforts of those who would seek to subvert the course of justice or attack the Court and the principles and values for which it stands.

<b>Major Programme II Office of the Prosecutor</b>	<i>Approved Budget 2014</i>	<i>Proposed Budget 2015</i>	<i>Resource growth</i>	
	<i>(thousands of euro)</i>	<i>(thousands of euro)</i>	<i>2015 vs. 2014</i>	
	<i>Total</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Staff costs	20,516.8	20,977.1	460.3	2.2
Other staff costs	9,806.9	16,582.7	6,775.8	69.1
Non-staff costs	2,896.3	4,107.7	1,211.4	41.8
<b>Total</b>	<b>33,220.0</b>	<b>41,667.5</b>	<b>8,447.5</b>	<b>25.4</b>

### C. Major Programme III: The Registry

32. The proposed 2015 budget for Major Programme III amounts to €66.26 million, which represents a decrease of €5,700, or -0.1 per cent, compared to the 2014 approved budget of €66.29 million. The total budget proposal in the Registry is the result of the following factors.

33. In the first place, the Registry's approach has been to reduce its operational costs wherever possible, without jeopardizing the quality and efficiency of its services. Out of the nearly €10.5 million increase initially identified by the various sections within the Registry on the basis of the anticipated additional cost drivers, it was possible, as a result of careful allocation, redeployment and reprioritization of resources, to fully offset the required increase in resources.

34. The additional resource requirements were due to the increased level of judicial activities and provision of services to parties and participants in the various pre-trial, trial and appeals proceedings. In particular, field operations, protection and support of witnesses, and detention will require more resources in 2015. Also, the Registry will need to accommodate the in-built increase in staff costs.

35. In light of the fact that the Registry already went through a very rigorous internal assessment of its priorities, the proposed budget is the absolute minimum that is required for the Registry to operate. Additional cuts would undermine the Registry's essential functions. By committing itself outright to such an approach, the Registry hopes to obtain full and unequivocal support of the States Parties for its 2015 proposed budget.

36. In addition, part of such outcome allowing the zero-growth-budget is a proposed reduction in the legal aid budget amounting to €573,800 in relation to the costs associated with the defence of Mr Bemba. In May 2014, the Registry received a transfer of €2'067,982.25 seized from the bank accounts of the accused, Mr Jean Pierre Bemba Gombo. As the total outstanding debt of Mr Bemba up to the end of 2013 amounted to €2'045,762.31, the funds received should be used to pay Mr Bemba's debt with the States Parties following the advancement of the corresponding legal fees in the annual budgets of 2009-2013, as decided by the Trial Chamber III. However, given that the judicial proceedings against Mr Bemba will continue in 2015, the Registrar is seeking the approval of the Assembly to create a temporary fund (a special account to be established by the Registrar under Financial Regulations and Rules 6.5), out of which the Registry would continue to finance the advancement of Mr Bemba's legal fees up to the finalisation of the judicial proceedings initiated against him. Should States not agree with the proposed use of these funds, then the proposed Registry budget for 2015 is to increase by €573,800.

37. As the Registry *ReVision* project is progressing to its next stages, the Registrar seeks the continuation of the flexibility granted by the Assembly of States Parties, within the proposed budgetary envelope, to ensure the implementation of the envisaged structural changes for a more efficient and fit-for purpose Registry. In this regard, it is expected that upon the approval of a new improved high-level organizational design of the Registry, a complementary submission to the proposed budget will be presented prior to the next

session of the Committee on Budget and Finance. However, such complementary submission would only reflect the change in the high-level organisational structure. It is not expected to have a major budgetary impact on Registry's proposed budget for 2015.

38. The Registrar will continue to consider ways to contain future increases in required resources, and, where possible, to find additional efficiencies. Registry will continue to consult with the OTP in order to achieve more efficient inter-organ coordination and processes, and to identify additional synergies. In line with the wishes of the Assembly and the Committee, the Registry will continue leading the Court-wide exercise towards achieving an efficient, well-planned and cost-effective administration. The *ReVision* project is a major step towards this end, but parallel to this project, efforts are made on a daily basis to continue to meet cost-efficiencies and achieve savings where possible.

<b>Programme III Registry</b>	<i>Approved Budget 2014</i>	<i>Proposed Budget 2015</i>	<i>Resource growth</i>	
	<i>(thousands of euro)</i>	<i>(thousands of euro)</i>	<i>2015 vs. 2014</i>	
	<i>Total</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Staff costs	36,137.2	37,764.8	1,627.6	4.5
Other staff costs	5,967.1	5,968.5	1.4	0.0
Non-staff costs	24,188.8	22,524.0	-1,664.8	-6.9
<b>Total</b>	<b>66,293.0</b>	<b>66,257.3</b>	<b>-35.7</b>	<b>-0.1</b>

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

39. The Secretariat of the Assembly of States Parties is seeking a budget for 2015 of €3.36 million, which represents an increase of €0.52 million, or 18.2 per cent from the 2014 approved budget of €2.84 million.

40. The overall increase is primarily due to higher costs as a result of the annual session of the Assembly being held in The Hague instead of holding it at the United Nations Headquarters in New York. The host State subsidy of €244,804 would be deducted from this amount. In addition, a request is made for one Legal Officer established post (P-4) for assisting the Hague Working Group facilitator on the proposed programme budget, as well as supporting the increased workload of other facilitations. One Reviser established post (P-4) is requested to work on translations into and from either of the working languages of the Assembly throughout the year. One GTA post (P-2) is requested to assist the Executive Secretary to the Committee in the preparation of the two sessions of the Committee, as well as assisting in follow-up with the implementation of the recommendations made by the Committee and other related matters.

41. There may be scope for reviewing some of the budgetary requests in light of the Registry's *ReVision* project's pending assessment of the operations of the Secretariat with a view to identifying possible synergies, including pooling of resources. Furthermore, the requests concerning the Office of the President of the Assembly may need to be reviewed following a decision on the new President.

<b>Major Programme IV Secretariat of the Assembly of States Parties</b>	<i>Approved Budget 2014</i>	<i>Proposed Budget 2015</i>	<i>Resource growth</i>	
	<i>(thousands of euro)</i>	<i>(thousands of euro)</i>	<i>2015 vs. 2014</i>	
	<i>Total</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Staff costs	917.8	1,180.0	262.2	28.6
Other staff costs	797.1	902.7	105.6	13.2
Non-staff costs	1,128.7	1,277.6	148.9	13.2
<b>Total</b>	<b>2,843.6</b>	<b>3,360.3</b>	<b>516.7</b>	<b>18.2</b>

## E. Major Programme V: Interim Premises Rent and Maintenance

42. The proposed 2015 budget for Major Programme V amounts to €6.00 million. Since 2013, Major Programme V Interim Premises has been reinstated in the proposed programme budget of the Court, in order to provide stakeholders with an overview of the Court's resource requirements for the costs of rental and maintenance of its interim premises in The Hague.

43. The total budget proposal for this major programme is €6.00 million. Of the proposed total cost, the host State will contribute to the rent of the Court's interim premises in the amount of 50 per cent, up to a maximum of €3 million per year, for the years 2013, 2014 and 2015.

Major Programme V Interim Premises	Approved Budget 2014	Proposed Budget 2015	Resource growth	
	(thousands of euro)	(thousands of euro)	2015 vs. 2014	
	Total	Total	Amount	%
Staff costs				
Other staff costs				
Non-staff costs	5,900.7	6,000.0	99.3	1.7
<b>Total</b>	<b>5,900.7</b>	<b>6,000.0</b>	<b>99.3</b>	<b>1.7</b>

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

44. The Secretariat of the Trust Fund for Victims ("the Fund" or "TFV"), is proposing a budget for 2015 of €1.93 million, with an increase of €0.35 million, or 21.8 per cent compared to the 2014 approved budget.

45. Based on the TFV Strategic Plan 2014-2017, which was approved by the TFV Board of Directors following consultations with the States Parties, the two main priorities of the Fund in 2015 are:

- a) strengthening the delivery capacity of the TFV Secretariat and its implementing partners, in order to be able to respond to Court-ordered reparations orders, as they are anticipated in the Lubanga and Katanga cases; to implement the recommendations provided by the external evaluation carried out in 2013 for the current assistance programmes in the DRC and northern Uganda; and to start assistance mandate activities in additional ICC situation countries (i.e. Central African Republic, Kenya, Cote d'Ivoire), should operational circumstances and the security situation permit this. New requirements include a new P-3 established Programme Coordinator position, based in the Bunia Field Office (DRC) and additional Field Programme Assistants on GTA contracts.
- b) strengthening the capacity of the TFV in the area of fundraising, especially in regard of private institutional donors. This requires a new GTA post of a P-3 Fundraising & Visibility Officer, based in The Hague.

46. The level of the Funds' approved budget for 2014 was maintained at the same level as the approved budget for 2013. While the budget proposal for 2015 contains an increase in staffing costs as a result of the above priorities, the TFV is proposing a reduction in non-staffing costs compared to the 2014 budget. The TFV has decided to finance certain programme related activities, which will be outsourced to third parties, with resources originating from voluntary contributions, thus further unburdening the proposed budget with an amount of €0.28 million, or seven per cent.

<b>Major Programme VI Secretariat of the Trust Fund for Victims</b>	<i>Approved Budget 2014</i>	<i>Proposed Budget 2015</i>	<i>Resource growth</i>	
	<i>(thousands of euro)</i>	<i>(thousands of euro)</i>	<i>2015 vs. 2014</i>	
	<i>Total</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Staff costs	730.5	883.6	153.1	21.0
Other staff costs	390.6	640.8	250.2	64.1
Non-staff costs	464.7	406.6	-58.1	-12.5
<b>Total</b>	<b>1,585.8</b>	<b>1,931.0</b>	<b>345.2</b>	<b>21.8</b>

### **G. Major Programme VII-1: Project Director's Office (permanent premises, PDO)**

47. The proposed 2015 budget for Major Programme VII-1 amounts to €1.37 million, which represents an increase of €0.92 million from the 2014 approved budget of approximately €1.3 million, or 7.1 per cent. The increase is due to the fact that in 2015, the PDO will focus on the continuation and finalisation of the construction, the testing of all equipment, as well as training of personnel to operate the building. Furthermore, year 2015 will entail the finalisation of all sub-projects defined within the transition project and the actual move of the organisation in December 2015. In order to successfully complete all activities by the end of 2015, additional support is required from the various sections of the Court.

48. The Project Director is also responsible for the control of the construction budget, ensuring that in total it does not exceed €190 million. At the end of 2014 this multi-year budget was extended to €195.7 million in order to incorporate the transition activities, thus enabling savings made on the construction project to partially offset the costs of the transition activities. The financing of this additional €5.7 million is through the appropriation of the surplus pertaining to the financial years from 2012 to 2014.

<b>Major Programme VII-1 Project Director's Office (permanent premises)</b>	<i>Approved Budget 2014</i>	<i>Proposed Budget 2015</i>	<i>Resource growth</i>	
	<i>(thousands of euro)</i>	<i>(thousands of euro)</i>	<i>2015 vs. 2014</i>	
	<i>Total</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Staff costs	591.0	448.0	-143.0	-24.2
Other staff costs	0.0	163.6	163.6	
Non-staff costs	692.2	763.3	71.1	10.3
<b>Total</b>	<b>1,283.2</b>	<b>1,374.9</b>	<b>91.7</b>	<b>7.1</b>

### **H. Major Programme VII-2: Permanent Premises Interest**

49. The proposed 2015 budget for Major Programme VII-2 amounts to €1.62 million. Major Programme VII-2 manages the payment of interest on the host State loan, which in 2015 is required to be received and paid to the host State no later than 1 February 2015. In 2008, 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. The financial implications of Major Programme VII-2 are only applicable to those States Parties that did not opt for a one-time payment.

<b>Major Programme VII-2 Permanent Premises Project – Interest</b>	<i>Approved Budget 2014</i>	<i>Proposed Budget 2015</i>	<i>Resource growth</i>	
	<i>(thousands of euro)</i>	<i>(thousands of euro)</i>	<i>2015 vs. 2014</i>	
	<i>Total</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Staff costs				
Other staff costs				
Non-staff costs	110.8	1,623.3	1,512.5	
<b>Total</b>	<b>110.8</b>	<b>1,623.3</b>	<b>1,512.5</b>	

## I. Major Programme VII-5: Independent Oversight Mechanism

50. The proposed 2015 budget for Major Programme VII-5 amounts to €0.46 million . Major Programme VII-5, the Independent Oversight Mechanism (IOM), was established by the Assembly at its eighth session in accordance with article 112, paragraph 4, of the Rome Statute, in order to provide independent, effective and meaningful oversight of the Court.<sup>[1]</sup> In 2013, the Assembly approved the full mandate (inspection, evaluation and investigation) for the IOM as well as its full staffing complement [fn. ICC-ASP/12/Res.6].

51. As of the time of the submission of the 2015 budget, the Bureau of the Assembly had not completed the recruitment of the permanent Head of the IOM. Accordingly, it is not anticipated that the recruitment of the other IOM professional staff members will be completed by the end of 2014. The proposed budget reflects the estimated time required in 2015 for recruitment and installation of these two staff members. Additionally, there is a very small increase of €2,900 in the travel budget in anticipation of the increased activity of a fully staffed office. The budget reflects no other increases from the 2014 approved budget.

<b>Major Programme VII-5 Independent Oversight Mechanism</b>	<i>Approved Budget 2014</i>	<i>Proposed Budget 2015</i>	<i>Resource growth</i>	
	<i>(thousands of euro)</i>	<i>(thousands of euro)</i>	<i>2015 vs. 2014</i>	
	<i>Total</i>	<i>Total</i>	<i>Amount</i>	<i>%</i>
Staff costs	291.9	378.7	86.8	29.7
Other staff costs				
Non-staff costs	81.3	84.3	3.0	3.6
<b>Total</b>	<b>373.2</b>	<b>463.0</b>	<b>89.7</b>	<b>24.0</b>

<sup>[1]</sup>Official Records ... Eighth session ... 2009 (ICC-ASP/8/20, vol I, part II,A.2.