

**Fourteenth session**

The Hague, 18-26 November 2015

**Proposed supplementary budget of
the International Criminal Court for 2016****I. Introduction**

1. In accordance with the practice of the International Criminal Court (“the Court”), the 2016 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 can be accurately estimated as at the end of July 2015.
2. The Court’s proposed programme budget for 2016 was submitted on 7 August 2015. As a consequence, the Court was not in a position to include in its budget proposal the additional requirements for developments that occurred after this date.
3. A major such development was the issuance of an arrest warrant for Ahmad Al Faqi Al Mahdi on 18 September 2015 and the suspect’s transfer to the Court on 26 September 2015. This was following the Prosecutor’s decision in January 2013 to open an investigation in Mali with respect to crimes allegedly committed since January 2012. The confirmation of charges for this case is currently planned for the beginning of 2016.
4. In accordance with regulations 3.6 and 3.7 of the Court’s Financial Regulations and Rules,¹ the Court hereby submits a supplementary budget proposal setting out the budgetary consequences of such new developments and the appropriate budgetary requirements, which amount to a total of **€198,300**.
5. **Almost half of this requested amount, or €90.6 thousand more precisely, is intended for legal fees and monthly expenses for the defence team, whereas the second major element, in the amount of €40.2 thousand, are resources needed to provide language services in Arabic and Tamasheq,** as the languages of the accused and the victims/affected communities. The Registry will absorb the costs resulting from the latest developments in the Mali situation in a number of other areas, as detailed below, the approach which has been also applied by other organs.

II. Assumptions

6. The 2016 proposed budget is based on the assumption that the Court will carry out active investigations in 8 situations, including Mali, but that only 6 cases will be at the trial phase in 2016, as an arrest warrant and possible arrest of a suspect in the Mali situation were not foreseeable at the time of submission of the proposed budget. The present supplementary budget is based on the assumption that confirmation of charges will take place during the first quarter of 2016 and is intended to cover for costs linked to this case up to this stage of the proceedings, without prejudice to any further decision of the judges. Further information on the assumptions is provided in the annex.

¹ See Financial Regulations and Rules of the International Criminal Court.

III. Financial implications

7. This supplementary budget has been prepared taking into account the resources already included for Mali in the proposed programme budget for 2016. It accounts for the best possible estimates of those financial implications that are currently foreseeable. Any additional resource requirements will be subject to a notification to the Contingency Fund.

8. It must be noted that changes in operational requirements, especially in relation to security aspects in the field, have already led the Court to reduce significantly the original supplementary budget submission that was planned earlier this month. The Court will continue to monitor the case developments in order to continuously update its estimates, as appropriate.

9. The current budgetary requirements resulting from the recent developments in the situation in Mali amount to a total of €198.3 thousand for Registry.

10. As indicated in the table below, the major additional costs relate to general temporary assistance, contractual services, counsel for defence and general operating expenses.

Table 1. Proposed supplementary budget (thousands of euro)

<i>Item</i>	<i>Major Programme III</i>
General temporary assistance	40.2
<i>Subtotal Other staff</i>	<i>40.2</i>
Travel	3.8
Contractual services	30.0
Counsel for Defence	90.6
General operating expenses	33.8
<i>Subtotal Non-staff</i>	<i>158.1</i>
Total	198.3

IV. Description of resources

A. Major Programme III - Registry

11. 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. For Mali, the Registry will need to provide notably language services, court management services, witness services, legal aid, and outreach.

12. The Registry has made every effort to ensure that its services concerning the latest developments in the Mali situation be provided as much as possible within its resources already proposed in the 2016 programme budget. To this end, a number of Sections, including Court Management Section, the Victims and Witnesses Section and the Victims Participation and Reparation Section, have committed themselves to absorbing the additional costs related to the Confirmation of Charges hearing within the resources of the 2016 proposed programme budget.

13. However, additional resources, both staff resources and non-staff resources, will still be needed for the Registry to provide adequate services, as described below.

1. Other staff resources

14. In order to provide language support services, the Language Services Section will require additional temporary staff as follows:

- (a) two freelance Arabic translators/revisers will be needed for two weeks each in order to provide Arabic translation support in the context of the Confirmation of Charges;

- (b) Three freelance Arabic interpreters (the language spoken by the suspect) for a week in the period from January to March 2016 to provide interpretation during the Confirmation of Charges hearing; and
- (c) Field interpretation in support of meetings with victims/clients in the relevant situation languages (a.o. Tamasheq and Arabic), as well as interpretation services at the Detention Centre.
15. The Registry's requirements for GTA are summarised in table 2.

Table 2. GTA requirements for the Registry (thousands of euros)

<i>Title</i>	<i>Section</i>	<i>Grade</i>	<i>Work months</i>	<i>Total</i>
3800 Division of Judicial Services				
Translator/revisers	Language Services Section (LSS)	P-3	0.5	33.1
Field interpreters	LSS	GS-PL	0.25	7.3
Total Registry				40.2

2. Non-staff resources €158.1 thousand

- (a) *Travel* €3.8 thousand

16. An amount of €3.8 thousand is required by the Language Services Section to cover travel requirements of the Arabic interpreters and translators/revisers.

- (b) *Contractual services* €30.0 thousand

17. Resources are required by the External Relations and Field Coordination Section in order to hire a company to source and upgrade the field office in Bamako. There are also needs linked to security requirements in the Mali situation, generally speaking but also specifically for this case. All these requirements amount to €30.0 thousand.

- (c) *Counsel for Defence* €90.6 thousand

18. An amount of €90.6 thousand is required by the Counsel Support Section to cover the legal fees and monthly expenses of the defence team of Mr. Al Mahdi during the Pre-trial phase, in accordance with the Legal aid Policy² and to provide the team with the necessary funds to conduct investigations in the first three months of the year leading to the confirmation of charges.

- (d) *General operating expenses* €33.8 thousand

19. Resources of €33.8 thousand are required by the Public Information and Outreach Section to engage with journalists and the civil society representatives from Mali, as key counterparts in reaching out to the victims and affected communities, enabling better understanding of the Court's role and proceedings in this very first case in the Mali situation.

² See Registry's single policy document on the Court's legal aid system, ICC-ASP/12/3

Annex**Assumptions for the supplementary budget for 2016 (Mali)**

<i>Function</i>	<i>Total</i>
1. Number of planned Court hearings in 3 months	5
2. Number of investigations	1
3. Number of field offices/presence	1
4. Number of suspects/accused appearing before the Court	1
5. Number of suspects/accused in detention	1
6. Number of defence teams financed by Legal Aid	1
