

**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 2018 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
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
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 Admin. Services Div.)
DRC	Democratic Republic of the Congo (Kinshasa and Bunia)
DS	Detention Section
DSA	Daily subsistence allowance
DSS	Defence Support Section (integrated in Counsel Support Section - 2010)
DVC	Division of Victims and Counsel (abolished 2010 - sections moved to Office of the Registrar)
ECOS	eCourt operating system
EOSS	External Operations Support Section
FO	Field Office
FS	Finance Section
FSS	Forensic Science Section
FTE	Full-time equivalent
GAU	General Administration Unit
GCDN	Global Communications and Data Network
GEO	Georgia
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
IATN	Inter Agency Travel Network
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
ILOAT	International Labour Organization Administrative Tribunal
IMSS	Information Management Services Section (formerly ICTS: Info. and Comm. Technologies Section)

INFM	Inter-agency Network of Facility Managers
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))
LSS	Language Services Section (formerly STIC: Court Interp. and Transl. Section)
LSU	Language Services Unit
MAL	Mali (Bamako)
MIS	Management information system
MLI	Mali
MORSS	Minimum Operating Residential Security Standards
MOSS	Minimum Operating Security Standards
NGO	Non-governmental organization
NYLO	New York Liaison Office
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
OU	Outreach Unit
P	Professional
PDO	Project Director's Office (permanent premises)
PIOS	Public Information and Outreach Section (formerly PIDS: Public Info. and Documentation Section)
POS	Planning and Operations Section
SAP	Enterprise Resource Planning System
SAS	Situation Analysis Section
SG	Strategic goal
SO	Strategic objective
SS	Services Section
SSS	Security and Safety Section
SUD	Darfur, Sudan
TFV	Trust Fund for Victims
TRIM	Total records information management
UGA	Uganda (Kampala)
UNDSS	United Nations Department of Safety and Security
UNDU	United Nations Detention Unit
UNON	United Nations Office at Nairobi
UNSMS	United Nations Security Management System
VPRS	Victims Participation and Reparations Section
VTC	Video conferencing
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, 4 August 2017

As Principals of the International Criminal Court (“ICC” or the “Court”), we are pleased to present the Proposed Programme Budget for 2018 for the consideration of the Assembly of States Parties (“Assembly”). We strongly believe that this budget will allow the Court to operate effectively and efficiently, enhancing the Court’s performance in 2018. In particular, we believe that the proposed investments will ensure that the Court can discharge its obligations to ensure full respect for the principles of fair trial, conduct high quality preliminary examinations, investigations and prosecutions, and operate safely to produce concrete results, in turn strengthening the Court’s reputation and global appeal.

With 15 years of existence, the ICC has made significant progress in the fulfilment of its mandate under the Rome Statute. This past year has shown that notable successes have been achieved on the strength of the Court’s increasingly effective and efficient work. As we approach the 20th Anniversary of the Rome Statute next year, it is important to recall the resolve of States Parties to establish the Court to fight against impunity for the world’s most serious crimes. We are committed to ensuring the Court continuously performs optimally.

Mindful of the recommendations of the Committee on Budget and Finance and the resolutions adopted by the Assembly on budget reform at its fourteenth and fifteenth sessions, we have continued to further improve the Court’s budget process by clarifying Court-wide budgetary priorities and needs, planning and presenting cross-Court expenditures better and assessing the Court’s delivery and efficiency, through greater strategic involvement of the Coordination Council and Budget Working Group, in line with the One-Court principle. In doing so, we have carefully considered the budgetary impact of the identified core priority activities, which has allowed us to set the formal assumptions for the 2018 budget taking both internal and external constraints and drivers into consideration. In addition, this Court-wide strategic approach has entailed greater scrutiny and inter-organ involvement in the budget process, and resulted in a budget document that presents a holistic, comprehensive and lean assessment of the budgetary requirements of the Court.

The Court is proposing a budget increase for 2018 of €6,290.5 thousand, or 4.4 per cent, over the approved budget for 2017. This represents a proposed budget amounting to €147,890.5 thousand. Importantly, the requested resources will allow for the efficient conduct and support of three trials and six high quality investigations. They will also ensure the Registry’s capacity to deliver crucial support services by investing in key Court-wide information management projects and information security capacity required, given the increasingly complex security landscape in which the Court operates. A number of savings, efficiencies, re-prioritizations and reductions have been achieved throughout the Court in order to contain the proposed increase and still retain sufficient capacity to deliver effectively on its complex mandate. This is in line with the Assembly’s request to present a sustainable budget, as well as the Court’s judicious planning of its annual budget submission.

The Court is a vital contributor to the fight against impunity. In addition to holding to account and prosecuting those most responsible for atrocity crimes, it reserves for victims an important role in the proceedings with the result of more effective, restorative justice for mass atrocities which threaten international peace, destabilize societies and cause irreparable damage to communities. To ensure that this crucial mandate is fulfilled, the Court must plan carefully, operate effectively and continue to produce tangible results. In the coming year, in the fulfilment of that crucial mandate and to build on the progress made, the Court will continue to rely on the resolve and support of States Parties, in particular as regards cooperation, diplomatic and political support and the provision of adequate means to effectively fulfill its mandate.

We hereby submit this carefully compiled Proposed Programme Budget for 2018 which is mindful of the budgetary constraints of States and hence aims to provide the Court with the absolutely necessary resources to enable us to effectively and efficiently exercise our respective mandates and responsibilities under the Statute.

We thank you for your consideration and continued support.

Yours Sincerely,

[Signed]

Silvia Fernández de Gurmendi
President

[Signed]

Fatou Bensouda
Prosecutor

[Signed]

Herman von Hebel
Registrar

I. Overview of proposed programme budget 2018, budget priorities and judicial assumptions

A. Introduction

1. The International Criminal Court (“the Court”) proposes a programme budget for 2018 amounting to €147,890.5 thousand. This represents an increase of €6,290.5 thousand, or 4.4 per cent, over the 2017 approved budget (€141,600.0 thousand). Following 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 the interest on the Host State Loan for the permanent premises. As indicated by the Committee, this is to improve transparency and to allow a comparative assessment to be made of the resources needed for the Court’s activities in 2018. When including the interest and capital repayment (under the Host State Loan) in respect of the Permanent Premises Project of €3,585.2 thousand, the Court’s proposed programme budget for 2018 amounts to €151,475.7 thousand, or an increase of 4.8 per cent.

Table 1: Overview of the proposed programme budget 2018

<i>Programme budget 2018</i>		<i>2017 Approved Budget (thousands of euro)</i>	<i>Resource changes</i>		<i>Proposed 2018 Budget (thousands of euro)</i>
			<i>Amount</i>	<i>%</i>	
MP I	Judiciary	12,536.0	785.6	6.3	13,321.6
MP II	Office of the Prosecutor	44,974.2	2,195.6	4.9	47,169.8
MP III	Registry	76,632.6	2,546.5	3.3	79,179.1
MP IV	Secretariat of the Assembly of States Parties	2,618.8	99.4	3.8	2,718.2
MP V	Premises	1,454.9	43.6	3.0	1,498.5
MP VI	Secretariat of the Trust Fund for Victims	2,174.5	567.0	26.1	2,741.5
MP VII-5	Independent Oversight Mechanism	514.8	39.7	7.7	554.5
MP VII-6	Office of Internal Audit	694.2	13.1	1.9	707.3
<i>Sub-total</i>		<i>141,600.0</i>	<i>6,290.5</i>	<i>4.4</i>	<i>147,890.5</i>
MP VII-2	Host State Loan	2,987.3	597.9	20.0	3,585.2
Total		144,587.3	6,888.4	4.8	151,475.7

2. In proposing this necessary increase, the Court is mindful of the challenging financial situation currently affecting many States Parties. The Court is also fully cognizant that it is expected to produce concrete, consistent results, including effective investigations, prosecutorial results and more efficient trials. The proposed increase is largely the direct result of the implementation in 2018 of the strategic Court-wide priorities agreed on by the Coordination Council (“CoCo”)² composed of the Court’s Principals (the President, the Prosecutor and the Registrar), and is based on a genuine, realistic and exact assessment of the Court’s needs for 2018. The high-level strategic priorities identified by the Principals for 2018 are: (i) run and support proceedings in three trials; (ii) conduct and support six active investigations; and (iii) invest in key Court-wide information management projects and information security capabilities.

3. This overview will first address Court-wide strategic budget priorities for 2018 and will then show how resources, efficiencies and savings have been proposed throughout the

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 Pursuant to regulation 3 of the Regulations of the Court, the Coordination Council is comprised of the President, the Prosecutor and the Registrar, and coordinates, where necessary, the administrative activities of the organs of the Court.

Court to implement these essential priorities. Judicial assumptions for 2018 will also be explained, as will the enhanced budgetary process, including the expanded role of the CoCo in setting the strategic framework on which budget requirements for 2018 have been built. Lastly, an overview of preliminary examinations, situations under investigation and cases before the Court will be provided, including an analysis of the environment in which the Court is expected to operate.

B. High-level strategic budget priorities for 2018

1. 2018 Strategic Court-wide priorities

4. The Court's Principals, through the CoCo, have defined three key strategic priorities for 2018. It is important to note that these priorities and activities reflect what can reasonably be anticipated for 2018 at this stage, and may subsequently be affected by the realities of the judicial and prosecutorial work of the Court.

(a) Conduct three trials (€1.3 million)

5. In 2018, the Court will continue to be engaged in proceedings in three trials: *Dominic Ongwen, Laurent Gbagbo and Charles Blé Goudé*, and (for approximately half of the year, according to expectations) *Bosco Ntaganda*. Reparations proceedings are expected to continue in the *Bemba* and *Lubanga* cases. The Court will be very busy at the appellate level as well in 2018, with the pending final appeals in *Bemba* and *Bemba et al.* likely to continue into the first part of the year. Other final appeals arising from cases currently before the Trial Chambers may reach the Appeals Chamber in 2018. In addition, it is expected that current reparations proceedings will generate complex litigation before the Appeals Chamber in 2018. The Appeals Chamber is likewise expected to be seized of several interlocutory appeals in 2018.

6. While the hearing phase of one trial is expected to end in mid-2018, this will have no impact on the resource requirements for the Judiciary. The Judiciary will continue to need the same (if not additional) resources, as staff is needed for the judgment phase of the *Ntaganda* case. In addition, Chambers will face an increased workload related to reparations to victims at both the trial and appellate levels. To make the most effective use of its resources, the Judiciary has implemented a policy of flexible staff allocation whereby staff are distributed among divisions as needed to meet changing workload demands. For this reason, while the workload will increase, no new resources have been sought. However, the budget proposal for the Judiciary does seek to maintain the current staffing level to address the increased workload related to high-priority trial activities.

7. Other factors have also contributed to a heavier workload, and therefore higher costs, for other Major Programmes in 2018. The number of witnesses to appear before the Court is expected to rise from 81 in 2017 to 132 in 2018. Furthermore, reparations activities will expand and intensify. As a result, the Court-wide resources directly required for judicial proceedings would swell the proposed budget by €1.3 million, were this increase not partly offset by efficiencies and savings, as detailed below.

8. The increase is reflected in two Major Programmes: the Trust Fund for Victims (TFV) (€0.4 million) and the Registry (€0.9 million). The TFV's increase is due to the increased staffing costs attributable to its new reparations-related staffing structure. The Registry's increase is attributable mainly to the impact of the legal aid scheme, as dictated by the actual costs of the teams working on the cases, and to the appearance of a higher number of witnesses in the courtroom than in 2017, combined with the greater demand on the Registry for witness support. These increases are explained in further detail in the TFV and Registry narratives.

(b) Conduct and support six active investigations, including via field activities (€1.9 million)

9. In 2018, the Court will continue operating in 10 situations under investigation. The Office of the Prosecutor ("the Office" or OTP) will focus its efforts, in line with its Strategic Plan and case selection and prioritization, on six active investigations: the Central

African Republic (CAR) (two investigations), Côte d'Ivoire, Georgia, Libya and Mali. Such prioritization is required in view of the limited resources available to the OTP and the Registry, and the need to avoid spreading OTP investigations too thin. However, despite such prioritization, all situations under investigation will continue to be monitored. OTP's active investigations will be supported by the relevant Registry services, as explained in more detail below.

10. Court-wide resources directly related to support to field operations, including OTP investigations, would (before efficiencies and savings) increase the proposed budget by €1.9 million.

11. The total increase for the OTP for investigative activities is €0.7 million. The OTP has carefully reviewed its staff needs in the light of its activities and workload for 2018. This evaluation has led to the discontinuation of some GTA positions approved in 2017 and to requests for different roles in 2018. As consideration was given to standard recruitment lags, the request will translate into 3.5 FTE across the Office and the resulting net financial impact will be only €0.3 million. Lastly, non-staff costs linked to operations account for €0.4 million. These funds will cover missions of the Integrated Teams (investigators and interpreters) and expenses related to witnesses and operations.

12. The Registry's increase is €1.2 million. This includes the increased support that the field offices must provide to support investigative activities and other field activities, in particular in the CAR, Côte d'Ivoire and Georgia, as well as increases related to Court-wide operations in general. A small satellite office in Gulu is to be established to support Court-wide missions and activities in northern Uganda, while maintenance costs have changed at some other field offices, notably the Kampala Field Office, which is moving to new premises. Security support in Mali must be strengthened, given the growing threat against international staff, while the security situation in Côte d'Ivoire also requires additional resources following the withdrawal of the United Nations Operation in Côte d'Ivoire, on which the Court has relied thus far. While travel for the Registry from Headquarters to the field has decreased, there is an increase in travel within the field linked to increased support and staffing in the areas referred to above.

13. The above-mentioned increases have also been partly offset by efficiencies and savings achieved by the Court, as detailed below.

(c) *Invest in key Court-wide information management projects and security capabilities (€1.6 million)*

14. The Court has undertaken a thorough analysis of its existing Information Technology and Information Management (IT/IM) infrastructure across different organs and the associated immediate and long-term requirements. Since the Court was established, 15 years ago, a number of important IT/IM investments have been made to support its judicial, investigative and administrative operations. A number of these systems have become obsolete or are expected to become obsolete in the near future. Ringtail, which cannot process electronic evidence, is already outdated. Similarly, SAP will need to be upgraded to a new version in 2021, as the old system will no longer be supported by the vendor.

15. Moreover, the Court has grown significantly since it was established, and this has had an impact on its IT requirements as well as the volume of data generated. Specifically, there are requirements in areas such as digital evidence, information security, and information management that are only partially met by the existing systems.

16. To address these challenges, in February 2017, a Court-wide Five-Year IT/IM Strategy was adopted to ensure a holistic approach to information technology, information security and information management aimed at meeting the Court's essential needs while maintaining better control of invested resources and maximizing their impact.

17. In the 2018 proposed programme budget, the total requirement is €1.6 million. The majority of the IT/IM resources requested pertain to prosecutorial activities, although they are presented within the Registry budget in the context of inter-organ synergies. Various projects are detailed in the annex on the IT/IM strategy. The essentials are as follows:

(a) Investigative – €50 thousand co-funded by the Registry (€70 thousand) and OTP (€180 thousand). In recent years, the proportion of digital evidence collection by the Court has increased from nought to more than 80 per cent. It is expected to rise to 100 per cent in 2020. Existing systems, and Ringtail in particular, were not designed to deal with digital evidence. This has led to a significant bottleneck in evidence processing. Investments are required to shorten the time required for the acquisition, analysis and processing of evidence;

(b) Judicial – €220 thousand. The initiatives planned for 2018 will focus on overseeing business analysis and improvements in core judicial processes, specifically in the handling of victim data. Because of the paper-based collection of victim applications and the siloed processing of information, the Court is currently limited in its capacity to process all potential victim applications. Analysing and addressing process inefficiencies introduced by the use of outdated software is another problem area that the strategy will address. The proposed project activities for 2018 will also redefine the processes supporting the pre-trial, trial, appeals and reparations stages. This is a pre-requisite to ensuring that the technology and functionality built to support judicial processes delivers efficiencies for Chambers and litigating parties;

(c) Administrative – €400 thousand. These resources are needed to reduce manual work currently required to produce financial statements and reports, and to strengthen controls and eliminate duplication. Other initiatives focus on completing the Court-wide mission planning project by integrating the system with SAP and implementing tools to support activity planning, tracking and reporting for all Court managers; and

(d) Information Security – €180 thousand is requested in 2018 to continue with the necessary security enhancements to the Court's IT environment in order to accommodate the evolving and increasingly prominent threat environment. Without proper precautions, the Court's increased cyber activity and the concomitant interest taken in it by state actors will leave the Court vulnerable to cyberattacks initiated by resourceful parties.

18. This 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. The OTP will see a reduction in the time and effort required to conduct investigations. 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 Court organs 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.

2. Other major cost-drivers in the Court's proposed budget for 2018

19. The resources proposed for 2018 are based not only on Court-wide strategic priorities, but also on a number of other cost-drivers.

20. In line with standard practice, the proposed budget includes an increase of €0.4 million resulting from the application of the new United Nations Common System. While average yearly increases in the past have amounted to as much as €2.0 million, the new system put in place by the United Nations has resulted in a much lower increase. The new system is expected to generate further savings in the future.

21. In relation to Major Programme (MP) I, the proposed adjustment to judges' salaries, under consideration by the Bureau of the Assembly of States Parties ("the Assembly"), is another cost-driver (€0.6 million), as are the mandated costs associated with the election of six new judges at the Assembly's 2017 session (€0.2 million).

22. Regarding MP II, the restoration of capacity in existing GTA staff in the OTP requires an additional €0.7 million. Some posts were approved for fewer than 12 months in 2017 but are fully costed for 2018. In addition, mindful of previous limitations on the Human Resources Section's ability to complete recruitments, the OTP has temporarily applied a deduction to all approved GTA positions to absorb the second budget cut imposed by the Assembly. This measure cannot be applied again, as those positions are now filled. The restoration of the vacancy rate, from the temporary increased rate of 10 per cent to the standard 8 per cent, will lead to an additional increase of €0.7 million.

23. For MP III, the restoration of the vacancy rate from its temporary increased rate of 12 per cent to its previous rate of 10 per cent will lead to an additional increase of €1.2 million.

24. It should be noted that the 2017 proposed and approved budgets used vacancy rates based on 2016 recruitment information, which included a high level of vacant posts. However, at this point, the current recruitment rate of the Court's organs is already higher than in previous years, and is expected to remain so until January 2018. As a consequence, vacancy rates must decrease to reflect the reality of the Court's staffing.

25. All other additional cost-drivers specific to MPs amount to €1.3 million and include: the impact of the TFV's new reparation and assistance activities; the additional cost to the Secretariat of the Assembly of States Parties of holding the session of the Assembly in The Hague; the increased use of conference facilities at the permanent premises; and other specific requirements mentioned in the MPs.

26. In the absolute, the total additional resource requirements resulting from the Court-wide strategic priorities and other major cost-drivers mentioned above would have resulted in an additional increase in required resources of €9.9 million.

27. However, the Court has undertaken considerable efforts and concrete measures to limit this increase. These efforts and measures are explained in detail in the introductions to the Major Programmes and relevant annexes. After the identification of non-recurring resources – costs applicable in 2017 but not in 2018, including those associated with holding the Assembly session in New York or one-off projects such as consulting on the competitive procurement of medical insurance – the baseline is reduced by €1.3 million, yielding a total increase of €8.6 million.

28. The efficiencies and savings exercise carried out in 2017 identified reductions of approximately €1.1 million. The careful review of all operational needs for 2018 led to a further reduction of €1.2 million. These efforts, outlined in greater detail below, have resulted in a 35 per cent reduction, leaving the final proposed budget with an increase of €6.3 million, or 4.4 per cent.

Table 2: Calculation of net increase based on approximate increases and reductions at the Court

Increases	
Three trials	€1.3 million
Six investigations and field activities	€1.9 million
Information technology, information management and security investments	€1.6 million
Application of UNCS	€0.4 million
Adjustments in judges' salaries	€0.6 million
Mandated costs associated with the election of six new judges	€0.2 million
Restoration of GTA capacity for the OTP	€0.7 million
Restoration of vacancy rate for the OTP	€0.7 million
Restoration of vacancy rate for the Registry	€1.2 million
Other support requirements	€1.3 million
<i>Subtotal</i>	<i>€9.9 million</i>
Reduction in non-recurring costs	-€1.3 million
Total increase	€8.6 million
Reductions through efficiencies, savings and cuts to operational costs	
Efficiencies and savings (counting only savings reducing the 2018 baseline)	-€1.1 million
Cuts to operational costs	-€1.2 million
Net increase	€6.3 million

C. 2018 judicial assumptions and operating environment

29. In 2018, the Court is expected to continue operating in 10 situations under investigation: the Central African Republic (I and II) (CAR), Côte d'Ivoire (CIV), Darfur (Sudan), the Democratic Republic of the Congo (DRC), Georgia, Kenya, Libya, Mali and Uganda.

30. In addition, the OTP is expected to carry out preliminary examinations into eight to ten situations in 2018 (as one or two preliminary examinations may close in 2017).

31. In the course of its preliminary examination activities, in accordance with its 2012-2015 and 2016-2018 Strategic Plans and policies, the OTP seeks to contribute to two overarching goals of the Rome Statute ("the Statute"), i.e. ending impunity by encouraging genuine national proceedings; and preventing crimes, thereby potentially obviating the need for the Court's intervention. Preliminary examination activities therefore constitute one of the most cost-effective ways for the Office to help fulfil the Court's mission.

32. The OTP will continue to conduct six active investigations in 2018, namely CAR II.a (*Séléka*), CAR II.b (*anti-Balaka*), CIV II, Georgia, Libya III and Mali. Each of these investigations will continue to require support from the Registry, both in the field and at Headquarters, in areas such as victim and witness support, victim participation, outreach, languages, security and logistical support.

33. For this purpose, it is expected that the Court will maintain a presence in seven field locations in 2018: two in the DRC (Kinshasa and Bunia), one in the CAR (Bangui), one in Côte d'Ivoire (Abidjan), one in Georgia (Tbilisi), one in Mali (Bamako) and one in Uganda (Kampala).

34. On the basis of continuing operations in all situations under investigation, it is reasonable to expect that the number of people under the Registry's protective measures will remain high in 2018. According to current figures and assumptions, around 100 witnesses and 400 dependents will be under protection in 2018. These include witnesses and victims participating in the Court's protection programme (requiring assisted moves and temporary relocation), as well as internationally relocated witnesses who are in the care of third parties and under continued monitoring by the Registry's Victims and Witnesses Section (VWS) (110 witnesses and 475 dependents in 2016). The Registry, while providing the highest standard of protection and support to these individuals, will continue to focus on the completion of reintegration strategies for the benefit of protected witnesses and victims, whenever possible, allowing them to reach self-sustainability and resume their lives in the most autonomous and satisfactory manner possible. Similarly, it is expected that more than 7,400 individuals will apply for participation as victims in the various ongoing judicial proceedings. Furthermore, in order to operate in the Court's 10 situations under investigation, the Registry will be required to support more than 22 situation-related languages in 2018.

35. At the judicial level, it is expected that at least 10 suspects/accused will be appearing before the Court in 2018, six of whom will remain in detention. One cell block of six cells will thus be required in the Detention Centre. Three cases are expected to continue at the trial stage throughout 2018, namely, *Gbagbo and Blé Goudé*, *Ntaganda* and *Ongwen*. They will require the simultaneous use of two courtrooms, with two courtroom support teams in the Registry to cover 400 days of hearings (CIV: 160 days; Uganda: 160 days; and DRC: 80 days, for the completion of the Defence case). Likewise, both Chambers and the OTP will each continue to require three full trial teams for trial proceedings in these three cases, with Chambers requiring an additional two teams for reparations. In addition to trial proceedings, seven final appeals are expected to continue throughout 2018.

36. For these three trial proceedings, 132 witnesses are expected to appear to give testimony, with an expected maximum duration of stay of 14 days per witness (11 familiarization/preparation days, including weekends, and approximately three court days), requiring full support from the Registry's VWS.

37. Seven languages, including English and French, will need to be supported in courtroom proceedings. Importantly, 12 defence teams (Trial (four): *Ntaganda*, *Laurent Gbagbo*, *Blé Goudé*, *Ongwen*; Appeals (five): *Bemba* (article 5, article 70), *Kilolo*,

Mangenda, Babala, Arido; Reparations (three): *Bemba, Lubanga, Katanga*) and up to five teams of legal representatives of victims will continue to be financed through legal aid in 2018.

D. Budget Process - Efficiencies and savings

38. In response to the recommendations of the Committee and the resolution adopted by the Assembly at its fourteenth session,³ the Principals of the Court have taken steps to redesign its budget process and improve the coherence of its annual budget document. The improvement has been welcomed by the Assembly, as it “resulted in improvements to the budgetary process such as more frequent and more efficient use of the Coordination Council and other inter-organ coordination mechanisms, as well as a more coherent and consistent Court-wide budget proposal as well as an improved process and format of the budget document thus ensuring higher consistency of message and policy of expenditures across the Court”.⁴

39. At its fifteenth session, the Assembly further requested the Court, in consultation with the Committee, “to continue developing its budgetary process with a view to building on the progress made, by focusing on improved context setting, better planning and presentation of cross-Court expenditures, assessing delivery and efficiency, establishing fundamental budgetary principles, and synergies; and welcomes the Court’s assurances to continue to improve future budget processes with a view to submitting sustainable and realistic budget proposals”.⁵ Consequently, discussions took place with the Committee and it was agreed to streamline the new structure of the 2018 proposed budget by ensuring further cohesion between the Major Programmes.⁶ The Court continues to implement its new approach by relying on early strategic involvement of the Principals through their main strategic discussion forum, the CoCo, and a Budget Working Group (BWG) led directly by the Registrar. The link between the CoCo and the BWG has been further reinforced through more frequent and in-depth direct involvement by the Principals, with the BWG reporting back to the Principals on an almost monthly basis.

40. In addition to the establishment of core priority objectives and assumptions, Court-wide coordination of organ-specific activities has been significantly enhanced, leading to increased efficiencies and savings in line with the Assembly’s request that:

(a) the Court [...] present a sustainable budget for its 2018 programme budget, whereby proposed increases above the level of the 2017 approved budget are requested only when necessary for the purpose of its mandated activities and after all possible steps have been taken to finance such increases through savings and efficiencies; and

(b) [...] the Court [...] to present an annex to the 2018 programme budget with detailed information about the savings and efficiencies achieved in 2017 and estimations for 2018. The Committee on Budget and Finance will be updated ahead of its twenty-ninth session on the measures taken by the Court and will include its comments in its report to the Assembly of States Parties. The potential savings and efficiencies may cover areas of administrative management, such as: streamlining of services, possible redeployments of existing staff for new activities, consultancy, documentation and duration of meetings, printing and publication, travel policy, communication, premises management and other possible areas identified by the Court.⁷

41. The following activities have been undertaken: identification of efficiencies and savings in the first five months of implementation of the 2017 budget; assessment of the nature of efficiencies and savings identified (i.e. one-off or structural); and estimation of the impact of such efficiencies and savings on the 2018 budget baseline.

³ *Official Records ... Fourteenth session ... 2015* (ICC-ASP/14/20), vol. II, part 3; and vol. I, part III, ICC-ASP/14/Res.1.

⁴ *Official Records...Fifteenth session...2016* (ICC-ASP/15/20), ICC-ASP/15/Res.1, para. M.5.

⁵ *Official Records...Fifteenth session...2016* (ICC-ASP/15/20), ICC-ASP/15/Res.1, para. M.6.

⁶ *Report of the Committee on Budget and Finance of the work of its twenty-eighth session*, ICC-ASP/16/5/Advance version, para. 13.

⁷ *Official Records...Fifteenth session...2016* (ICC-ASP/15/20), ICC-ASP/15/Res.1, paras. L.1. and L.2.

42. With staff accounting for about 70 per cent of costs in most areas, efficiency improvements are often achieved by improving the use of staff time within the same staff cost budget. For example, reducing the number of meetings allows staff to spend more time on other mandated activities, which increases productivity. Such efficiencies are linked to percentages of staff time, which improve resource utilization, but do not reduce the budget baseline or create savings. Nevertheless, actual budget reductions, i.e. savings, have also been identified when possible, which have reduced the Court's budget increase. For example, reducing travel budget requirements through increased use of video link communication will be considered a saving as it reduces travel costs.

43. The efficiencies and savings efforts identified have all been fully taken into account in the 2018 proposed programme budget. In other words, the 2018 resource requirements are proposed after all possible efficiencies and savings have already been incorporated, as requested by the Assembly. Because of the different nature of efficiencies and savings, the information is presented below in two separate categories:

(a) Efficiencies, which limit requests for additional resources, but do not reduce resource requirements; and

(b) Savings, which reduce resource requirements.

44. The efficiencies and savings identified are explained in the 2018 proposed programme budget narratives at the Programme and Major Programme level. They include a number of initiatives in various areas, including those suggested by some States Parties in previous budget discussions, such as streamlining services or travel, redeploying staff, reducing meetings and documentation or changing policies or processes. These initiatives have helped the Court to partially absorb needs for additional resources.

1. Efficiencies

45. A total of approximately €1.4 million in efficiencies has been identified by the Court in 2017. These efficiencies will allow the Court to do more with the same resources – mainly staff resources. The majority of these efficiencies (about €1.3 million) stem from structural solutions continuing in 2018, with €0.1 million related to non-structural or one-off efficiencies which cannot be extended to 2018.

46. A simple example of an efficiency can be demonstrated in the Registry, where one Arabic reviser and one French translator were trained in interpretation. This internal training reduces the need for additional interpretation resources in 2017 and has become a structural improvement also applicable to the 2018 budget. The Court will not request additional resources, despite an increased workload, as a result of the implementation of this efficiency.

47. The Court has continued to introduce more efficient working methods to achieve better results with the same number of staff. Through these efficiencies, the Court has been able to limit requests for additional staff in the 2018 budget. Indeed, the increased level of activities and different types of needs (e.g. new languages) will not allow the Court to reduce its staff costs requirements.

2. Savings

48. Savings totalling €1.1 million have been identified in 2017. These savings reduce the Court's budget requirements for 2018. Of these savings, €1.0 million has been identified as structural while another €0.1 million were identified as one-off savings, which cannot be extended beyond 2018.

49. To illustrate, savings of €266.0 thousand have been achieved in the Registry due to the reduction in travel from headquarters to the field for staff dealing with the support and protection of victims and witnesses. This was made possible by the reorganisation of the Registry whereby more staff have been deployed to the field, empowered and trained to take over the duties previously undertaken by the headquarters staff who had to travel frequently to the field. Furthermore, a more flexible approach to relocation (ad hoc rather than framework agreements) doubled the number of countries actively cooperating with relocations, generating savings of €200 thousand in the Registry budget. Another saving of

€35 thousand has been found in the Registry through close monitoring of all facilities management contracts, as well as rigorous procurement processes. Savings have also been achieved by the OTP through the use of pro bono facilitators and/or the use of qualified internal staff for specialized training, as well as the organization of joint training with third parties. In addition, the OTP has also identified alternative and more economical solutions for staff accommodation in places where it conducts its operations.

50. The Court will continue to review its activities in order to identify savings in the future which will be used to finance unavoidable increases in resource requirements without increasing the programme budget.

3. Conclusion

51. The tables below present the efficiencies and savings identified in 2017 and included in the 2018 resource requirements. The first two tables summarize the findings by type (efficiency or savings), by organizational unit and by commitment items. Annex X on efficiencies and savings provides detailed information on all activities identified.

Table 3: Efficiencies and savings by Major Programme and type (thousands of euros)

<i>Efficiencies and Savings</i>	<i>One-Off</i>		<i>Structural</i>		<i>Total 2017</i>	<i>Total 2018</i>
	<i>2017</i>	<i>2018</i>	<i>2017</i>	<i>2018</i>		
MP I: Judiciary	2.1		10.0	10.0	12.1	10.0
MP II: Office of the Prosecutor			258.1	258.1	258.1	258.1
MP III: Registry	117.3	68.0	921.8	1,087.0	1,039.1	1,155.0
MP IV: Secretariat of the Assembly of States Parties			4.7	4.7	4.7	4.7
MP VII-5: Independent Oversight Mechanism		50.0				50.0
Efficiencies Total	119.4	118.0	1,194.5	1,359.8	1,313.9	1,477.8
MP I: Judiciary	8.5		8.0	8.0	16.5	8.0
MP II: Office of the Prosecutor	81.9	140.4	27.7	27.7	109.6	168.1
MP III: Registry	15.0		670.6	936.6	685.6	936.6
Savings Total	105.4	140.4	706.3	972.3	811.7	1,112.7
Grand Total	224.8	258.4	1,900.8	2,332.1	2,125.6	2,590.5

Table 4: Efficiencies and Savings by commitment item – 2018

<i>Commitment Item affected</i>	<i>Efficiencies</i>					<i>Efficiencies Total</i>	<i>Savings</i>			<i>Savings Total</i>	<i>Grand Total</i>
	<i>MP I</i>	<i>MP II</i>	<i>MP III</i>	<i>MP IV</i>	<i>MP VII-5</i>		<i>MP I</i>	<i>MP II</i>	<i>MP III</i>		
Staff	-	226.0	211.5	4.7	-	442.2	-	140.4	-	140.4	582.6
Travel	-	-	48.9	-	-	48.9	8.0	-	327.1	335.1	384.0
Contractual services	10.0	-	33.7	-	50.0	93.7	-	7.3	273.6	280.9	374.6
Training	-	32.1	-	-	-	32.1	-	20.0	25.0	45.0	77.1
General Operating Expenses	-	-	860.8	-	-	860.8	-	-	310.9	310.9	1,171.7
Supplies and material	-	-	-	-	-	-	-	0.4	-	0.4	0.4
Furniture and Equipment	-	-	-	-	-	-	-	-	-	-	-
Total	10.0	258.1	1,039.1	4.7	50.0	1,477.8	8.0	168.1	936.6	1,112.7	2,590.5

II. The Court in 2018 - Preliminary examinations, situations and cases before the Court

A. Situations under preliminary examination

52. The OTP conducts preliminary examinations of all situations that come to its attention to determine, on the basis of the legal criteria established by the Statute and the information available, whether the situations warrant investigation. The OTP is currently conducting preliminary examinations in 10 situations: Afghanistan, Burundi, Colombia, Comoros, Gabon, Guinea, Iraq/UK, Palestine, Nigeria and Ukraine.

53. The factors set out in article 53(1)(a)(b)(c) of the Statute establish 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 considers jurisdiction, admissibility and the interests of justice.

54. 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 from any reliable source. The Office will also conduct missions, as required, to meet relevant stakeholders from all sides, from government officials to civil society representatives, for the purpose of collecting information and explaining the nature and scope of the preliminary examination process, which should not be mistaken for a full-fledged investigation.

55. All 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. No timelines are provided in the Statute for a decision on a preliminary examination.

56. To manage the analysis of the factors set out in article 53(1), the Office has established a filtering process comprising four phases. While each phase focuses on a distinct statutory factor for analytical purposes, the Office applies a holistic approach throughout the preliminary examination process.

57. Phase 1 consists of an initial analysis and filtering of all information on alleged crimes received under article 15 ("communications"). Phase 2, which represents the formal commencement of a preliminary examination, focuses on whether the preconditions to the exercise of jurisdiction under article 12 are satisfied and whether there is a reasonable basis to believe that the alleged crimes fall within the subject-matter jurisdiction of the Court. The Office may gather further information on relevant national proceedings if such information is available at this stage. Phase 3 focuses on the admissibility of potential cases in terms of complementarity and gravity. In this phase, the Office will also continue to collect information on subject-matter jurisdiction, in particular when new or ongoing crimes are alleged to have been committed within the situation. Phase 4 examines the interests of justice in order to formulate the final recommendation to the Prosecutor on whether there is a reasonable basis to initiate an investigation. In the course of 2018, the OTP will continue its analysis of eight to ten situations under preliminary examination.

B. Situations under investigation and cases before the Court

58. As indicated, in 2018 the Court will continue operating in 10 situations under investigation: 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.

1. Situations in the Central African Republic (I and II)

59. The Central African Republic has twice referred a situation in its territory to the Court. Investigations with respect to CAR I focused on atrocities committed in CAR in 2002 and 2003. Investigations in CAR II focus on crimes committed during renewed violence in the country from 2012 onwards.

60. Since the second half of 2012, a serious escalation of violence has been visible in the CAR. There is a reasonable basis to believe that crimes within the jurisdiction of the Court have been committed during clashes and attacks by government entities and various groups, including elements known as, or gathered under, the names Séléka and anti-Balaka. These attacks have fuelled a spiral of violence, including the targeting of specific population groups and revenge attacks between (groups linked to) the Séléka and (groups linked to) the anti-Balaka, which still continue today and remain a cause for the population to flee their homes and shelters.

61. Peaceful elections have been held and a new government established under the leadership of President Faustin-Archange Touadera. The security environment, however, remains unstable; a situation aggravated by the inability of state security forces to ensure full security. Violence in the country has continued in 2017, with abductions targeting staff working in international assistance missions. This, in turn, has continued to necessitate an elevated level of security for the Court's operations in the CAR.

2. Situation in the Central African Republic I

62. On 22 December 2004, the Government of the CAR referred the first situation to the Court concerning crimes committed after 1 July 2002 in its territory, including an armed conflict between Government and rebel forces which took place in the CAR from October 2002 to March 2003.

63. On 22 May 2007, the OTP opened an investigation into the first situation in the CAR. Following the issuance of a warrant of arrest, Mr Jean-Pierre Bemba Gombo was arrested by the Belgian authorities and transferred to the Court's Detention Centre on 3 July 2008. Following confirmation of the charges, his trial started on 22 November 2010. On 21 March 2016, Trial Chamber III unanimously found Mr Jean-Pierre Bemba, as a commander of his armed troops, guilty beyond reasonable doubt of two counts of crimes against humanity (murder and rape) and three counts of war crimes (murder, rape, and pillaging). He was sentenced to 18 years' imprisonment. This ruling marked the first conviction in the Court's history based on the "command responsibility" mode of liability under article 28(a) of the Statute. It also reflected the OTP's strategy of presenting cases on charges of sexual and gender-based crimes, as set forth in its related policy paper. Both the judgment and the decision on sentence have been appealed.

64. On 20 November 2013, Pre-Trial Chamber II issued a warrant of arrest for Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido for offences against the administration of justice under article 70 of the Statute, in connection with witness testimonies in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*.

65. On 23 and 24 November 2013, Mr Musamba, Mr Mangenda, Mr Babala and Mr Arido were arrested with the cooperation of the authorities of Belgium, the Netherlands, France and the Democratic Republic of the Congo, and later surrendered to the custody of the Court. On 29 September 2015, the trial opened before Trial Chamber VII. With the exception of Jean-Pierre Bemba, who is detained by the Court, the other four co-accused appeared voluntarily, pursuant to the order issued by Trial Chamber VII on 17 August 2015 that their release be continued. The parties presented their closing arguments between 31 May and 2 June 2016, and the judges issued their decision on 19 October 2016, finding all accused guilty of offences against the administration of justice. The decision on sentence was delivered on 22 March 2017. Appeals proceedings are ongoing in relation to both the judgment and the sentencing decision.

66. Consequently, two judicial proceedings *Bemba* and *Bemba et al.* are expected to be in the final appeals phase during 2018. The 5,229 victims participating in the *Bemba* case are represented by external legal representatives. The latter case involves four convicted persons in addition to Mr Bemba, who is the only one of the five in detention. Legal aid is provided to the five defence teams in these cases, and to one team of legal representatives for victims.

67. Outreach activities will continue to be organized in connection with all judicial proceedings relating to the CAR I situation, to inform victims and affected communities of

key developments, notably regarding any reparations proceedings in *Bemba*. With approximately 5,300 victims participating in the CAR I proceedings, in the 2017 reparations phase, outreach activities will play an important role. In addition, field support, and in particular security support, is needed for missions outside the country's capital, which rely on the Registry's country analysis capabilities.

3. Situation in the Central African Republic II

68. Following a second referral by the CAR authorities in May 2014, the Prosecutor decided on 24 September to open a second investigation into the situation in the CAR, in which crimes within the jurisdiction of the Court appear to have been committed since 1 August 2012. In so doing, the OTP identified two potential cases: CAR II.a (*Séléka*) and CAR II.b (*anti-Balaka*). The situation in CAR II is assigned to Pre-Trial Chamber II. The investigation is ongoing, with two teams of investigators working on the crimes allegedly committed by the different parties to the conflict.

69. Despite a general improvement in the security situation in Bangui, high levels of insecurity and instability remain outside the capital. Regular clashes continue between groups linked to the *Séléka* and groups linked to the *anti-Balaka*, as do attacks by both groups on villages and camps for displaced persons. In 2018, the OTP will continue to conduct active investigations in relation to these two situations. Cooperation by the Government of the CAR is forthcoming. To support investigative activities, the field presence in Bangui will continue to be required in the light of the intensity of investigations, as will support in two situation languages (Congolese Swahili and Sango). Investigative activities are expected to require a range of support from the Registry. Furthermore, it is estimated that approximately 2,300 victims will potentially apply to participate in proceedings related to cases in the CAR II situation, which will add to the workload for the CAR Field Office in collecting victim applications.

70. The changing political context and volatile security situation in the CAR may have a severe impact on the OTP's investigations and the Court's operations. Increased security measures and logistical support continue to be needed to ensure the protection of staff on the ground, given the prevailing circumstances and inadequate domestic infrastructure.

4. Situation in Côte d'Ivoire

71. Post-election violence erupted in Côte d'Ivoire in 2010-2011 after results in the presidential election involving Mr Laurent Gbagbo and Mr Alassane Ouattara were contested. Atrocities purportedly committed during the ensuing violence included murder, rape, other inhumane acts, attempted murder and persecution.

72. Although Côte d'Ivoire was not a State Party to the Rome Statute at the time, it accepted the Court's jurisdiction on 18 April 2003. After conducting a preliminary examination of the situation, the OTP submitted a request for authorization to open an investigation *proprio motu* into the situation in Côte d'Ivoire on 23 June 2011, which was granted on 3 October 2011. Investigations have focused on alleged crimes committed by both the pro-Gbagbo forces (CIV I) and pro-Ouattara forces (CIV II). On 15 February 2013, Côte d'Ivoire ratified the Rome Statute.

73. The CIV I investigation resulted in warrants of arrest for three suspects on the basis of the evidence collected: Laurent Gbagbo, Charles Blé Goudé and Simone Gbagbo. All are suspected of crimes against humanity allegedly committed in the context of post-electoral violence in Côte d'Ivoire between 16 December 2010 and 12 April 2011. Laurent Gbagbo and Charles Blé Goudé are in the Court's custody. Following their respective decisions on confirmation of the charges in 2014, a joint trial for the two suspects opened on 28 January 2016 and is currently proceeding.

74. On 27 May 2015, the Appeals Chamber rejected Côte d'Ivoire's admissibility challenge and appeal in which it argued that a case against the same person for the same crime was being prosecuted at the national level. The warrant of arrest for Simone Gbagbo remains outstanding, and the case remains at the pre-trial stage.

75. The joint case in the trial of Laurent Gbagbo and Charles Blé Goudé started on 28 January 2016, with the Prosecution presenting its evidence. It is expected that the Prosecution's presentation of evidence and the appearance of its witnesses will be completed by early 2018, and the case will move thereafter into the defence phase, expected to last throughout the year. Courtroom support, provided by the Registry, will be required to ensure that the 160 days of planned trial hearings in 2018 can take place in one of the operational courtrooms, alongside the proceedings in *Ongwen* and *Ntaganda*. Similarly, both Chambers and the OTP will continue each to require a dedicated trial team for the duration of this trial. Both accused persons are detained in the Court's custody and both of their respective defence teams are being financed through legal aid. The 726 victims participating in *Gbagbo and Blé Goudé* are represented by the Office of Public Counsel for Victims (OPCV). According to plans, at least 50 witnesses are expected to appear for testimony during 2018, with an average duration of three court days per witness.

76. Throughout 2018, the OTP will actively continue its investigation, also known as CIV II, into crimes allegedly committed, during the post-electoral violence, by the side opposed to Laurent Gbagbo. The investigative activities to be conducted necessitate substantive field-based and mission-related security and logistics support from the Registry. More than 4,200 victims have applied for participation in the proceedings in relation to CIV II, with additional victims expected to apply. Further to an assessment carried out in 2017, the TFV expects to continue implementing an assistance programme in support of victims of crimes within the entire geographical and temporal scope of the situation in Côte d'Ivoire.

77. For the Registry to support both the activity of the Judiciary and the OTP's investigations, while also providing victims and witnesses with the necessary support and protection, a continued field presence in Abidjan will be required, as will support for three situation languages in the courtroom: Dioula, Guéré, and Bambara. In view of the assistance programme to support victims of crimes within the entire geographical and temporal scope of this situation, the level of support provided by the Registry through the field office will increase, as logistics and other types of support provided to the TFV will come in addition to continued support to the OTP.

5. Situation in Darfur

78. Sudan is not a State Party to the Rome Statute. An armed conflict emerged in Darfur between rebel movements and the Government of Sudan and other armed groups in February 2003. Attacks against civilians and other atrocities, including killings, rape, persecution and other inhumane acts, purportedly became widespread. The UN 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.

79. The security situation in Darfur continues to be volatile despite calls by the UN Security Council for all parties to the conflict to immediately cease all acts of violence. In 2017, according to the UN, 2.7 million people remain displaced across Darfur.

80. On 6 June 2005, the OTP opened an investigation into the situation in Darfur, in relation to crimes within the jurisdiction of the Court committed since 1 July 2002. The OTP's investigations have focused on allegations of genocide, war crimes and crimes against humanity committed in Darfur.

81. President Omar Al Bashir is facing five charges of crimes against humanity, two charges of war crimes, and three charges of genocide allegedly committed against the Fur, Masalit and Zaghawa ethnic groups in Darfur from 2003 to 2008. The first warrant for Mr Al Bashir's arrest was issued on 4 March 2009, and the second on 12 July 2010.

82. Mr Ahmad Muhammad Harun is facing 20 charges of crimes against humanity and 22 charges of war crimes, and Mr Ali Muhammad Abd-Al-Rahman ("Mr Ali Kushayb") is facing 22 counts of crimes against humanity and 28 counts of war crimes. On 27 April 2007, warrants of arrest were issued for these suspects.

83. Mr Abdel Raheem Muhammad Hussein is facing seven charges of crimes against humanity and six charges of war crimes allegedly committed in Darfur between August 2003 and March 2004. A warrant for his arrest was issued on 1 March 2012.

84. Mr 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 of North Darfur. On 7 March 2011, Pre-Trial Chamber I unanimously decided to confirm the charges of war crimes brought against, *inter alia*, Mr Banda, and committed him to trial. The accused was not in the Court's custody as he was under a summons to appear during the pre-trial stage of the case. On 11 September 2014, Trial Chamber IV issued a warrant of arrest to ensure his presence at trial, a decision confirmed by the Appeals Chamber on 3 March 2015.

85. All of the above-mentioned warrants of arrest remain outstanding. The cases either remain at the pre-trial stage, pending the suspects' arrest and surrender to the Court's custody or, in the case of Abdallah Banda Abakaer Nourain, before the Trial Chamber but pending the accused's arrest before the presentation of evidence can commence.

86. Travel by Mr Al Bashir to a number of States has generated judicial activity before the Pre-Trial Chamber, particularly in the form of proceedings related to the alleged failure of States to comply with requests for cooperation from the Court. This may also occur in 2018.

87. Alleged crimes falling under the Court's jurisdiction reportedly continue to be committed in Darfur. The OTP will continue in 2018 to monitor these crimes as part of its reporting to the UN Security Council, and will continue to assess the need for new investigations. The Office will also continue to respond to investigative opportunities related to Darfur through a short, ad hoc reallocation of resources from other active investigations. Language support continues to be required in Arabic and Zaghawa. In addition, a continued minimum level of staff resources for both the OTP and the Registry is required to monitor and track the movements of suspects and manage witnesses.

6. Situation in the Democratic Republic of the Congo

88. On 3 March 2004, the Government of the DRC referred the situation prevailing on its territory since 1 July 2002 to the Court. The DRC situation has, to date, produced six cases, with six suspects facing numerous charges including crimes against humanity and war crimes. Two cases are currently in the reparations phase after final sentencing (*Lubanga* and *Katanga*); one case is in the trial phase (*Ntaganda*); and one case (*Mudacumura*) is pending execution of the warrant of arrest.

89. On 14 March 2012, Trial Chamber I found Thomas Lubanga Dyilo guilty, as co-perpetrator, of the war crime of enlisting or conscripting children under the age of 15 and using them to participate actively in hostilities. He was consequently sentenced to a total of 14 years' imprisonment, confirmed on appeal, and was transferred to a prison facility in the DRC to serve his sentence. The judicial process for reparations to victims is ongoing.

90. On 7 March 2014, Trial Chamber II found Germain Katanga guilty, as an accessory, of one count of a crime against humanity (murder) and four counts of war crimes (murder, attacking a civilian population, destruction of property and pillaging). The judgment is final, as both the Defence and Prosecution withdrew their appeals. He was sentenced to a total of 12 years' imprisonment, which was later reduced by the Appeals Chamber to three years and eight months, and was consequently transferred to a prison facility in the DRC to serve his sentence. Trial Chamber II issued an order for reparations on 24 March 2017. The Appeals Chamber is seized of appeals against that order.

91. On 9 June 2014, Pre-Trial Chamber II unanimously confirmed the charges against Bosco Ntaganda and committed him for trial. Those charges include crimes against humanity: murder, rape and sexual slavery; and war crimes: murder, attacking a civilian population, rape and sexual slavery, pillaging, crimes of conscripting, enlisting and using child soldiers. The trial opened on 2 September 2015. The presentation of evidence by the OTP concluded on 29 March 2017. The presentation of evidence by the Defence commenced on 29 May 2017. Following his voluntary surrender on March 2013, Mr Ntaganda has been in the Court's custody. He is deemed indigent and thus benefits from legal aid from the Registry.

92. The warrant of arrest issued on 13 July 2012 for Sylvestre Mudacumura lists nine counts of war crimes (attack against a civilian population, murder, mutilation, cruel treatment, rape, torture, destruction of property, pillaging and outrage upon personal dignity). Mr Mudacumura is at large and the case remains at the pre-trial stage.

93. In terms of judicial activities in the DRC situation, three important proceedings are expected to be ongoing throughout 2018: the reparations proceedings and implementation of reparations awards in both *Lubanga* and *Katanga* (which will involve Chambers' resources), as well as possible appeals, and the trial proceedings in *Ntaganda*.

94. In *Bosco Ntaganda*, the defence case is expected to be completed during 2018, followed by final submissions, deliberations and issuance of the judgment. Chambers will require a dedicated team for this case throughout 2018. As this is one of the three trials that are expected to be ongoing simultaneously in 2018, one of the two full Registry courtroom support teams will be required to ensure that the 80 hearing days in 2018 can take place in one of the operational courtrooms. Similarly, OTP will continue to require a dedicated trial team for the duration of this trial. The accused is detained in Court custody and his defence team is being financed through legal aid. The approximately 2,144 victims participating in these proceedings are being represented by the OPCV. According to plans, more than 30 witnesses are expected to appear for testimony in relation to this case, with an average duration of three court days per witness, while video-link testimony remains an alternative.

95. Under its assistance mandate, the TFV continues activities in the Ituri Province as well as the North and South Kivu Provinces.

96. To support activities in relation to this situation and the related cases, the field presence in Kinshasa and Bunia will continue to be required, as will support in three situation languages (Congolese Swahili, Kinyarwanda and Lingala), including in the courtroom. Outreach activities will need to continue in the light of the ongoing trial and reparations proceedings, and assistance and support to defence and victims' representatives will remain crucial. Witness support and protection also remains a high priority. The VWS will continue providing support and protection to witnesses and victims under its care, while implementing reintegration strategies for those placed in-country to help protected individuals resume their lives independently.

7. Situation in Georgia

97. On 14 August 2008, the OTP opened a preliminary examination of the situation in Georgia (a State Party since 5 September 2003). In the absence of effective proceedings at the national level concerning at least the majority of alleged crimes, the OTP submitted a request to Pre-Trial Chamber I on 13 October 2015 for authorization to open an investigation.

98. On 27 January 2016, 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.

99. The OTP will continue actively investigating in the Georgia situation throughout 2018, with necessary operational support from the Registry. 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. The Court's overall strategic approach to security, including information security, is being further developed consistently with the Court's risk management strategy and its IT/IM strategy in order to respond to any challenges, including in this situation. Language support, for which the need is expected to be substantial in 2018, will be required in Georgian, Ossetian and Russian. The Registry's VWS will also need to provide support to witnesses.

100. The Registry is in the process of establishing a limited field presence in Georgia to facilitate outreach activities in the country. This field presence will allow direct and immediate access to local authorities, whose support and assistance are key in meeting the Court's operational requirements in-country. New outreach programmes are expected to be developed and implemented for 2018 in order to sustain an effective approach to affected populations, media, and legal and academic communities.

8. Situation in Kenya

101. 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 investigations focused on alleged crimes against humanity 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.

102. Confirmation hearings were held in the case of *The Prosecutor v. William Samoei Ruto, Henry Kiprono Kosgey and Joshua Arap Sang* from 1 to 8 September 2011, and in the case of *The Prosecutor v. Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohammed Hussein Ali* from 21 September 2011 to 5 October 2011. On 23 January 2012, Pre-Trial Chamber II confirmed the charges against Ruto, Sang, Muthaura, and Kenyatta. Charges were not confirmed against Henry Kosgey and Mohammed Hussein Ali.

103. 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.

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

105. Additionally, 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 witnesses in the Kenya cases. A warrant of arrest for Mr Walter Osapiri Barasa was issued on 2 August 2013. Warrants for the arrest of Mr Paul Gicheru and Mr Philip Kipkoech Bett were issued on 10 March 2015. The case remains at the pre-trial stage.

106. Lastly, litigation concerning cooperation between the OTP and the Government of Kenya concluded with the 19 September 2016 decision by Trial Chamber V(B) finding that the Government of Kenya had failed to cooperate with the OTP pursuant to article 87(7). The Chamber referred the matter to the Assembly of States Parties. Following these judicial developments, no further proceedings in relation to crimes under article 5 of the Statute will be taking place in 2018. The warrants of arrest for three individuals charged with offences against the administration of justice remain outstanding. While the Registry's field presence will have been phased out by 2018, both the OTP and the Registry (VWS) will still have obligations towards some witnesses. Limited resources are also still required for the ongoing article 70 investigations and prosecutions concerning alleged offences against the administration of justice. Residual functions pertaining to public information and outreach in Kenya will be handled from the Uganda Field Office.

9. Situation in Libya

107. The UN Security Council referred the situation in Libya since 15 February 2011 to the Court's Prosecutor (by Resolution 1970 of 26 February 2011). Libya is not a State Party to the Rome Statute.

108. On 3 March 2011, the OTP opened an investigation into the situation in Libya in relation to crimes within the jurisdiction of the Court allegedly committed since 15 February 2011. The OTP's investigations led to three cases on murder and persecution charges.

109. On 27 June 2011, warrants of arrest were issued for Mr Muammar Gaddafi, Mr Saif Al-Islam Gaddafi and Mr Abdullah Al-Senussi. On 22 November 2011, the warrant of arrest for Mr Muammar Gaddafi was withdrawn following his death. On 11 October 2013, Pre-Trial Chamber I decided that the case against Mr Abdullah Al-Senussi was inadmissible before the Court, a decision later confirmed by the Appeals Chamber, thus

bringing the proceedings against Abdullah Al-Senussi before the Court to an end. The Pre-Trial Chamber's decision recalled the possibility for the Prosecutor to request a review of the admissibility decision under article 19(10) of the Statute in the event that new facts should emerge that might negate the basis of the Chamber's decision.

110. On 31 May 2013, Pre-Trial Chamber I rejected a challenge filed by the Government of Libya to the admissibility of the case against Mr Saif Al-Islam Gaddafi, a decision later confirmed by the Appeals Chamber. The surrender of Mr Saif Al-Islam Gaddafi is therefore pending and the warrant of arrest remains unexecuted. On 10 December 2014, Pre-Trial Chamber I issued a finding of non-compliance against the Government of Libya for its failure to cooperate with the Court, including its failure to surrender Mr Saif Al-Islam Gaddafi to the Court, and decided to refer the matter to the UN Security Council. In its response of 20 August 2015 to the Prosecution request, Libya submitted to the Court that "Mr Gaddafi continues to be in custody in Zintan and is presently 'unavailable' to the Libyan State."

111. On 24 April 2017, Pre-Trial Chamber I granted the Prosecution's application to unseal the warrant of arrest for Mr Al-Tuhamy Mohamed Khaled and ordered the Registrar to reclassify it as public. That warrant of arrest was issued by Pre-Trial Chamber I on 18 April 2013, following an application filed by the OTP on 27 March 2013 alleging the crimes against humanity of imprisonment, torture, other inhumane acts and persecution, and the war crimes of torture, cruel treatment and outrages upon personal dignity. Mr Al-Tuhamy is currently at large.

112. Since the warrants of arrest were issued, the OTP has continued to receive and process evidence concerning crimes committed in relation to the February 2011 revolution and more recent events. While results are being obtained at a slower pace than planned owing to a lack of sufficient resources and the prevailing precarious security situation in the country, the OTP has continued to carefully collect and analyse evidence to determine whether the requisite legal standards are met to request additional warrants of arrest. It is also assessing the potential to expand its investigations into new crimes, such as those highlighted in its report to the UN Security Council in May 2017. The Office is also analysing open-source reports by experts as well as information provided by States, regional entities and the UN Support Mission in Libya, so as to determine whether alleged crimes against migrants fall within the jurisdiction of the Court.

113. Throughout 2018, it is expected that the OTP will continue to conduct active investigations into the situation in Libya to capitalize on leads and opportunities presented to the Office. The OTP continues to carefully evaluate how best to use its limited resources to maximize its impact. In addition to past crimes, there is also a high current level of crime in Libya, reportedly being committed by a variety of actors and having an impact beyond national borders because of the transnational, organized, financial and terrorist nature of such crime. In line with its Strategic Goal 9, the OTP will continue its consultations with relevant international and regional partners and agencies, as well as neighbouring States, to explore the possibility of cooperation, coordination and information sharing, where appropriate.

114. In relation to the situation in Libya overall, despite the OTP's plans to operate mostly from outside the country, some witness protection measures will need to be provided by the Registry. As in connection with other situations, the Registry Country Analysis Unit can assist in gaining a better understanding of the situation on the ground. Similarly, the Registry, through its external operations capacities, would also assist in relation to the Court-wide needs in ensuring the necessary contacts with the relevant authorities.

115. To support activities in relation to this situation, language support in Arabic will be required.

10. Situation in Mali

116. On 13 July 2012, the Government of Mali referred the situation in its territory since January 2012 to the Court. After conducting a preliminary examination of the situation, the

OTP opened an investigation on 16 January 2013 into alleged crimes committed in the territory of Mali since January 2012.

117. On 18 September 2015, Pre-Trial Chamber I issued a warrant of arrest for Ahmad Al Mahdi Al Faqi for the war crimes of intentionally directing attacks against historic monuments and buildings dedicated to religion. On 25 September 2015, Ahmad Al Mahdi Al Faqi was surrendered to the Court by the authorities of Niger and transferred to the Court's Detention Centre.

118. The initial appearance of Mr Al Mahdi before Pre-Trial Chamber I took place on 30 September 2015. On 24 March 2016, Pre-Trial Chamber I confirmed the charges of war crimes against Ahmad Al Faqi Al Mahdi, and committed him to trial. On 1 June 2016, Trial Chamber VIII fixed the date of 22 August 2016 for the commencement of the trial. The accused admitted guilt pursuant to article 65. The judgment and sentence were issued on 27 September 2016. The delivery of the reparations order is scheduled for 17 August 2017. The TFV may be expected to implement the reparations awards in 2018. Implementation monitoring is likely to necessitate further judicial activity before the Trial Chamber and require the use of Chambers staffing resources.

119. Throughout 2017, 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 alleged crimes committed, the OTP continued to carry out investigations, albeit with a reduced team, in respect of a wider range of war crimes in Mali with the aim of gathering evidence which could lead to possible further cases. These investigations in Mali will continue in 2018. The Registry will need to support activities in relation to this situation. The Registry's responsibilities for the protection of witnesses will continue in 2018, thus necessitating a field presence for operational support to the VWS. The continued violent attacks by terrorist groups against international staff working in Mali require adequate security arrangements to be in place for the Court's staff, property and assets. In the light of the outcome of the trial proceedings in 2016, outreach activities will be undertaken to the extent possible, bearing in mind the difficult security situation on the ground. Language support is expected to be required in Tamasheq, Songhay and Fulfulde.

11. Situation in Uganda

120. On 16 December 2003, the Government of Uganda referred the situation concerning the Lord's Resistance Army since 1 July 2002 to the Court.

121. 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 who committed them. On 8 July 2005, Pre-Trial Chamber II issued warrants of arrest under seal against top Lord's Resistance Army (LRA) commanders, namely Joseph Kony, Vincent Otti, Raska Lukwiya, Okot Odhiambo and Dominic Ongwen, for the commission of crimes against humanity and war crimes. The Chamber has since terminated proceedings against Raska Lukwiya and Okot Odhiambo following their deaths.

122. On 16 January 2015, Dominic Ongwen was surrendered into the Court's custody and transferred to the Detention Centre on 21 January 2015. Dominic Ongwen's initial appearance before Pre-Trial Chamber II took place on 26 January 2015. On 6 February 2015, the Pre-Trial Chamber severed the proceedings against Dominic Ongwen from the case against Joseph Kony and Vincent Otti so as not to delay the proceedings against Mr Ongwen.

123. On 21 December 2015, on the basis of the evidence collected, the Prosecutor charged Dominic Ongwen with a total of 70 counts of war crimes and crimes against humanity, thus expanding the initial seven counts set out in the warrant of arrest and the number of sites where those crimes were allegedly committed. The expanded charges also reflected the OTP's established policy to prioritize charges of sexual and gender-based crimes and crimes against children, where possible. On 23 March 2016, Pre-Trial Chamber II confirmed the 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, conscription and the use of children under the age of 15 in hostilities.

124. Trial Chamber IX was constituted on 2 May 2016 and decided on 30 May 2016 to schedule the commencement of the trial for 6 December 2016. The Prosecution started the presentation of its evidence on 16 January 2017. The Prosecutor's case will continue into 2018, to be followed by the defence phase.

125. As the Ongwen trial will be running alongside the trial proceedings in both *Ntaganda* and *Gbagbo and Blé Goudé*, one of the two full Registry courtroom support teams will be required to ensure that the 160 days of planned trial hearings in 2018 can adequately take place in one of the operational courtrooms. Similarly, both Chambers and the OTP will each continue to require a dedicated trial team for the duration of this trial.

126. In this case, the accused is detained in the Court's custody and his defence team is being financed through the Court's legal aid system. The 4,107 victims participating in these proceedings are being represented both by external legal representatives and by the OPCV. An estimated 50 witnesses will appear to give testimony, with an average duration of three court days per witness, while video link testimony remains an alternative, and is increasingly used where feasible. Two languages, Acholi and Ateso, will be supported in the courtroom.

127. The TFV's assistance programme in northern Uganda runs into 2018 and is anticipated to continue thereafter, which will require logistical support from the Registry. To support activities in relation to this situation, the field presence in Kampala and Gulu will continue to be required in 2018, despite the fact that the OTP field presence related to the Uganda situation is expected to be reduced by approximately 50 per cent and fewer missions will be deployed to the North of the country. Language support in Acholi, Alur, Ateso, and Lango will be required.

Table 5: Total ICC: Proposed budget for 2018

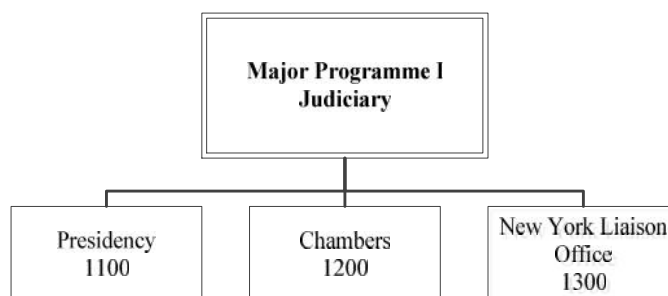
Total ICC	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total Incl. CF		Amount	%	
Judges	6,846.5	-	6,846.5	5,369.1	732.9	13.7	6,102.0
Professional staff				60,656.3	3,410.4	5.6	64,066.7
General service staff				24,431.2	940.5	3.8	25,371.7
<i>Subtotal staff</i>	<i>70,766.1</i>	<i>-</i>	<i>70,766.1</i>	<i>85,087.5</i>	<i>4,350.9</i>	<i>5.1</i>	<i>89,438.4</i>
General temporary assistance	17,296.4	899.8	18,196.2	15,074.4	(489.2)	(3.2)	14,585.1
Temporary assistance for meetings	1,639.1	69.2	1,708.3	1,168.4	134.3	11.5	1,302.7
Overtime	512.6	9.8	522.4	363.5	(2.7)	(0.7)	360.8
<i>Subtotal other staff</i>	<i>19,448.1</i>	<i>978.8</i>	<i>20,426.9</i>	<i>16,606.2</i>	<i>(357.6)</i>	<i>(2.2)</i>	<i>16,248.6</i>
Travel	5,029.0	302.7	5,331.7	5,838.3	182.1	3.1	6,020.4
Hospitality	44.2	-	44.2	29.0	4.0	13.8	33.0
Contractual services	3,670.6	332.6	4,003.2	3,355.9	204.1	6.1	3,560.0
Training	873.1	13.8	886.9	890.0	123.0	13.8	1,013.0
Consultants	679.4	100.7	780.1	695.3	(44.9)	(6.5)	650.4
Council for defence	4,950.0	-	4,950.0	3,528.2	194.8	5.5	3,723.0
Council for victims	1,344.7	-	1,344.7	1,002.8	162.2	16.2	1,165.0
General operating expenses	18,105.8	138.4	18,244.2	19,925.9	992.2	5.0	20,918.1
Supplies and materials	1,249.7	7.0	1,256.7	962.7	65.3	6.8	1,028.0
Furniture and equipment	2,783.5	727.8	3,511.3	1,296.3	279.5	21.6	1,575.8
<i>Subtotal non-staff</i>	<i>38,730.0</i>	<i>1,623.0</i>	<i>40,353.0</i>	<i>37,524.4</i>	<i>2,162.3</i>	<i>5.8</i>	<i>39,686.7</i>
Total	135,790.7	2,601.8	138,392.5	144,587.3	6,888.4	4.8	151,475.7

Table 6: Total ICC: Proposed staffing for 2018

Total 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 GS- staff	Total staff
<i>Established Posts</i>														
Approved 2017	1	2	-	9	45	89	186	174	38	544	20	406	426	970
New	-	-	-	-	1	2	5	11	1	20	-	2	2	22
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	2	-	(2)	11	(8)	3	-	-	-	3
Returned	-	-	-	-	-	-	(1)	-	-	(1)	-	-	-	(1)
Proposed 2018	1	2	-	9	48	91	188	196	31	566	20	408	428	994
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	1.05	6.55	42.70	41.14	16.00	107.43	4.70	57.99	62.69	170.12
Continued	-	-	-	-	1.05	7.05	45.00	44.50	14.00	111.59	4.00	47.00	51.00	162.59
New	-	-	-	-	-	0.67	2.83	3.67	0.67	7.83	5.11	12.33	17.44	25.28
Converted	-	-	-	-	(1.00)	(2.00)	(5.00)	(10.00)	(4.00)	(22.00)	-	(2.00)	(2.00)	(24.00)
Proposed 2018	-	-	-	-	0.05	5.71	42.83	38.17	10.67	97.43	9.11	57.33	66.44	163.86

III. Proposed Programme Budget for 2018

A. Major Programme I: Judiciary



Introduction

128. Major Programme I is composed of the Presidency, the Chambers and the New York Liaison Office.

129. The Presidency performs functions in its three primary areas of responsibility: legal, external relations and administrative. The Presidency anticipates another busy and productive year in 2018, particularly in the light of the election of a new President and Vice-Presidents and the arrival of the judges elected at the sixteenth session of the Assembly of States Parties (“the Assembly”).

130. In 2018, the Chambers will manage case work arising from developments in 2016 and 2017, including trial hearings in three cases and three final appeals (in addition to interlocutory appeals), as well as work on other situations and cases at the pre-trial level. Work by the judges to improve the efficiency and expeditiousness of proceedings will also continue, alongside efforts to enhance the flexible and efficient deployment of staff resources.

131. The New York Liaison Office will continue to facilitate effective cooperation between the International Criminal Court (“the Court”) and the United Nations, States and other organizations.

132. The budget for Major Programme I is based on the judicial activities required under the Court’s budget assumptions for 2018, which were determined in an inter-organ effort.

Table 7: Major Programme I: Proposed budget for 2018

Major Programme I Judiciary	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Judges	6,846.5	-	6,846.5	5,369.1	732.9	13.7	6,102.0
Professional staff				4,577.6	113.8	2.5	4,691.4
General Service staff				917.9	9.3	1.0	927.2
<i>Subtotal staff</i>	<i>4,606.4</i>	<i>-</i>	<i>4,606.4</i>	<i>5,495.5</i>	<i>123.1</i>	<i>2.2</i>	<i>5,618.6</i>
General temporary assistance	1,063.1	-	1,063.1	1,411.2	(124.8)	(8.8)	1,286.4
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>1,063.1</i>	<i>-</i>	<i>1,063.1</i>	<i>1,411.2</i>	<i>(124.8)</i>	<i>(8.8)</i>	<i>1,286.4</i>
Travel	90.9	-	90.9	117.8	39.4	33.4	157.2
Hospitality	10.6	-	10.6	12.0	4.0	33.3	16.0
Contractual services		-	0.1	5.0	-	-	5.0
Training	10.3	-	10.3	22.0	-	-	22.0
Consultants	-	-	-	1.0	4.0	400.0	5.0
General operating expenses	73.1	-	73.1	97.4	7.0	7.2	104.4
Supplies and materials	1.9	-	1.9	5.0	-	-	5.0
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>186.9</i>	<i>-</i>	<i>186.9</i>	<i>260.2</i>	<i>54.4</i>	<i>20.9</i>	<i>314.6</i>
Total	12,702.9	-	12,702.9	12,536.0	785.6	6.3	13,321.6

Table 8: Major Programme I: Proposed staffing for 2018

I Judiciary	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
<i>Established Posts</i>														
Approved 2017	-	-	-	-	4	3	20	12	-	39	1	12	13	52
New	-	-	-	-	-	-	1	-	-	1	-	-	-	1
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	1	(1)	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	4	4	20	12	-	40	1	12	13	53
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	-	-	5.00	8.00	-	13.00	-	-	-	13.00
Continued	-	-	-	-	-	-	5.00	8.00	-	13.00	-	-	-	13.00
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	(1.00)	-	-	(1.00)	-	-	-	(1.00)
Proposed 2018	-	-	-	-	-	-	4.00	8.00	-	12.00	-	-	-	12.00

1. Programme 1100: The Presidency

Introduction

133. The Presidency has three strategic priorities reflecting its primary areas of responsibility:

(a) Legal: to carry out its legal and judicial review functions under the Rome Statute, including the enforcement responsibilities provided under Part X of the Rome Statute; and to support continuing efforts to improve the efficiency and expeditiousness of proceedings;

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

(c) Administrative: to provide efficient administrative and managerial support to the Judiciary; to contribute actively to the Court's governance under the Presidency's strategic leadership; and to engage with the Assembly with a view to its management oversight role regarding the administration of the Court as provided under the Rome Statute.

Presidency objectives

1. Within the Presidency's areas of responsibility, to contribute to ensuring the efficient conduct of pre-trial, trial and appeal proceedings.
2. To advance the "Lessons Learnt" review of judicial processes, focusing on procedures in trial preparation/hearing stages, victims, and the conclusion of trials and appeals, consulting States Parties, participants and other stakeholders as appropriate.
3. To ensure effective resource management, including identification and implementation of 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.
4. To further improve the Court's budget processes in a Court-wide effort.
5. To ensure effective management of risks.
6. Together with the other organs, to further improve dialogue between the Court, the Assembly and its sub-bodies.
7. To build confidence 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 to non-States Parties the benefits of joining the Court; and to conclude relevant agreements with States.

Budget resources

€1,352.8 thousand

134. The requested amount has increased by €57.5 thousand (4.4 per cent).

135. The Presidency has taken steps to increase savings and efficiencies, following the Assembly's resolution on the development of budget proposals.⁸ These have been achieved in the staff and travel budgets through synergies with other organs of the Court, the flexible use of resources and coordination with States and other international organizations (see annex X).

Presidency allowances

€28.0 thousand

136. The Proposed Programme Budget for 2018 includes €28.0 thousand to cover the special allowances of the President,⁹ and of the First or Second Vice-President if acting as

⁸ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. I, part III, ICC-ASP/15/Res.1, section L.

⁹ *Official Records ... Second session ... 2003* (ICC-ASP/2/10), part III.A.I.B.

President.¹⁰ The regular salaries of the three members of the Presidency are included in Programme 1200.

Staff resources **€1,149.4 thousand**

137. The Presidency comprises 11 established posts.

Established posts: Professional and General Service *€1,149.4 thousand*

138. The Presidency is entrusted with three main functions – legal/judicial review, external relations and administration. As it is the smallest organ of the Court, the Presidency’s resources – while formally organized by function – are allocated flexibly for maximum efficiency.

139. The Presidency is led by one Chef de Cabinet (P-5) who is responsible for staff management, strategic planning and guidance, and for representing the Presidency in inter-organ work and external meetings at senior level. The remaining staff is allocated to each of the core functions but with a view to all resources being shared as necessary, according to the prioritization of issues.

140. The current structure includes one Legal Adviser (P-4) and one Associate Legal Adviser (P-2) in the Legal and Enforcement Unit (LEU), responsible for coordinating and providing substantive legal support to the Presidency. Since 2010, there has also been one position of Legal Officer (P-3) funded through a GTA contract. The conversion of this position from GTA to an established post is requested because the post covers long-term core functions and the incumbent fulfils duties and responsibilities that are essential for the functioning of the Unit. The tasks of the position include, *inter alia*, continuing work on improving the efficiency of proceedings through “Lessons Learnt” in cooperation with the Assembly’s Study Group on Governance, and addressing functional requirements related to the enforcement of sentences. Since the position is fully integrated into all legal and judicial review functions of the LEU, the workload of which is projected to grow substantially (especially as enforcement activity grows), the need for this position is expected to continue in the future.

141. The external relations functions of the President are currently supported by an External Relations Adviser (P-3) who is assisted by one Administrative Assistant (External Relations) (GS-OL). With the increased activity of the Court, as well as global developments, the external relations portfolio has taken on new importance and become more demanding and complex. Coordination among organs in this area is led by the Presidency and has been identified by the Coordination Council (CoCo) as a priority. At the same time, experience has increasingly shown that there is an interrelationship and a need for close coordination between the external relations and administrative functions of the Presidency, particularly with respect to the Assembly’s management oversight functions as they relate to the administration of the Court. This is particularly true in the light of the Presidency’s overall responsibility for the proper administration of the Court and the need for effective communication with the Assembly and its subsidiary bodies, in connection with the Assembly’s functions under article 112(2)(b) of the Statute.

142. As a result, a modified structure is proposed for the Presidency team, with a P-4 post that would provide coordination and supervision in both external relations and administration. For this purpose, the reclassification of the current post of External Relations Adviser (P-3) as Senior Special Assistant to the President (P-4) is being sought. This reclassification would permit a more effective management structure with an enhanced interrelationship between the functional areas of external relations and administration of the Court. It would also ensure that a more senior staff member would be in place to address complex and sensitive policy issues with wide-ranging implications for the institution. Reclassification to P-4 is necessary to ensure that the post will attract highly skilled applicants who can fulfil the complex responsibilities of the position. If the Assembly authorizes both the conversion of the P-3 GTA position to an established post and the reclassification, the effect is expected to be budget-neutral for the Presidency.

¹⁰ *Ibid.*, part III.A.I.C.

143. One Special Assistant to the President (P-3) currently provides support to the President and the Presidency in the exercise of their responsibilities, with a particular focus on policies concerning administration and interaction with the Assembly and its subsidiary bodies. One Associate Administrative Officer (P-2) provides technical and accounting support for budget and staffing for the Presidency and the Judiciary. In the proposed new structure, both of these posts would fall under the supervision and coordination of the Senior Special Assistant to the President (P-4).

144. 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) to the Chef de Cabinet, providing wide-ranging administrative and logistical support.

Non-staff resources

€175.4 thousand

145. Non-staff resources are used for travel, hospitality, training and consultants. The proposed budgets for travel, hospitality and consultants have increased for 2018 due to anticipated activities related to the election of Court officials at the end of 2017 and the beginning of 2018. These include travel (and related costs) of the newly-elected judges to the Court for their solemn undertaking ceremony and two-week induction, as well as events associated with the election of a new President of the Court.

Travel

€150.4 thousand

146. The approved amount for travel in 2017 was composed of €5.7 thousand plus an increase of €18.0 thousand for 2017 only, earmarked for Assembly-related travel to New York. The amount requested for 2018 (which has increased by €36.7 thousand, or 32.3 per cent) is €5.7 thousand and an additional €54.7 thousand for the travel (and related costs) of newly-elected judges to the Court for their Solemn Undertaking ceremony. The Court will take the opportunity to introduce the judges to the Court's staff, facilities and procedures over the course of a two-week induction immediately after the ceremony. These costs typically arise every three years following the election of new judges to the Court; the next occasion will be in 2021.

147. The amount of €5.7 thousand not earmarked for the travel of newly-elected judges is required for all official travel by judges and staff in the Presidency and Chambers. This budget is used to fund travel by the President, Vice-Presidents or other judges to represent the Court at important external events, and for a limited amount of travel by Presidency and Chambers staff required to support the external role of the Presidency or to provide expert contributions to external events – and in all cases only where funding from the organizers is not available.

Hospitality

€14.0 thousand

148. The requested amount has increased by €4.0 thousand (40.0 per cent) from the amount approved in 2017 and is required for hospitality costs associated with visits of Heads of State or Government, ministers and other senior representatives of States with the President or the Vice-Presidents. The number of these visits to the Court is likely to increase temporarily due to the election of a new President of the Court. Further temporary costs are associated with the Solemn Undertaking ceremonies for the Registrar and newly elected judges. The hospitality budget is also used to cover the Judiciary's contributions to Court events jointly funded by all organs, such as Diplomatic Briefings, the NGO Roundtable and welcome and signing ceremonies.

Training

€6.0 thousand

149. The requested amount is unchanged from the amount approved in 2017. The Presidency continues to need a small budget for specialized training for its staff in 2018, mainly for specific training relevant to the legal and external relations functions as well as management training, and a small provision to improve working language skills.

*Consultants**€5.0 thousand*

150. The requested amount represents an increase of €4.0 thousand (400.0 per cent) from the amount approved in 2017. The significantly reduced amount approved for 2017 restricted the ability of the Presidency to procure required services from consultants on matters related to its core functions. In the past, consultants have been engaged to provide advice on specialized questions in areas where the Court does not have specific expertise, including judges' pension fund administration and the Court's risk management. In the future, the need for the limited services of a consultant might similarly arise in other areas to ensure the successful conduct of the Presidency's core functions. For this reason, it is considered important that the Presidency have a modest budget that will nevertheless allow it to engage the necessary external expertise when required.

Table 9: Programme 1100: Proposed budget for 2018

1100 The Presidency	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Judges	-	-	-	28.0	-	-	28.0
Professional staff				721.7	135.4	18.8	857.1
General Service staff				292.0	0.3	0.1	292.3
<i>Subtotal staff</i>	985.6	-	985.6	1,013.8	135.6	13.4	1,149.4
General temporary assistance	125.4	-	125.4	122.8	(122.8)	(100.0)	-
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	125.4	-	125.4	122.8	(122.8)	(100.0)	-
Travel	82.7	-	82.7	113.7	36.7	32.3	150.4
Hospitality	9.7	-	9.7	10.0	4.0	40.0	14.0
Contractual services	0.1	-	0.1	-	-	-	-
Training	1.4	-	1.4	6.0	-	-	6.0
Consultants	-	-	-	1.0	4.0	400.0	5.0
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	93.9	-	93.9	130.7	44.7	34.2	175.4
Total	1,204.9	-	1,204.9	1,295.3	57.5	4.4	1,352.8

Table 10: Programme 1100: Proposed staffing for 2018

1100 The Presidency	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
<i>Established Posts</i>														
Approved 2017	-	-	-	-	1	1	2	2	-	6	1	3	4	10
New	-	-	-	-	-	-	1	-	-	1	-	-	-	1
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	1	(1)	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	1	2	2	2	-	7	1	3	4	11
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	-	-	1.00	-	-	1.00	-	-	-	1.00
Continued	-	-	-	-	-	-	1.00	-	-	1.00	-	-	-	1.00
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	(1.00)	-	-	(1.00)	-	-	-	(1.00)
Proposed 2018	-	-	-	-	-	-	-	-	-	-	-	-	-	-

2. Programme 1200: Chambers

Introduction

151. Under articles 34(b) and 36(1) of the Rome Statute, the Chambers are composed of 18 judges, organized into three divisions: Pre-Trial, Trial and Appeals. In consultation with the judges, the Presidency decides on the assignment of judges to judicial divisions¹¹ 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 is adopted to the allocation of the workload among the judges to allow for the most effective use of resources. Depending on the workload within the relevant divisions, pre-trial judges can be assigned to trial and reparations work, and both pre-trial and trial judges can be assigned to specific appeals, where necessitated by a conflict of interest or other circumstances which require the temporary replacement of an appeals judge.

152. The Chambers are the judicial organ of the Court. As mandated in 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.”¹² Led by the Presidency, the Judiciary continues to work on amendments and improvements in practice to make proceedings more efficient while safeguarding their fairness and transparency.

Chambers’ objectives

1. To ensure 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 the issuance of practice directives in practice manuals.
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.

Judges’ costs

€6,074.0 thousand

153. The Proposed Programme Budget for 2018 provides for the remuneration of 18 full-time judges. In the Proposed Programme Budget for 2017,¹³ a request was made for an increase in judges’ salaries to align them with those of the judges of the International Court of Justice and other international courts and tribunals, on the basis of ICC-ASP/3/Res.3.¹⁴ The reasons for the requested increase were detailed in the narrative of the above-mentioned budget document (see annex VI(f)). 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”.¹⁵ The Bureau subsequently decided that the facilitation on this issue would be led by the budget facilitator; that process is ongoing with a view to consideration

¹¹ Rule 4 *bis* of the Rules of Procedure and Evidence.

¹² Article 64(2) of the Statute.

¹³ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part A, paras. 163-168.

¹⁴ *Official Records ... Third session ... 2004* (ICC-ASP/3/25), part III, ICC-ASP/3/Res.3, annex, section XIII (Revisions).

¹⁵ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. I, part III, ICC-ASP/15/Res.1, section O (Salaries of the judges of the International Criminal Court).

of the matter at the sixteenth session of the Assembly. As the outcome of the facilitation will not be known before the presentation of the Proposed Programme Budget for 2018, the requested amount for the remuneration of judges includes the same increase of €580.9 thousand proposed in 2017. This amount has been incorporated to ensure that the budget for 2018 includes provision for an increase in salaries, should that be the ultimate outcome of the ongoing discussions.

154. The terms of office of six judges of the Court will end on 10 March 2018. The terms of two trial judges will be extended beyond that date pursuant to articles 36(10) and 39(3) of the Rome Statute, in order to complete the trials in the cases of *Gbagbo and Blé Goudé* and *Ntaganda*, which have already commenced before their respective Chambers. In the light of the overall forecast judicial workload, it is expected that the costs associated with this extension can be offset by delaying the commencement of service of some of the judges who will be elected in December 2017.

155. The arrival of new (and associated departure of former) judges will require provision for assignment grants, travel and the removal of personal effects. These costs typically arise every three years following the election of new judges to the Court; the next occasion will be in 2021. The remuneration and allowances of judges are detailed in annex VI(e).

Forecast judicial activities

156. The overall workload of Chambers will remain at a similar level in 2018. The Pre-Trial Division is currently seized of 12 situations. Furthermore, 14 warrants of arrest issued for 13 persons remain unexecuted to date. Work will continue on those situations and cases. In the Trial Division, three cases will continue at the trial hearing stage (with one possibly entering the deliberation phase), and reparation proceedings are expected to continue in at least two other cases. The work of the Appeals Chamber on the pending appeals against trial judgments in two cases will continue, while appeals against the trial judgment in another case are expected to reach the Appeals Division in 2018. It is anticipated that the pending appeals against the reparations order in *Katanga* may also continue into 2018, while appeals may also be filed against additional reparations orders in up to three other cases. There will also be interlocutory appeal work throughout the year arising from the three ongoing trials. While the workload in relation to such appeals cannot be accurately predicted at this stage, it is expected to be comparable to that of recent years.

Fair, transparent and efficient proceedings

157. While fairness and transparency remain central pillars for the conduct of proceedings, the Judiciary also continues to work on enhancing its practice to improve efficiency. The judges are working to implement the best practices that have been developed through collaboration at judicial retreats and reflected in the Chambers Practice Manual. The application of these practices has already resulted in concrete improvements in the daily operations of all three divisions. Two notable areas of improvement have been the significant reduction in the average time between the hearing on the confirmation of charges and the beginning of trial, as well as a decrease in the amount of Court time required for each witness to be heard.

Case Law Database

158. The Case Law Database (CLD) project is an essential undertaking to create a uniform and consistent 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 searching capability, key legal findings will also be extracted from decisions and categorized by proprietary headnotes, to which searchable legal keywords, phrases and other metadata will be attached. The CLD will also trace the evolution of the Court's case law and the relationship between judicial decisions.

159. Although the Court's judicial activity started in 2004, the Court does not currently have a comprehensive, searchable database of its case law. To date, each organ has relied on TRIM/RM8 and ad hoc non-standardized systems to catalogue developments in the Court's case law. The advanced search capability of the completed CLD will make it

possible to research and analyse case law more efficiently, which will in turn streamline the process of drafting decisions and judgments, and improve the consistency of the Court's case law.

Activity assumptions

Pre-Trial Division

160. The Pre-Trial Division handles all requests regarding the initiation of an investigation or the preservation of evidence during an investigation, and the entire first phase of judicial proceedings, up to the confirmation, if any, of the charges, on which the case against the person(s) charged proceeds to trial.

161. Six judges are currently assigned to the Pre-Trial Division. Due to the current workload at the Court, all of them are at the same time also temporarily attached to the Trial Division and heavily involved in trial hearings and reparations matters. Pre-trial judges, like trial judges, have 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 meet needs deriving from the current workload satisfactorily.

162. The Pre-Trial Chambers are currently actively seized of 12 situations, namely Uganda; the Democratic Republic of the Congo; Darfur; 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 and Gabon. Significant activity is expected to continue, particularly in the situations in Darfur, Libya, Mali, Central African Republic II and Georgia.

163. The nature of proceedings before the Pre-Trial Chambers is such that requests for warrants of arrest, initial appearances, new applications for the initiation of investigations with regard to preliminary examinations conducted by the Office of the Prosecutor and other requests cannot be foreseen. The situations that come before the Pre-Trial Chambers in 2017 may result in further applications presented to the Pre-Trial Chambers by parties and participants in the various proceedings in 2018. Moreover, any of the 13 persons for whom warrants of arrest have been issued by Pre-Trial Chambers may be arrested and surrendered to the Court at short notice, as has happened twice in recent years, in the cases of *Ntaganda* and *Ongwen*. As a result, the Pre-Trial Division can only draw on the experience of previous years to arrive at its assumptions for 2018.

Trial Division

164. 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 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.

165. The Trial Division is currently composed of seven judges assigned in various combinations to six Trial Chambers. An additional six 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.

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

167. The *Ntaganda*, *Gbagbo and Blé Goudé* and *Ongwen* trials are expected to continue in 2018, with the judgment pursuant to article 74 of the Statute in *Ntaganda* expected in 2018. These trials will continue to generate a considerable workload, given the volume of evidence expected to be presented and, generally, the complexity of these cases.

168. An order in the reparations proceedings in *Katanga* was issued in the first half of 2017. In *Lubanga*, the first stage of the collective reparations plan was approved by a majority of Trial Chamber II on 6 April 2017. Decisions on reparations are expected in *Al Mahdi* and *Bemba* in 2017. Reparations proceedings, including the monitoring and supervision of the implementation phase after the issue of reparations orders, are expected to continue into 2018 in the cases that are at the reparations stage.

Appeals Division

169. 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 on acquittal or conviction and sentence, and in respect of any reparations decision, at the end of a trial, as well as interlocutory appeals against certain decisions of the Pre-Trial and Trial Chambers made in the course of proceedings. Final appeals involve a substantially greater workload than interlocutory appeals, as 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.¹⁶ The Appeals Chamber may also be seized of other matters, such as requests for a reduction of sentence.

170. It is expected that, at least at the beginning of 2018, the Appeals Chamber will continue to be seized of appeals arising from the conviction and sentencing decisions of the Trial Chamber in *Bemba*. The case file, embracing eight years of pre-trial and trial proceedings, and the evidentiary basis of the conviction decision are substantial. Due to this complexity, the workload resulting from these appeals is expected to be high.

171. It is also expected that, at least at the beginning of 2018, the Appeals Chamber will continue to be seized of the appeals against the judgment and sentences in the *Bemba* Article 70 case (offences against the administration of justice). These appeals are extensive, primarily because of the number of convicted persons (five). The trial judgment in *Ntaganda* is expected in 2018, in which case it is likely that the Appeals Chamber will hear appeals from that judgment.

172. Furthermore, the Appeals Chamber expects that in 2018 it will continue to be seized of appeals against the reparations order in *Katanga*. Decisions on reparations are expected in 2017 in *Al Mahdi* and *Bemba*; deliberations on any appeals against such decisions would extend into 2018. The Appeals Chamber may also hear appeals against the reparations decision issued in *Lubanga*.

173. It is assumed that the workload arising from the various final and interlocutory appeals expected in 2018 will be at least as substantial as in 2017, and that proceedings will need to continue in parallel.¹⁷

Budget resources

€11,554.6 thousand

174. The requested amount has increased by €14.2 thousand (6.6 per cent).

Staff resources (total for three divisions)

€5,463.6 thousand

175. 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. Legal support staff are assigned on a needs basis, taking into account the workload of each team, Chamber and division, as well as 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. Operational staff shortages are addressed wherever possible with available resources through flexible deployment between

¹⁶ 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.

¹⁷ Approximately eight interlocutory appeals per year are expected.

the divisions and simultaneous assignment to cases or requests at the pre-trial, trial or appeal stages of the proceedings.

176. Over time, this policy will continue to be used to streamline working processes and increase synergies and efficiencies by exposing staff to a variety of substantive matters and approaches. The roles and degree of involvement of staff members differ according to the specific requirements of the cases (depending on the phase of the case) and Chambers, and according to staff expertise.

177. The ongoing flexible assignment of established and GTA staff is expected to continue to lead to better synergy between judicial operating requirements and the pool of knowledge and expertise in Chambers. Accordingly, for 2018, the staff resource requirements for Chambers remain unchanged. It is stressed, however, that this requirement is based on the current 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 prevent the expeditious completion of tasks.

178. The staffing structure of Chambers comprises 40 established posts and 12 GTA positions, and remains unchanged from 2017. Staff resources are presented jointly for all three divisions, based on the principle of flexible staff assignment.

Established posts: Professional and General Service

€4,177.2 thousand

179. The workload of established staff will continue to increase, especially in the light of the complexity of the three cases continuing at the trial stage and those at the reparations stage. Further extensive support will be required to conduct activities at the Pre-Trial level and for multiple interlocutory, reparations and final appeals.

180. The Chambers are served by 40 established posts. The Head of Chambers (P-5) is responsible for strategic planning and work processes in Chambers. The Head of Chambers oversees and leads coordination and communication between divisions, and provides support to the judges and overall managerial leadership to Chambers legal staff. The Head of Chambers is assisted by one Senior Legal Adviser (P-5) and two Legal Advisers (P-4), who offer essential division-specific expertise and provide guidance to the Pre-Trial, Trial and Appeals staff. 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; 11 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 eight Administrative Assistants (GS-OL), who provide wide-ranging administrative and logistical support to the judges and staff.

General temporary assistance

€1,286.4 thousand

181. The work of the divisions will remain critically dependent on the availability of sufficient GTA support at the P-3 and P-2 levels. Therefore, the continuation of previously approved GTA resources is essential for the efficient functioning of the Chambers. 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, GTA resources are requested at the same level as those approved in the 2017 Programme Budget, as follows:

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

(b) *Eight Associate Legal Officers (P-2), funded for a total of 96 work-months. Continued.* These staff provide the necessary legal support to the judicial activities of the Chambers. The requested GTA P-2 positions will be required, *inter alia*, to support the following specific activities: analysing and summarizing large volumes of evidence and submissions by parties; attending hearings and preparing summaries thereof; liaising as

necessary with the Registry, parties and participants; analysing victims' applications for reparations; and performing any other relevant tasks necessary to ensure the proper functioning of the divisions.

Non-staff resources**€17.0 thousand**

182. The approved amount remains unchanged; non-staff resources are required for hospitality and training. In accordance with the recommendations of the Committee on Budget and Finance ("the Committee"), as endorsed by the Assembly, the budgetary provision for judges' travel has been included in the budget of the Presidency.¹⁸

183. At present, no judicial site visit is foreseen in 2018.

*Hospitality**€1.0 thousand*

184. The approved amount remains unchanged and is necessary for 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.

*Training**€16.0 thousand*

185. The approved amount remains unchanged and is required mainly for training aimed at strengthening drafting and linguistic capacities in the Court's working languages in view of the specific requirements of current casework in all three divisions, and for training in specialized legal matters for Chambers staff in view of new developments in international humanitarian law, international criminal law, human rights law and evidence (e.g. digital forensics).

¹⁸ *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 11: Programme 1200: Proposed budget for 2018

1200 Chambers	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Judges	6,846.5	-	6,846.5	5,341.1	732.9	13.7	6,074.0
Professional staff				3,644.8	(22.0)	(0.6)	3,622.8
General Service staff				549.1	5.3	1.0	554.4
<i>Subtotal staff</i>	<i>3,350.2</i>	<i>-</i>	<i>3,350.2</i>	<i>4,193.9</i>	<i>(16.7)</i>	<i>(0.4)</i>	<i>4,177.2</i>
General temporary assistance	937.7	-	937.7	1,288.4	(2.0)	(0.2)	1,286.4
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>937.7</i>	<i>-</i>	<i>937.7</i>	<i>1,288.4</i>	<i>(2.0)</i>	<i>(0.2)</i>	<i>1,286.4</i>
Travel	-	-	-	-	-	-	-
Hospitality	0.9	-	0.9	1.0	-	-	1.0
Contractual services	-	-	-	-	-	-	-
Training	8.9	-	8.9	16.0	-	-	16.0
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>9.8</i>	<i>-</i>	<i>9.8</i>	<i>17.0</i>	<i>-</i>	<i>-</i>	<i>17.0</i>
Total	11,144.2	-	11,144.2	10,840.4	714.2	6.6	11,554.6

Table 12: Programme 1200: Proposed staffing for 2018

1200 Chambers	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
<i>Established Posts</i>														
Approved 2017	-	-	-	-	2	2	18	10	-	32	-	8	8	40
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	2	2	18	10	-	32	-	8	8	40
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	-	-	4.00	8.00	-	12.00	-	-	-	12.00
Continued	-	-	-	-	-	-	4.00	8.00	-	12.00	-	-	-	12.00
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	-	-	4.00	8.00	-	12.00	-	-	-	12.00

3. Programme 1300: Liaison Offices - the New York Liaison Office

Introduction

186. The New York Liaison Office (NYLO) contributes to the objectives of the Court by enhancing interaction and facilitating cooperation between the Court and the United Nations (UN) and its programmes, funds and offices. NYLO is constantly engaged with the UN Secretariat to explore ways of strengthening cooperation and improving mutual operational support between the two organizations. NYLO also engages with UN member states and various policy and decision-making organs of the UN, including the General Assembly, the Security Council and their subsidiary bodies; represents the Court in the relevant meetings of these bodies; and seeks to ensure that the mandate and work of the Court are respected in their deliberations and decisions.

187. NYLO monitors and reports on UN developments of relevance to the Court and disseminates information and reports from the Court to the UN community in New York to keep delegations and other stakeholders abreast of relevant developments within the Court. NYLO also provides logistical support to and represents the Court in intersessional meetings of the Bureau and other subsidiary bodies of the Assembly in New York.

188. NYLO is administratively supported by the Presidency, but serves and represents all organs of the Court, providing them with administrative, logistical and operational support during their various activities at the UN.

NYLO objectives

1. To facilitate effective cooperation between the Court and the UN and its programmes, funds and offices; to promote confidence in the Court among States, international organizations, NGOs and other stakeholders in New York.
2. To contribute further to effective and efficient dialogue between the Court and the Assembly of States Parties and its subsidiary bodies.
3. To provide practical and logistical support to the Assembly, the Bureau and the New York Working Group.

Budget resources **€414.2 thousand**

189. The requested amount has increased by €13.9 thousand (3.5 per cent).

Staff resources **€292.0 thousand**

190. NYLO comprises two established posts.

Established posts: Professional and General Service *€292.0 thousand*

191. NYLO is currently staffed by one Head, New York Liaison Office (P-5) handling all of the substantive work of NYLO, and one Administrative Assistant (GS-OL) who provides support on all administrative and logistical matters. As a result of NYLO's limited staffing, the Head of NYLO focuses on the most essential tasks: pursuing the most urgent requests for cooperation with the UN; establishing and maintaining formal contacts and informal networks with the UN Secretariat and Permanent Missions; monitoring and reporting to the Court on UN activities of concern to the Court; disseminating information from the Court to stakeholders in New York; and arranging visits of Court officials to the UN.

Non-staff resources **€122.2 thousand**

192. The requested amount has increased by €9.7 thousand (8.6 per cent). Non-staff resources are required for travel, hospitality, contractual services, general operating expenses and supplies and materials. The increase is due to the annual rent escalation pursuant to the new rental agreement for NYLO premises, which commenced in 2017, and required travel to The Hague for the seventeenth session of the Assembly.

Travel €6.8 thousand

193. The requested amount has increased by €2.7 thousand (66.3 per cent) due to the seventeenth session of the Assembly taking place in The Hague. This amount will be sufficient to fund two required trips to the Court's Headquarters (attendance of consultations at the seat of the Court and the Assembly).

Hospitality €1.0 thousand

194. The requested amount remains unchanged.

Contractual services €5.0 thousand

195. The requested amount remains unchanged and is required for continued legal advice such as on the rental agreement.

General operating expenses €104.4 thousand

196. The requested amount has increased by €7.0 thousand (7.2 per cent) and is required for renting premises and running the office. This increase is due to the annual escalation of rent and related costs pursuant to the rental agreement for NYLO premises.

Supplies and materials €5.0 thousand

197. The requested amount is unchanged and required for the purchase of office supplies.

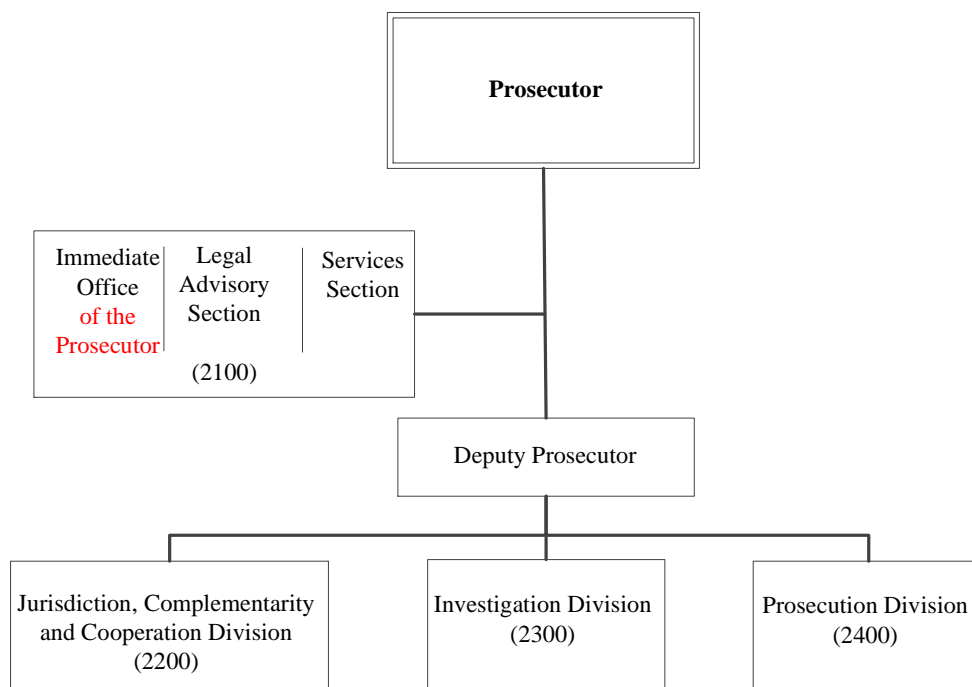
Table 13: Programme 1300: Proposed budget for 2018

1300 NY Liaison Office	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				211.1	0.4	0.2	211.5
General Service staff				76.7	3.8	5.0	80.5
<i>Subtotal staff</i>	270.6	-	270.6	287.8	4.2	1.5	292.0
General temporary assistance	-	-	-	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	-	-	-	-	-	-	-
Travel	8.2	-	8.2	4.1	2.7	66.3	6.8
Hospitality	-	-	-	1.0	-	-	1.0
Contractual services	-	-	-	5.0	-	-	5.0
Training	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-
General operating expenses	73.1	-	73.1	97.4	7.0	7.2	104.4
Supplies and materials	1.9	-	1.9	5.0	-	-	5.0
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	83.2	-	83.2	112.5	9.7	8.6	122.2
Total	353.8	-	353.8	400.3	13.9	3.5	414.2

Table 14: Programme 1300: Proposed staffing for 2018

1300 New York Liaison Office	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
<i>Established Posts</i>														
Approved 2017	-	-	-	-	1	-	-	-	-	1	-	1	1	2
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	1	-	-	-	-	1	-	1	1	2
<i>GTA Posts (FTE)</i>														
Approved 2017														
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	-	-	-	-	-	-	-	-	-	-

B. Major Programme II: Office of the Prosecutor



Introduction

198. The budget proposal of the Office of the Prosecutor (“the Office” or OTP) for 2018 continues to be based upon two main interlinked premises:

- (a) The OTP Strategic Plan for 2016-2018; and
- (b) A genuine and realistic assessment of the OTP’s carefully planned resource needs for 2018 to properly discharge its mandate under the Rome Statute.

199. The OTP Strategic Plan, budget and performance indicators have been fully integrated into this budget proposal. The link between the goals of the OTP Strategic Plan for 2016-2018 and the 14 identified performance indicators is shown in annex IV of the Strategic Plan 2016-2018 presented by the Office at the fourteenth session of the Assembly of States Parties (“the Assembly”).¹⁹

200. The link between the goals of the OTP Strategic Plan for 2016-2018, the related objectives set for 2018 in the OTP budget proposal and the 14 identified performance indicators is included in annex V (d) of this budget document.

201. The International Criminal Court (“the Court”) is currently reviewing the format and content of the Court-wide strategic plan. Pending its finalization, the OTP Strategic Plan integrates only the highest level of the three strategic goals: (a) Judicial and Prosecutorial; (b) Managerial; and (c) Cooperation and Support.

202. The OTP is the driving force behind the Court’s judicial mechanism. Success in the OTP’s cases is key to enhancing the Court’s credibility and strengthening public confidence in its ability to deliver justice in relation to the world’s most serious crimes.

203. Investment made by States Parties in the Court must naturally yield positive results. This is why the OTP is actively engaged in ensuring that its operations are conducted in accordance with the highest standards of quality and that its activities are compliant with the legal framework of the Rome Statute while being informed by professionalism, transparency, efficiency and effectiveness.

¹⁹ ICC-ASP/14/22, *Office of the Prosecutor: Strategic Plan 2016-2018*, 21 August 2015.

204. The 2018 budget proposal builds upon the success of the OTP Strategic Plan for 2016-2018 (and of its previous plan, which marked the shift in prosecutorial policy), which has yielded concrete and positive results.

205. The OTP presented the preliminary results of the implementation of its Strategic Plan for 2016-2018²⁰ to the Committee on Budget and Finance (“the Committee”) at its twenty-eighth session.

206. The implementation of the Strategic Plan for 2016-2018²¹ is on track, and the positive trend can be seen in the OTP’s strategic and operational results, provided in the report submitted to the Committee.

207. These results are measured on a regular basis using a set of performance indicators that were introduced in the Strategic Plan and subsequently fine-tuned in 2016 and 2017.

208. With reference to the nine Strategic Goals²² identified in the plan, some of the main results achieved by the Office so far are as follows:

(a) *Strategic Goal 1:* The Office produced the output that was possible with the resources provided.²³ While financial support from States narrowed the gap between the OTP’s available resources and the demands placed on it, many potential investigations nonetheless remained pending, creating a challenging situation for the Office. When assessing the results against the budget assumptions, account must be taken of the fact that, after budget approval and depending on the funds ultimately allocated, priorities may be revised because of a lack of sufficient funds, and accordingly, the results delivered may differ from the original plan;

(b) *Strategic Goal 2:* Since its adoption, the OTP Policy on Sexual and Gender-Based Crimes (SGBC) has been integrated into the Office’s preliminary examination and investigative and prosecutorial practice, relevant training has been organized, and plans have been devised to further integrate a gender perspective in all areas of the Office’s work. The Policy on Children was successfully launched in November 2016. In addition to the Office’s existing caseload dealing with crimes against or affecting children, plans for the policy’s full implementation have been developed and are being rolled out. This is consistent with the OTP’s strategic focus and the special attention it pays to protecting women and children in times of war and conflict by ensuring that atrocity crimes against them are effectively investigated and prosecuted;

(c) *Strategic Goal 3:* Quality and efficiency projects were implemented with visibly positive results in court, as reflected in the Office’s performance indicators.²⁴ Efficiencies resulting from the review and standardization of policies, operations and procedures have been incorporated into budget proposals;

(d) *Strategic Goal 4:* The Office enhanced its ability to collect, analyse and present scientific and technology-supported evidence by recruiting experts, investing in new technologies and developing partnerships with international law enforcement agencies. Integration with the Court-wide information strategic plan was achieved through inter-organ consultation;

²⁰ CBF/28/11, *Report on the implementation of the OTP Strategic Plan*, 14 March 2017.

²¹ ICC-ASP/14/22, *Office of the Prosecutor: Strategic Plan 2016-2018*, 21 August 2015.

²² The Strategic Goals are as follows: *Strategic Goal 1:* Conduct impartial, independent, high-quality preliminary examinations, investigations and prosecutions. *Strategic Goal 2:* Continue to integrate a gender perspective into all areas of the Office’s work and to implement its policies on sexual and gender-based crimes (SGBC) and crimes against children. *Strategic Goal 3:* Further improve the quality and efficiency of preliminary examinations, investigations and prosecutions. *Strategic Goal 4:* Further adapt the Office’s investigative and prosecutorial capabilities and network to the complex and evolving scientific and technological environment. *Strategic Goal 5:* Achieve a basic size commensurate with the demands placed on the Office so that it can perform its functions with the required quality, effectiveness and efficiency. *Strategic Goal 6:* Contribute to strengthening cooperation and promoting general support for the mandate and activities of the Office. *Strategic Goal 7:* Adapt the Office’s protection strategies to new security challenges. *Strategic Goal 8:* Ensure professional, accountable, transparent and efficient management of the Office. *Strategic Goal 9:* Work with partners to develop a coordinated investigative and prosecutorial strategy to close the impunity gap.

²³ Details are provided in *Report on activities and programme performance of the International Criminal Court for the year 2016*, ICC-ASP/16/2, 6 June 2017.

²⁴ See, for instance, the improvement in the indicator “number of charges confirmed vs. number of charges alleged”.

(e) *Strategic Goal 5:* The OTP Basic Size Report was shared and further developed²⁵ with the other organs of the Court. Using long-term workload assumptions, the report gives a forecast of the OTP's size requirements with a view to absorbing future work flexibly and efficiently. The project has allowed the organs to work more collaboratively and gain a deeper understanding of each other's work. This tool can be used to understand the interaction between the organs and to anticipate the different types and timing of resource requirements at various stages of proceedings;

(f) *Strategic Goal 6:* The cooperation network and stakeholder communications were expanded as planned. The OTP's involvement in international networks was reinforced and relationships with States, NGOs and other important stakeholders were consolidated;

(g) *Strategic Goal 7:* The Office conducted an overall risk assessment with the Registry (to be repeated annually) that translated into a joint strategy and action plan. Risk assessments at the OTP level are being conducted with the help of the Office of Internal Audit;

(h) *Strategic Goal 8:* The Office introduced an organ-specific performance indicator system and held exercises on risk management and lessons learned. A dashboard has been created to provide a quick and practical overview of the Office's performance. Each quarter, the OTP's Executive Committee (ExCom) receives a report on the performance indicators, and makes adjustments as necessary to enhance performance. Considerable effort was also devoted to improving the budget process in concert with the other organs; and

(i) *Strategic Goal 9:* A pilot project with States Parties was started in 2016. The OTP also facilitated more information sharing with and by external partners, as appropriate, and encouraged new investigations and prosecutions by other judicial actors.

209. The unavoidable number of cases, investigations and preliminary examinations included in the budget assumptions make 2018 another challenging year in terms of resources. As in previous years, however, the Office will continue to set priorities by balancing operational demands against the resources made available by the States Parties, as best as possible. It bears reiterating, however, that at a time when the Office is increasingly showing positive results in the effective and efficient discharge of its mandate based on the strength of its Strategic Plans and enhanced practices and processes, a budget which is not commensurate with its carefully planned resource needs will stunt such progress with reputational risk for the OTP and the Court as a whole.

210. Resources at the Office are allocated and redeployed to cases in a flexible manner in order to maximize their effectiveness while ensuring the completion of ongoing work and the absorption of new cases that require the OTP's attention.

211. In compliance with the request expressed by the States Parties,²⁶ the Office has strictly scrutinized and evaluated the possibility of reducing financial impact by exploiting efficiencies and savings before requesting any increase.

212. Because of the nature of its mandate and of its operations, most of the resources used by the Office are staff-related. In the 2017 budget, Total Staff Costs account for 90 per cent of the funds approved for the Office.²⁷

213. Under its mandate, the Registry centralizes the procurement function and the provision of shared services depending on where the largest savings from improved commercial terms or economies of scale can be achieved. In addition, the inter-organ synergies exercises had already identified the possible savings that the Court could reap.

214. While limited opportunities to achieve substantial material savings are available, reviewing processes allowed the OTP to re-engineer some activities and create more efficient ways to perform them. These efficiencies are quantified in terms of the time freed

²⁵ CBF/27/10, *Final report of the Court on the Court-wide impact of the OTP Basic Size model*, 19 August 2016.

²⁶ *Official Records ... , Fourteenth session, The Hague, 18-26 November 2015* (ICC-ASP/14/20), vol.1, part III, ICC-ASP/14/Res.1.

²⁷ The 2017 OTP Total Approved Budget is €4,974.2 thousand. Total staff costs and total non-staff costs amount to €4,465.6 thousand and €4,508.5 thousand, respectively.

from existing staff. The resulting available time is being used to cover additional workload. Thus, existing resources absorb the largest possible share of the extra work arising from increased and intensified activities.

215. The total efficiencies and savings included in the 2018 budget proposal are € 367.7 thousand. Of this amount, savings represent 29.8 per cent and efficiencies 70.2 per cent. In total, the amount represents 0.82 per cent of the funds approved for the 2017 budget.

216. Identifying areas where the Office can increase its efficiency has been an ongoing exercise. Since 2012, the results have been documented and communicated to the Committee and the States Parties. Efficiency gains and savings have been integrated in the OTP budget proposals. The table below shows the results since 2012.

	2012	2013	2014	2015	2016	2017
Budget (€'000)	27,723.70	28,265.70	33,220.00	39,612.60	43,233.70	44,974.20
Efficiencies and Savings (€'000)	183.96	848.18	442.67	366.10	375.52	tbd
Efficiencies + Savings over Budget	0.7%	3.0%	1.3%	0.9%	0.9%	tbd

217. As far as resource allocation is concerned, cases that are being prepared for trial or that are at the trial stage are always top priority for the OTP. At the same time, as the Court often operates in highly volatile political and security environments, focus and resources are also devoted to active investigations in order to capitalize on opportunities where possible.

218. The 2018 budget proposal provides for some additional support, which represents minor, but essential increases to finalize important investigative activities and operations.

219. The States Parties have supported the Office and the implementation of its Strategic Plan through an increase in resources. This increase has, in effect, facilitated the Office's efforts to staff its teams properly, to collect more diverse evidence and generally, to ensure more effective and efficient investigations and prosecutions. The results are increasingly demonstrated inside the courtroom.

220. However, the OTP has to constantly reassess the prioritization of its work and sequence other pressing activities in order to make the best use of available resources, while meeting, to the extent possible, the demands that continue to be placed upon it. Difficult decisions are regularly made because of budget constraints, resulting in delays in investigative activity, for example.

221. The budget that the Office is proposing 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 2018, in accordance with its mandate.

Parameter	2017	Proposed 2018
Number of planned Court hearings in 12 months	440	400 ²⁸
Number of situations	11	10 ²⁹
Number of active investigations	6	6 ³⁰
Number of cases pending arrest	9	9 ³¹

²⁸ Hearing blocks: five weeks on, one week off. Number of hearings per courtroom: Case 1: 32 weeks – 160 days, Case 2: 32 weeks – 160 days, and Case 3: 16 weeks – 80 days = 400 days in total (max.).

²⁹ Central African Republic (CAR I and CAR II), Côte d'Ivoire (CIV), Libya (LBY), Darfur (SUD), Democratic Republic of the Congo (DRC), Mali (MLI), Kenya (KEN), Uganda (UGA) and Georgia (GEO).

³⁰ CAR II.a (*Séléka*); CAR II.b (*anti-Balaka*); CIV II; MLI; LBY III; GEO.

³¹ LBY I, LBY II, SUD I, SUD II and IV, SUD III, CIV *Ibis* (SG), DRC III and IV, KEN art.70, and UGA. Some cases may have more than one warrant of arrest.

<i>Parameter</i>	<i>2017</i>	<i>Proposed 2018</i>
Number of preliminary examinations	10	9 ³²
Number of trial teams (OTP)	3	3 ³³
Number of final appeals	2	2

222. 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 key to promoting national proceedings, where appropriate.

223. Similarly, the Office will strive to reduce the need for its intervention in cases involving offences against the administration of justice under article 70 of the Rome Statute.

224. Mindful of its mandate under the Rome Statute and the need to focus its efforts on the prosecution of core crimes, the Office will resort to article 70 prosecutions only in the light of the impact that interference with the administration of justice may have on a particular case before the Court and when it has formed the view that the offences in question cannot be properly addressed at the national level. Indeed, pursuant to article 70(4)(b), and given the criteria under rule 162(2) of the Rules of Procedure and Evidence, the Office will always consider consulting with relevant States on the possibility of such cases being investigated and prosecuted by the competent national authorities.

225. On the basis of planned required activities for 2018, the OTP budget has increased by €2,195.6 thousand (4.9 per cent), from €44,974.2 thousand to €47,169.8 thousand. The table below summarizes the increase per major budget line:

<i>Major Programme II</i>	<i>2017</i>	<i>Resource changes</i>		<i>2018</i>
<i>Office of the Prosecutor</i>	<i>(€ '000)</i>	<i>Amount</i>	<i>%</i>	<i>(€ '000)</i>
Staff costs	31,079.5	2,666.2	8.6%	33,745.7
Other staff costs	9,386.1	-820.3	-8.7%	8,565.8
Non-staff costs	4,508.5	349.8	7.8%	4,858.3
Total	44,974.1	2,195.6	4.9%	47,169.8

226. The table below shows the main cost-drivers affecting the 2018 budget, highlighting both the consequent increases and decreases:

<i>Cost-driver</i>	<i>2017</i>	<i>2018</i>	<i>diff.</i>	<i>Impact</i>
Operational cost-drivers				
Active investigations	6.0	6.0	-	
Team support				€305.0
Trials	3.0	3.0	-	
Team support				€-
Other support				€7.2
Non-staff costs				€349.8
<i>Subtotal operational</i>				€752.0

³² Afghanistan, Burundi, Colombia, Gabon, Guinea, Iraq, Nigeria, Palestine and Ukraine.

³³ CIV I (*Laurent Gbagbo and Charles Blé Goudé*), DRC VI (*Bosco Ntaganda*), UGA (*Dominic Ongwen*).

<i>Cost-driver</i>	<i>2017</i>	<i>2018</i>	<i>diff.</i>	<i>Impact</i>
Non-operational cost-drivers				
UN Common System				€47.4
Conversion				-€27.1
Reclassification				€58.7
GTA full costing and vacancy rate				€1,364.7
<i>Subtotal non-operational</i>				€1,443.7
Grand total				€2,195.6

227. The net impact of the 2018 operational cost-drivers (as shown in **Subtotal operational** in the above table) is €752.0 thousand. This amount represents 34.2 per cent of the total requested increase. Staff Costs and Non-staff Costs account for € 402.2 thousand and €349.8 thousand, respectively. The increase in Staff Costs is the net effect of the redeployment of resources from previously approved GTA positions to new profiles that are needed to support the activities of the Office.

228. These minor increases are requested to strengthen the support to Integrated Teams and to the Office's operations, as well as to address the need for the larger number of missions that are carried out to complete investigative and prosecutorial activities which will allow cases to advance to the next phase without further delays. These additions will only partially close the existing gap between the current level of resources allocated to cases and the actual level that would be needed to properly perform the operations.

229. The non-operational components are items whose increase is either unavoidable or does not arise from requests for additional positions, such as the UN Common System costs, the financial benefit from converting long-standing GTAs, the impact of reclassifications, the use of the standard historical vacancy rate and the full cost for the overall Staff funds to restore capacity of the 2017 approved resources.

230. The Court follows the UN Common System's provision for the calculation of step increases and other compensation elements for its staff. In compliance with the recent adoption of a new scale of compensation by the UN, the Court has accordingly changed its estimates for this element of the budget. The calculation is done centrally by the Registry's Human Resources Section. The figure is an estimate and will be adjusted once the actual figures are available. The impact for the 2018 Proposed Programme Budget has been estimated at €47.4 thousand for the OTP.

231. Consistent with the approach adopted in previous budget submissions, the Office presented to the Committee, at its twenty-eighth session, a proposal for the conversion of long-standing GTAs into established posts. The proposal covers 19 positions in the OTP. The list is based on two criteria to be jointly applied: (a) the existence of the post for three or more years; and (b) the need for the post in the coming years.

232. The Court has continued the review of posts subject to possible reclassification. The Classification Advisory Board, an inter-organ body with the relevant expertise, has conducted the preliminary evaluation of all cases according to the procedure agreed upon in previous years and on the basis of the applicable criteria. The positions submitted for reclassification were also reviewed by an external classification consultant. The amount for reclassification currently included in the table is an estimate. The exact amount will be calculated once the results from the external consultant are available. The reclassification requested by the Office affects three positions only.

233. During the discussion on the 2017 budget proposal, in the light of the recruitment delays that had affected the Court in all organs, the OTP proposed to adopt on an exceptional basis and only for 2017 a vacancy rate higher than its historical standard, that is, 10 per cent instead of 8 per cent. A recruitment delay factor was also applied to vacant positions financed through GTA funds. The recruitment situation has now improved and the vacancy rate has returned to the historical standard of 8 per cent. Thus, the budget proposal for 2018 reflects the return to the normal situation in both established posts and

GTA positions. This adjustment is actually a restoration of capacity for the 2017 approved resources. This explains the increase of €1,364.7 thousand (which accounts for 62.2 per cent of the total increase). Overall, non-operational cost-drivers account for 65.8 per cent of the requested increase.

Table 15: Major Programme II: Proposed budget for 2018

Major Programme II Office of The Prosecutor	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				26,153.1	2,361.6	9.0	28,514.6
General Service staff				4,926.5	304.6	6.2	5,231.1
<i>Subtotal staff</i>	<i>22,659.0</i>	<i>-</i>	<i>22,659.0</i>	<i>31,079.5</i>	<i>2,666.2</i>	<i>8.6</i>	<i>33,745.7</i>
General temporary assistance	13,853.1	520.0	14,373.1	9,386.1	(820.3)	(8.7)	8,565.8
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	17.6	0.7	18.3	-	-	-	-
<i>Subtotal other staff</i>	<i>13,870.7</i>	<i>520.7</i>	<i>14,391.4</i>	<i>9,386.1</i>	<i>(820.3)</i>	<i>(8.7)</i>	<i>8,565.8</i>
Travel	3,053.1	206.8	3,259.9	2,764.0	329.8	11.9	3,093.8
Hospitality	8.0	-	8.0	5.0	-	-	5.0
Contractual services	253.1	136.6	389.7	579.5	-	-	579.5
Training	236.7	6.7	243.4	290.0	-	-	290.0
Consultants	43.9	0.1	44.0	100.0	(30.0)	(30.0)	70.0
General operating expenses	505.9	6.7	512.6	480.0	50.0	10.4	530.0
Supplies and materials	89.9	3.5	93.4	110.0	-	-	110.0
Furniture and equipment	219.1	139.7	358.8	180.0	-	-	180.0
<i>Subtotal non-staff</i>	<i>4,409.7</i>	<i>500.1</i>	<i>4,909.8</i>	<i>4,508.5</i>	<i>349.8</i>	<i>7.8</i>	<i>4,858.3</i>
Total	40,939.4	1,020.8	41,960.2	44,974.2	2,195.6	4.9	47,169.8

Table 16: Major Programme II: Proposed staffing for 2018

II Office of The Prosecutor											Total P-staff and above	Total GS-staff		Total staff
	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	GS-PL	GS-OL	GS-staff		
<i>Established Posts</i>														
Approved 2017	1	1	-	3	17	36	77	71	33	239	1	77	78	317
New	-	-	-	-	1	2	4	6	1	14	-	2	2	16
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	2	(1)	(1)	11	(8)	3	-	-	-	3
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	1	1	-	3	20	37	80	88	26	256	1	79	80	336
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	1.00	5.50	29.33	20.87	11.00	67.70	3.00	30.44	33.44	101.14
Continued	-	-	-	-	1.00	6.00	31.50	20.50	9.00	68.00	4.00	26.42	30.42	98.42
New	-	-	-	-	-	0.67	1.33	2.67	0.67	5.33	-	3.33	3.33	8.67
Converted	-	-	-	-	(1.00)	(2.00)	(4.00)	(6.00)	(4.00)	(17.00)	-	(2.00)	(2.00)	(19.00)
Proposed 2018	-	-	-	-	-	4.67	28.83	17.17	5.67	56.33	4.00	27.75	31.75	88.08

1. Programme 2100: Immediate Office of the Prosecutor

Introduction

234. Programme 2100 comprises all the functions that are in staff to the Prosecutor and provide support and advice to the entire Office. For budgeting purposes, information has always been presented under two sub-programmes:

(a) Sub-programme 2110, which includes the Immediate Office of the Prosecutor (IOP) and the Legal Advisory Section (LAS); and

(b) Sub-programme 2120, which is the Services Section (SS), comprising four specialized units that provide critical support functions in the areas of language expertise; physical and electronic evidence handling; technical assistance for the Office of the Prosecutor (OTP) with regards to information management, disclosure processes; and budget, financial and administrative management.

235. Sub-programmes 2110 and 2120 are actively engaged in seeking efficiencies and savings. Given the nature of the functions performed by the relevant sections and units in the Programmes, results have been achieved mostly in terms of efficiencies from streamlining and improving processes, which have in turn allowed the resources involved to be used more efficiently.

236. Following the terminology adopted in the inter-organ project for efficiencies and savings, most of the efficiencies achieved fall into the category of “review and standardization of policies, operations and procedures”. This has led to greater output with the same resources and allowed the increased workload to be absorbed with limited need to request additional resources in the 2018 proposed programme budget for the processes concerned.

237. 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 the 2100 Programme (e.g. travel).

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

238. The IOP provides assistance and advice to the Prosecutor in the day-to-day fulfilment of her functions *in toto* and overall management and quality control of the Office. IOP processes, prepares and reviews all communications on behalf of the Prosecutor for final approval, including relevant Office filings; facilitates ExCom's agenda and meeting, as well as communication with the divisions, sections and integrated teams; supports the Office's participation in inter-organ activities; manages and supports the public information activities of the Office to ensure effective and strategic dissemination of information and public relations; provides advice and services on human resources for the Office to ensure a well-qualified and motivated workforce, manages all OTP HR staff requests requiring the Prosecutor's approval as per the Staff Rules and Regulations, and liaises with the Human Resources Section in the Registry accordingly; and provides general support to the Prosecutor and ExCom.

239. The IOP provides critical services to the Prosecutor and the Office with relatively marginal resources. The IOP contributes to the overall aims of the Office at being an effective and efficient organ and securing efficiencies through best practices and the implementation of its functions in a number of ways, including by assisting the Prosecutor in her administrative decision-making authority, and along with the Services Section, in her management of the Office budget; through the implementation of synergies and ensuring harmonization of practices between the organs on areas ranging from human resources to public information to facilitating projects and initiatives aimed at streamlining processes.

240. LAS responds to requests for legal advice from the Prosecutor, ExCom, OTP divisions, sections and teams, in relation to the Office's core operations and the general functioning of the OTP as an independent organ. The Section contributes to legal advice provided by the Appeals Section. LAS is responsible for coordinating and developing the Office's internal regulatory framework. In this capacity, LAS facilitates the establishment and maintenance of the Office's standards, and is therefore responsible for coordinating the revision of the OTP Regulations and Operations Manual and updating the Code of Conduct for the OTP. It also leads the development and implementation of OTP policies on key issues identified by the Prosecutor, and coordinates the development of Implementation Plans.

241. LAS manages the maintenance and development of online legal tools, commentaries, databases and a legal-academic network for the Office. The Section is also responsible for OTP input into the development of a Court-wide case law database, and the preparation and dissemination of Weekly Court Reports. LAS also organizes and runs a series of guest lectures on issues of general interest to the Office and to the Court as a whole. LAS is responsible for developing and institutionalizing a Lessons Learnt system to identify, document and implement good practices, based on experience, in order to enhance the quality and efficiency of operations.

242. The Section also contributes to the development and maintenance of Court-wide standards, such as policies and administrative issuances, provides the Prosecutor and the Office with legal advice concerning reports and publications, as well as the review and drafting of contracts. Together with OTP Human Resources team, LAS is also responsible for advising on the application of Staff Regulations and Rules in individual cases, including through litigation.

243. LAS also organizes training for the Office's staff on the Code of Conduct for the OTP (2013), the Lessons Learnt process, and online legal tools, commentaries and databases.

Budget resources

€2,696.7 thousand

244. The requested amount has increased by €10.9 thousand (4.3 per cent).

Staff resources**€2,117.1 thousand**

245. The number of established posts has increased by one, following the conversion of the Information Management Coordinator. Two GTA positions at GS-OL level are requested for the Programme in 2018. Programme 2100 does not have any general administrative support/secretarial capability. The resources will form a pool to be shared by the entire Programme.

Established posts: Professional and General Service

€1,898.3 thousand

246. The Prosecutor (USG) is supported by a Chef de Cabinet (P-5), (proposed reclassification, see below para. 250) who, in addition to assistance and advice directly provided to the Prosecutor, is in charge of the Immediate Office and all its functions and components from the OTP-HR and Public Information Unit (PIU) teams to overseeing the work of other staff of the Immediate Office who fulfil key functions. The Chef de Cabinet advises the Prosecutor in the exercise of her functions, and under her supervision, manages the IOP. The IOP has one HR Liaison and Coordination Officer (P-3), two Public Information Officers (P-3), two Special Assistants to the Prosecutor (P-2), one Personal Assistant to the Prosecutor (GS-PL), one Administrative Assistant (GS-OL), one Public Information Assistant (GS-OL), and one Staff Assistant (GS-OL).

247. LAS is headed by a Senior Legal Adviser (P-5) and also has one Legal Adviser (P-4), two Associate Legal Advisers (P-2), and an Associate Programme Officer (P-2).

248. The increase of €200.5 thousand is due to the reclassification of the post of Senior Special Assistant to the Prosecutor and to the conversion of the position of Information Management Coordinator.

249. Based on the applicable criteria, one position, Information Management Coordinator (P-5), has been requested for conversion, and one position, Senior Special Assistant to the Prosecutor and Coordinator of the Immediate Office (P-4), has been requested for reclassification to Chef de Cabinet (P-5).

250. Separate and distinct from the reclassification process and its outcome, and to address a long-standing mismatch for which the Prosecutor previously requested a remedy, the title of the post of the Senior Special Assistant to the Prosecutor and Coordinator of the Immediate Office at the P-4 professional category grade, has been changed to Chef de Cabinet (*grade unaffected by title change*) with immediate effect to make the title fit for purpose, to more adequately reflect its functions and render it commensurate with the duties and responsibilities of the post, on par with similar posts within the UN Common System.³⁴

General temporary assistance

€218.8 thousand

251. Three GTA positions (2.33 FTE) are requested to meet crucial resource needs for 2018 to address demands placed on the Immediate Office and LAS. As far as the new positions are concerned, it must be noted that currently there is no administrative support for Programme 2100 (IOP, PIU, HR, LAS and Services Section). This recruitment was designed to create capacity to maintain administrative and leave records, process travel requests, assist in logistical arrangements for meetings, and similar tasks. These tasks are currently performed by higher level staff, to the detriment of the time available to them to do the specific tasks foreseen in their own roles. The creation of this capacity will finally allow higher level staff to use their time more efficiently in support of the activities of the Prosecutor and her Office. Details of the GTA positions are as follows:

(a) One *Special Assistant to the Prosecutor (P-3)*, 12 months (1.0 FTE). *Continued*; and

(b) Two *Administrative Assistants (GS-OL)*, 16 months (1.33 FTE). *New*.

³⁴ See e.g., <https://apps.stl-tsl.org/PHFOnline/viewVacancy.aspx?Qry=rxzh0SaxgqrU0hOHq/1nag>

Non-staff resources**€579.6 thousand**

252. The requested amount has decreased by €29.8 thousand (4.9 per cent). Non-staff resources are requested for travel, hospitality, contractual services, training and consultants.

*Travel**€184.6 thousand*

253. The requested amount is intended to cover projected missions of the Prosecutor and her staff. The amount of €16.5 thousand, which has been saved because the 17th session of the Assembly of States Parties (“the Assembly”) is scheduled to take place in The Hague, has been allocated to cover the cost of additional bilateral meetings with government officials.

254. In order to raise support and enhance cooperation at the highest levels for the Office’s investigations and the arrest and prosecution of individuals sought by the Court, and to contribute to maximizing the impact of the Rome Statute, it is necessary for the Prosecutor to undertake missions abroad. Experience has demonstrated the critically important impact of such missions and the positive results they can yield in support of the Office’s operational needs. The travel budget also includes missions for representatives of LAS, PIU, and OTP-HR, as well as provision for limited travel by external special advisers to the Prosecutor appointed pursuant to article 42(9) of the Rome Statute who, by function of their mandate, are required occasionally to travel to the seat of the Court.

*Hospitality**€5.0 thousand*

255. The requested amount is unchanged.

256. These limited resources are for hospitality to cater for international delegations, diplomats and high-level dignitaries visiting the Office of the Prosecutor. 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 (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 2018. Notwithstanding a projected increase in the number of such visits for the next fiscal year, the requested amount remains the same as in 2017.

*Contractual services**€30.0 thousand*

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

*Training**€290.0 thousand*

258. The requested amount is unchanged.

259. The training budget for the entire OTP remains centralized in the Immediate Office. Training is a vital component of the strategy to create a common and cohesive working culture within the OTP and to enhance quality of the Office’s deliverables, performance, and indeed efficiency. The Office also needs to provide adequate training to the additional staff recruited, as well as to enhance particular skills of existing staff. The funds will be utilized to deliver a training schedule in accordance with carefully planned and scrutinized OTP-specific training priorities.

260. Moreover, as in many national systems, certain categories of professionals within the Office are required to attend specific training to maintain their qualification or be certified according to the requisite standards.

261. It bears noting that, thanks to an eLearning platform developed by the Knowledge-Base 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 the 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.

262. The Office will continue to work with other organizations and national authorities to ensure maximum cost-effectiveness, for example, by 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

263. The requested amount has decreased by €30.0 thousand (30 per cent). This 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 the Immediate Office to ensure coordination across the operational divisions.

264. In accordance with article 42(9) of the Rome Statute, the Prosecutor continues to engage the services of (external) special advisers on issues such as sexual and gender-based crimes and crimes against children. 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. Efforts are nevertheless made to keep such costs to a minimum.

265. Part of the requested amount will also be used to fund expenses related to the Lessons Learnt exercises that will be facilitated by external experts assisting the Office in evaluating the progress made in the areas of prosecution and investigation.

Table 17: Sub-programme 2110: Proposed budget for 2018

2110 Immediate Office of the Prosecutor	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				1,421.1	194.2	13.7	1,615.3
General Service staff				276.7	6.3	2.3	283.0
<i>Subtotal staff</i>	<i>1,548.7</i>	<i>-</i>	<i>1,548.7</i>	<i>1,697.8</i>	<i>200.5</i>	<i>11.8</i>	<i>1,898.3</i>
General temporary assistance	159.1	-	159.1	278.6	(59.8)	(21.5)	218.8
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>159.1</i>	<i>-</i>	<i>159.1</i>	<i>278.6</i>	<i>(59.8)</i>	<i>(21.5)</i>	<i>218.8</i>
Travel	137.9	-	137.9	184.4	0.2	0.1	184.6
Hospitality	7.5	-	7.5	5.0	-	-	5.0
Contractual services	34.3	-	34.3	30.0	-	-	30.0
Training	41.8	-	41.8	290.0	-	-	290.0
Consultants	0.7	-	0.7	100.0	(30.0)	(30.0)	70.0
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>222.2</i>	<i>-</i>	<i>222.2</i>	<i>609.4</i>	<i>(29.8)</i>	<i>(4.9)</i>	<i>579.6</i>
Total	1,930.0	-	1,930.0	2,585.8	110.9	4.3	2,696.7

Table 18: Sub-programme 2110: Proposed staffing for 2018

2110 Immediate Office of the Prosecutor / Legal Advisory Section	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
<i>Established Posts</i>														
Approved 2017	1	-	-	-	1	2	3	5	-	12	1	3	4	16
New	-	-	-	-	1	-	-	-	-	1	-	-	-	1
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	1	(1)	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	1	-	-	-	3	1	3	5	-	13	1	3	4	17
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	1.00	-	1.00	-	-	2.00	-	-	-	2.00
Continued	-	-	-	-	1.00	-	1.00	-	-	2.00	-	-	-	2.00
New	-	-	-	-	-	-	-	-	-	-	-	1.33	1.33	1.33
Converted	-	-	-	-	(1.00)	-	-	-	-	(1.00)	-	-	-	(1.00)
Proposed 2018	-	-	-	-	-	-	1.00	-	-	1.00	-	1.33	1.33	2.33

(b) Sub-programme 2120: Services Section

266. The Section is made up of four units: the Financial Planning and Control Unit (FPCU),³⁵ the Information and Evidence Unit (IEU), the Knowledge-Base Unit (KBU) 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 are essential to support OTP operations.

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

268. 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 OTP budget;
- (b) Management of OTP funds, including approval and certification of expenditures, preparation of detailed estimates of the financial impact of the activities performed by the Office, and expenditure reporting and forecasting;³⁶
- (c) Careful administration of funds dedicated to field operations and witness-related activities, official travel, procurement, and the administration of posts including GTA positions;
- (d) Effective monitoring and control of the use of resources in compliance with the Court's Financial Rules and Regulations;
- (e) Management, registration and storage of evidence and information (including chain-of-custody management) and provision of digital services (e.g. audio-video editing);
- (f) Advice and support to the Office on the collection and handling of evidence, including eDiscovery and Technology Assisted Review (TAR);
- (g) Management of the administrative process for material collected and submitted under article 15, including the Phase 1 analysis;
- (h) Technical equipment and support for witness interviews and missions, including for the safe storage and transfer of evidence;
- (i) Support of knowledge- and information-management systems, business processes, eLearning platform and projects within the Office;
- (j) Development, introduction and maintenance of specific information-management tools and practices required by the Office;
- (k) Field, event, and telephone interpretation;
- (l) Transcription of audio and video material;
- (m) Translation of OTP evidence and core Office documentation; and
- (n) Summarization, redaction, editing, subtitling, language identification and other support activities for projects requiring language expertise within the Office.

269. The Section also represents the OTP in financial, budgetary and resource-related matters before the Committee, the States Parties' delegates of The Hague Working Group (HWG) and other stakeholders, such as NGOs and international institutions. In addition, it manages service requests arising from OTP operational needs and from the Registry. Lastly, the Section represents the Office in Court-wide initiatives and projects.

³⁵ The Financial Planning and Control Unit (FPCU) was formerly known as the General Administration Unit (GAU).

³⁶ The centralized approach provides full budget spending control and flexible financing of activities to match changing operational needs through reallocation of resources as required. This approach to fund management has been praised by the Office of Internal Audit, in particular, in the recent *Report by the Office of Internal Audit*: engagement number OIA.02.14.

Budget resources**€8,164.4 thousand**

270. The proportion of resources specifically allocated to the Services Section has been steadily decreasing. In the 2018 proposed programme budget it is 5.1 per cent.³⁷ The slight increase in the proposed 2018 request for funds is mainly due to the restoration of capacity for continuing GTAs.

271. Thanks to the continuing effort to streamline processes and workflows, the FPCU has been able to manage the additional workload and achieve substantial efficiencies with the same basic structure. The review and standardization of policies and operations has led to improved processes in: (1) the preparation of contracts for Field Interpreters, Psycho-Social Experts and other SSA contracts; (2) the reconciliation of Field Offices' accounts and operations reports; and (3) the creation of an FPCU On-Line Request System – with the assistance of KBU – which has enabled a reduction in paper-based information and long and time-consuming email exchanges. In addition, the new system provides easy access to the status of requests as well as statistics on the process. These efficiencies have resulted in the absorption of higher work volumes, improved monitoring and control of the activities, increased transparency and higher quality in the provision of the services.

272. The FPCU has thus been able to provide higher quality support to increased and more complex needs arising from the Office's operational activities, without requesting additional resources in the 2018 budget.

273. FPCU and KBU are also actively involved in the review of OTP-specific equipment, hardware and software requests. Following the review of the workflows performed during the inter-organ synergies exercise, the focal point roles of the two units within the OTP has been further strengthened. FPCU consolidates requests coming from the business users in the OTP, verifies budgetary compliance and coordinates with Procurement in the Registry to ensure timely and effective delivery of the goods and services. KBU, in coordination with IMSS, verifies the compatibility of software and hardware requests with the overall infrastructure and technical architecture of the Court, and their consistency with the information strategy of the Office and of the Court. This approach, supported by the Information Management Governance Board (IMGB), is leading to improved speed and transparency in the procurement process, better control over expenses, consistency with the Court-wide IT plans, and increased synergies in the development of a Court-wide information management strategy.

274. In the course of 2017, KBU has reviewed its processes and managed the increased workload coming from its clients. The Unit has redistributed the activities and this has allowed KBU to cope with the new functions it has been assigned. In particular, KBU has worked on the development of eLearning capabilities to assist HR in delivering efficient and cost-effective training to the Office's staff.

275. One dedicated Learning Officer (P-2) GTA is requested for KBU. The position is budget-neutral because the Unit will no longer be requesting one Database Coordinator (P-1), approved in 2017.

276. Support to preliminary examinations is provided by IEU through the management of the OTP Information Desk that receives all article 15 communications. All communications are filtered after an initial assessment; the materials are scanned and placed in TRIM for review by the Jurisdiction, Complementarity and Cooperation Division. This requires 1 FTE.³⁸ The Unit has so far managed this function by using other resources primarily assigned to different tasks within IEU. This is no longer feasible given the increased volumes to be handled. One Evidence Assistant (GS-OL) GTA is therefore requested to properly cover the function. The financial impact of this position is offset by an equivalent-grade position that is no longer requested in another unit of the Section (i.e. LSU).³⁹ Thus,

³⁷ For a detailed list of the staff resources (continued and new) requested in the 2018 budget, see paragraphs 281-294 below.

³⁸ For more details on IEU, its processes and resource needs, see *Report of the Court on the Basic Size of the Office of the Prosecutor*, ICC-ASP/14/21, 17 September 2015.

³⁹ See paragraph 279.

the flexible use of budgetary resources and the efficiencies achieved within the sub-programme make this particular request budget negative.⁴⁰

277. LSU provides a broad variety of language support throughout the preliminary examination, investigation and prosecution phases. The three main areas of work – albeit not the only ones – remain field interpretation, transcription and translation, as required by OTP. The requirement for language services is often volatile on account of uncertainty around, among other things: (1) how many and which languages will be encountered in any given situation country, especially with regard to “insider” witnesses and victims (those located in the country and/or having pertinent knowledge) whose evidence needs interpreting, transcribing and translating into a working language and also to accused persons who are entitled to translations of evidence in a language they fully understand; (2) the frequency and other particularities of the languages involved; (3) the possible reach of an investigation beyond the situation country necessitating additional languages; and (4) the team’s capacity to work in both working languages.

278. LSU is requesting two new GTA positions: one Translation Officer (P-3) to better coordinate translation workload with respect to languages of lesser diffusion, and one new Transcription Assistant. At the same time, one Translator (P-3) and two Data Processing Assistant - Transcriber (GS-OL) are no longer requested. As a consequence, the financial impact of the new request is offset by the reduction in other roles.

279. The Office continues to centralize some non-staff budget lines, such as Consultants, Furniture and equipment, Supplies and materials and Training,⁴¹ so as to be quick and flexible in response to possible changing needs during the implementation of the budget. The resources that are requested are to provide support and materials needed by other sub-programmes within the Office to facilitate business activities.

280. The requested budget has increased by €393.3 thousand (5.1 per cent). The increase in costs is mainly due to restoration of capacity (e.g. UN Common System, re-establishment of the standard vacancy rate, and full costing of GTAs). Staff costs and Non-staff costs represent 85.3 per cent and 14.7 per cent of the proposed budget, respectively.

Staff resources

€6,939.3 thousand

281. In 2018, the Section will comprise 46 established posts, including one post submitted for conversion from GTA, 25 recurrent GTA positions plus Field Interpreters (3.4 FTE), and three new GTA requests, for a total of 76.4 FTE.

Established posts: Professional and General Service

€4,010.6

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

283. The Financial Planning and Control Unit (FPC) has one Administration Officer (P-3), two Associate Administration Officers (P-2) and three Finance and General Administration Assistants (GS-OL).

284. One position, Associate Administration Officer (P-2) in FPCU above, is requested for conversion from GTA.

285. The Information and Evidence Unit (IEU) has one Head, Information and Evidence Unit (P-3), one Associate Information and Evidence Officer (P-2), three Information Storage Assistants (GS-OL), one Information Management Assistant (GS-OL), one Senior Evidence Assistant (GS-OL) and four Evidence Assistants (GS-OL).

286. The Knowledge-Base Unit (KBU) has one Knowledge-Base Manager (P-4), two Information Officers (P-2), three Database Coordinators (P-1), one Assistant Information Officer (P-1) and one Disclosure/Search Assistant (GS-OL).

⁴⁰ IEU’s new GTA request for an Evidence Assistant (0.67 FTE) is considered budget-negative as the LSU Data Processing Assistant/Transcriber was budgeted for 12 months, equivalent to 1.0 FTE.

⁴¹ *Training* and *Consultants* are in Sub-programme 2110, Immediate Office of the Prosecutor; *Supplies and materials* and *Furniture and equipment* are in Sub-programme 2120, Services Section.

287. The Language Services Unit (LSU) has one Language Coordinator (P-4), two Translator/Reviser (one English and one French) (P-4), one Translator (English) (P-3), one Translator (French) (P-3), one Translator (Arabic) (P-3), one Interpretation Coordinator (P-3), one Associate Translator (English) (P-2), one Associate Translator (French) (P-2), one Associate Translator (Arabic) (P-2), one Transcript Coordinator (GS-OL), five Transcript Reviewers (GS-OL),⁴² three Language Services Assistants (GS-OL) and one Transcription Assistant (GS-OL).

General temporary assistance

€2,928.7 thousand

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

289. The Section also requires additional GTA positions for evidence management, knowledge-base support in respect of eLearning capabilities, and for language services to handle the additional workload related to the increase in the number of activities and staff in the Office.

290. The Section has strictly analysed and evaluated the best way to match efficiency and effectiveness in the delivery of its services. This effort eventually led to neutrality in terms of number of positions and grades. The breakdown of GTA positions requested for 2018 and in order of units in the Section is as follows:

- (a) Two Associate Electronic Evidence Officers (P-2), 24 months (2.0 FTE). *Continued;*
- (b) Two Assistant Information and Evidence Officers (P-1), 24 months (2.0 FTE). *Continued;*
- (c) One Evidence Assistant (GS-OL), 8 months (0.67 FTE). *New;*
- (d) One Data Management Officer (P-3), 12 months (1.0 FTE). *Continued;*
- (e) One Associate Database Coordinator (P-2), 12 months (1.0 FTE). *Continued;*
- (f) One Information Officer (P-2), 12 months (1.0 FTE). *Continued;*
- (g) One Learning Officer (P-2), 8 months (0.67 FTE). *New;*
- (h) One Disclosure/Search Assistant (GS-OL), 12 months (1.0 FTE). *Continued;*
- (i) One Technical Assistant (Information Systems) (GS-OL), 12 months (1.0 FTE). *Continued;*
- (j) Seven Translators (P-3), 84 months (7 FTE). *Continued;*
- (k) One Translation Officer (P-3), 8 months (0.67 FTE) *New;*
- (l) One Associate Translator (P-2), 12 months (1.0 FTE). *Continued;*
- (m) One Associate Interpretation Coordinator (P-2), 12 months (1.0 FTE). *Continued;*
- (n) Two Assistant Translators (P-1), 24 months (2 FTE). *Continued;*
- (o) One Administrative Support (GS-OL), 12 months (1.0 FTE). *Continued;*
- (p) Three Transcript Reviewers (GS-OL), 36 months (3.0 FTE). *Continued (Formerly known as Data Processing Assistants);*
- (q) One Language Services Assistant (GS-OL), 12 months (1.0 FTE). *Continued;*
- (r) Field Interpreters (GS-OL), equivalent to 41 months (3.4 FTE). *Continued.*

291. IEU is requesting one new Evidence Assistant (GS-OL) because of the increased workload in receiving and processing article 15 communications.

⁴² The title of Data Processing Assistant in LSU was updated to Transcript Reviewer to properly distinguish it from the role of data processing staff in the Data Processing Unit (ID) and in the Investigative Analysis Section (ID).

292. KBU is requesting one dedicated Learning Officer (P-2) GTA. The position is budget-neutral because the Unit will no longer be requesting one Database Coordinator (P-1), approved in 2017.

293. In LSU, following a full work survey review of the transcription team, the new title "Transcript Reviewer" clarifies their specific technical role and enables them to better respond to clients' needs. Of the two posts previously known as Data Processing Assistants, one resource has been transferred to IEU (see paragraph 292) and one is repurposed as Transcription Assistant (*GS-OL*). One P-3 Translator is no longer requested and the post has been repurposed as Translation Officer (P-3) to better coordinate translation workload with respect to languages of lesser diffusion.

294. The overall increase in the number of posts in the Section is neutral, thanks to the progress made in the internal organization, workflows and procedures. The limited increase is due to the work-months of each of the positions, which have been budgeted for 12 months (with the exception of the field interpreters and the new requests) and it is fundamentally linked to the operational needs of the Office that require critical support from the Services Section and to unavoidable budgetary elements outside the control of the Office.

Non-staff resources

€1,225.1 thousand

295. The requested amount has increased by €30.0 thousand (2.5 per cent). Non-staff resources are used for travel, contractual services, supplies and materials and furniture and equipment.

Travel

€385.6 thousand

296. The requested amount has increased by €30.0 thousand (8.5 per cent). This is the net increase resulting from the increase related to support the Integrated Teams minus the cost (€13.0 thousand) allocated for the New York mission for the seventeenth session of the Assembly in December in New York (i.e. the budgeted expenses are no longer necessary as the Assembly session will take place in The Hague). The increased number of missions in the field indeed requires more trips for interpreters (local and international) to provide necessary support for investigation and prosecution-related activities during the preliminary examination, investigative, pre-trial and trial phases. The budget line further includes funds for a number of missions to situation countries to assess and recruit field interpreters. As in previous years, travel resources also provide for a limited number of missions for technical, language and administrative staff to participate in professional conferences.

Contractual services

€549.5 thousand

297. The amount requested is unchanged. In spite of the increase in activities, the implementation of the machine-assisted translation system (Systran) and the upgrade of other tools and software to support language services should allow the additional workload to be absorbed with the same resources as in 2017.

298. Contractual services are required to supplement internal projects or to provide resources for special requirements and peaks in activities that cannot be effectively and promptly dealt with in-house through additional recruitment. This is the case for translation outsourcing which is used to supplement the Office's in-house translation capacity, where confidentiality constraints allow. Most critically, this is required to deal with peaks in activity due to case-specific, time-bound workloads and with documents requiring translation into or out of languages for which no in-house capacity exists. Similarly, funds are requested for transcription outsourcing to supplement the Office's in-house capacity, again where confidentiality constraints permit.

Supplies and materials

€110.0 thousand

299. The requested amount is unchanged. This is a centralized budget line and funds are used for operational purposes.

300. A portion of this budget line is allocated to purchasing digital and electronic consumables (e.g. memory cards, mini-disks, encrypted hard drives and batteries) for equipment used by investigators, such as cameras and recording devices. Funds are also requested for maintaining annual subscriptions to OTP-specific journals and other professional subscriptions (e.g. International Association of Prosecutors), as well as for purchasing key reference books necessary to support the core activities of the Office. Subscriptions to online database/services and journals that are common to the entire Court are centralized within the Court's Library.

301. Approximately €10.0 thousand is requested to replace and integrate specific materials and supplies (e.g. satellite images of locations, or body bags, rubber gloves, consumables and instruments) needed for crime scene forensic activities linked to investigations.

Furniture and equipment

€180.0 thousand

302. The requested amount is unchanged. The amounts requested by each Major Programme were discussed at inter-organ meetings with the goal of ensuring consistency with the Five-Year IT/IM Strategy developed by the Court and approved by the Coordination Council. The figures included under Sub-programme 2120 relate to the part of the IT investments funded through the OTP budget, because expenditure relates to OTP-specific items as part of the agreed investments for the key initiatives in the prosecutorial functional goals included in the Court's plan.⁴³

303. This budget line includes €50.0 thousand for the development of an entity-extraction application. This software will reduce the time spent by analysts, investigators and prosecutors in searching through evidentiary documents in OTP's databases to find text-based information relevant for the clustering of information and the assessment of linkages. The analysis of business requirements is currently being finalized with the cooperation and assistance of IMSS. This development is an integral part of the Court's Five-Year IT/IM Strategy. The allocation of this item to the OTP budget is consistent with the hybrid model adopted by the Court. As the application affects OTP-specific databases and will be used for preliminary examinations, investigation and prosecution, the funds are requested by the OTP.

304. The OTP has been evaluating alternative and less expensive secure methods of taking statements from and re-contacting witnesses in a secure way which can also fully satisfy the regulations of the Court. Videoconferencing and recording software has been identified and a successful proof of concept (PoC) has been conducted in 2017 with the assistance of KBU and IMSS. The software will allow interaction between the interviewers and the interviewee with recorded evidence of the interview becoming immediately available on the servers at the Court's Headquarters. The statements can then be transcribed and translated without the time delays of the past, when tapes/disks had to be shipped from the field offices or the site where the witness was interviewed to Headquarters, or because of the security risk linked to using file transfer protocols. In addition, the system will help to reduce the mission costs associated with sending interviewers from Headquarters to the field or to witnesses' locations. Last but not least, the system will be tested to verify whether it could be a viable tool for LSU for remote training of interpreters. This could also bring some savings (to be quantified once the viability of the tool is confirmed) by reducing travel costs associated with bringing candidates to Headquarters in The Hague. The budget requested for the application is €120.0 thousand (€100.0 thousand for the software and €20.0 thousand for the specific hardware and peripherals).

305. In addition, the Office continues to refresh and update its other existing Office-specific systems. An amount of €10.0 thousand is requested for the OTP Gateway, a secure web-based platform for receiving anonymous information and contacts on current cases.

⁴³ CBF/28/20, *Information Technology at the International Criminal Court: Five-year IT/IM Strategy for the Court (2017-2021)*, 28 March 2017, and CBF/28/12P01, *ICC IT/IM Strategy & Roadmap 2017-2021*, (pp. 7-9), 17 February 2017.

Table 19: Sub-programme 2120: Proposed budget for 2018

2120 Services Section	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				2,321.0	146.3	6.3	2,467.3
General Service staff				1,495.6	47.7	3.2	1,543.3
<i>Subtotal staff</i>	<i>3,051.4</i>	<i>-</i>	<i>3,051.4</i>	<i>3,816.6</i>	<i>194.0</i>	<i>5.1</i>	<i>4,010.6</i>
General temporary assistance	2,550.3	129.6	2,679.9	2,759.4	169.3	6.1	2,928.7
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>2,550.3</i>	<i>129.6</i>	<i>2,679.9</i>	<i>2,759.4</i>	<i>169.3</i>	<i>6.1</i>	<i>2,928.7</i>
Travel	395.2	7.2	402.4	355.6	30.1	8.5	385.6
Hospitality	-	-	-	-	-	-	-
Contractual services	166.6	136.6	303.2	549.5	-	-	549.5
Training	18.3	6.7	25.0	-	-	-	-
Consultants	0.1	0.1	0.2	-	-	-	-
General operating expenses	90.7	3.0	93.7	-	-	-	-
Supplies and materials	89.9	3.5	93.4	110.0	-	-	110.0
Furniture and equipment	219.1	139.7	358.8	180.0	-	-	180.0
<i>Subtotal non-staff</i>	<i>979.9</i>	<i>296.8</i>	<i>1,276.7</i>	<i>1,195.1</i>	<i>30.0</i>	<i>2.5</i>	<i>1,225.1</i>
Total	6,581.6	426.4	7,008.0	7,771.1	393.3	5.1	8,164.4

Table 20: Sub-programme 2120: Proposed staffing for 2018

2120 Services Section	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
<i>Established Posts</i>														
Approved 2017	-	-	-	-	1	4	6	7	4	22	-	23	23	45
New	-	-	-	-	-	-	-	1	-	1	-	-	-	1
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	1	4	6	8	4	23	-	23	23	46
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	-	-	7.83	7.00	5.00	19.83	-	11.11	11.11	30.94
Continued	-	-	-	-	-	-	8.00	7.00	4.00	19.00	-	10.42	10.42	29.42
New	-	-	-	-	-	-	0.67	0.67	-	1.33	-	0.67	0.67	2.00
Converted	-	-	-	-	-	-	-	(1.00)	-	(1.00)	-	-	-	(1.00)
Proposed 2018	-	-	-	-	-	-	8.67	6.67	4.00	19.33	-	11.08	11.08	30.42

2. Programme 2200: Jurisdiction, Complementarity and Cooperation Division

Introduction

306. The Jurisdiction, Complementarity and Cooperation Division (JCCD) is the lead division on preliminary examinations, facilitating the Office's investigations by ensuring cooperation and judicial assistance under Part 9 of the Rome Statute. Cooperation is vital to ensuring the timely investigation and prosecution of cases and the preventive and complementary functions of the Court. Each situation or case has its own unique cooperation requirements. JCCD's judicial and general cooperation and external relations functions entail establishing and managing relations with States, international organizations, NGOs and other private actors, including galvanizing general support for the work of the Office and advocating and delivering its key messages. The Division is primarily responsible for building, managing and reinforcing the strong and extensive network of support and cooperation with States (including their judicial and law enforcement actors), international organizations and other partners, which is necessary for the OTP to carry out its judicial mandate effectively. Furthermore, the Division is responsible for conducting all preliminary examinations of situations, irrespective of whether a situation comes before the Court as a result of a State Party or United Nations Security Council referral or of the Prosecutor's acting *proprio motu* pursuant to article 15 of the Rome Statute. The Division is thus responsible, within the Office, for matters of jurisdiction, admissibility and interests of justice and provides essential recommendations to the Prosecutor on the opening of new investigations.

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

308. ICS has three areas of activity, coordinated by and under the overall supervision of the Chief of ICS, with the additional support of a Senior Legal Adviser: (i) situation-specific cooperation within Integrated Teams; (ii) judicial cooperation; and (iii) general cooperation and external relations.

(a) ICS supports each Integrated Team with an International Cooperation Adviser, who is responsible for facilitating all judicial assistance needs and cooperation requests of the team to cooperation partners; generating and maintaining situation-specific support and promoting understanding of the work of the OTP in relation to the investigation and prosecution of a case to which she/he is assigned; establishing operational focal points so that the Integrated Team has continuous access to the territory, physical evidence and witnesses for the case; and providing prompt responses and feedback to the team on any problems identified by the team or by the national authorities;

(b) The judicial cooperation component provides strategic, technical and operational advice, support and guidance to all International Cooperation Advisers in order to ensure quality control, channelling of and follow-up to all judicial assistance requests and responses sent on behalf of Integrated Teams, in conformity with relevant procedures and standards. It is responsible, in association with each International Cooperation Adviser, for tracking compliance and maintaining all records related to outgoing and incoming requests for assistance (RFA) in the database, and for developing and overseeing strategies to reinforce and extend the transversal network of partners, facilitate cooperation for arrest and surrender as well as for identification, location, tracking and freezing of assets; and

(c) The general cooperation and external relations component is responsible for providing strategic advice and support regarding general cooperation and external relations to the Prosecutor and OTP's senior management. It 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 for the purpose of galvanizing general support for the activities of the OTP, and represents the OTP during discussions on various issues under consideration by the Assembly and/or its subsidiary bodies, affecting the work of the OTP.

309. The JCCD Senior Legal Adviser, who provides legal advice across the Division, is in charge of providing advice on transversal legal issues arising out of the work of the Situation Analysts and of the International Cooperation Advisers in each situation under

investigation where jurisdictional or complementarity-related issues arise. The Legal Adviser also supports the Division on litigation in matters of jurisdiction, admissibility and judicial assistance, working alongside the Prosecution and Appeals Sections on written and oral submissions as required; and engages in the negotiation and conclusion of agreements or Memorandums of Understanding with national actors, international organizations or peacekeeping operations to support OTP operations.

310. SAS carries out all preliminary examinations and provides advice on complex matters of fact and law regarding jurisdiction, admissibility, and assessments of interests of justice, in particular in terms of the interests of victims. Conducting preliminary examinations is one of the three core activities of the Office, together with investigations and prosecutions. Preliminary examinations are not only critical for deciding whether to open investigations; they also serve to lay a firm foundation for cooperation in situations where new investigations are opened. Additionally, preliminary examinations can also have a preventive effect and can serve to foster domestic complementarity efforts, potentially obviating the need for intervention by the Court. Lastly, the vital analytical work conducted by SAS feeds into the analysis that is essential to successful investigations when the Prosecutor decides to open an investigation in a situation.

Budget resources

€4,042.4 thousand

311. The requested resources have increased by €85.6 thousand (2.2 per cent). The increase is mainly due to the difference in reclassification costs. Two long-standing GTA positions have been submitted for conversion. Extensions are requested for the other GTA resources previously approved in the 2017 budget. These resources are critical to enable the Division to conduct its mandate effectively in 2018.

Staff resources

€3,601.4 thousand

312. The Division comprises 31 established posts and three GTA positions (2.5 FTE).

313. Two positions, one International Cooperation Adviser (P-3) and one Legal Assistant (GS-OL), both in ICS, have been requested for conversion.

314. One position, International Cooperation Adviser (P-4) has been submitted for reclassification to Senior Legal Adviser (P-5) and provides legal advice to both sections (ICS and SAS) as well as to the Director, JCCD.

Established posts: Professional and General Service

€3,397.4 thousand

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

316. One Senior Legal Adviser (P-5) (this position has been reclassified from International Cooperation Adviser (P-4)). See paragraph 314 above.

317. The International Cooperation Section (ICS) comprises a total of 16 established posts, one Head of Section (P-5), one International Cooperation Adviser (P-4), one Judicial Cooperation Adviser (P-4), seven International Cooperation Advisers (P-3) *one of which is converted from GTA*, one External Relations Adviser (P-3), one Associate International Cooperation Adviser (P-2), one Judicial Cooperation Assistant (GS-OL), one Legal Assistant (GS-OL), *converted from GTA*, and two Administrative Assistants (GS-OL).

318. The Situation Analysis Section (SAS) comprises a total of 12 established posts, one Head of Section (P-5), three Situation Analysts (P-3), six Associate Situation Analysts (P-2) and two Assistant Situation Analysts (P-1).

General temporary assistance

€304.0 thousand

319. Three GTA positions (equivalent to 2.5 FTE) are requested to support the investigations and trials foreseen in the 2018 budget assumptions, as well as to support, administratively and operationally, the continuously increasing crucial workload. Each International Cooperation Adviser is formally assigned to a specific Integrated Team but

sometimes also serves as backup for another team. His/her assignment can also change, should existing or new situations so require, and in some cases, might include more than one situation should the assumed workload for each situation allow. This flexibility allows the JCCD and ICS management to seek maximum efficiency in allocating existing resources should situational requirements fluctuate.

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

- (a) One *International Cooperation Adviser (P-3), 12 months (1.0 FTE), continued;*
- (b) One *Situation Analyst (P-3), 12 months (1.0 FTE), continued;* and
- (c) One *Legal Officer (P-3) in New York, 6 months (0.5 FTE), continued.*

321. The Legal Officer (P-3) 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, forming an essential component to enable the efficient and timely execution of all requests. Since the post also handles requests for assistance sent by the Registrar on behalf of Chambers or Defence Counsel, the remaining costs of the post will be shared by the Immediate Office of the Registrar.

322. No new additional posts are requested for 2018, given that existing resources will be allocated in the most effective way to meet the requirements set by the assumptions.

Non-staff resources

€441.0 thousand

323. The requested non-staff resources are unchanged and dedicated to travel. The slight increase of 0.1 per cent is due to minor changes in daily subsistence allowance under travel.

Travel

€441.0 thousand

324. The travel budget has increased by €0.6 hundred or 0.1 per cent. The estimated level of missions is the same as in 2017, and it remains critical that adequate funds are provided for this budget line. The expected savings from the fact that the 2018 Assembly session will take place in The Hague instead of New York (€30.0 thousand) have been allocated for missions. JCCD staff conduct missions in relation to situations under preliminary examination or investigations to secure and foster cooperation or gather information and to 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 in such a way as to use the travel budget most efficiently, thus enabling efficiency reductions in the proposed budget, despite the increased number of planned missions.

Table 21: Programme 2200: Proposed budget for 2018

2200 Jurisdiction, Complementarity and Cooperation Division	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				2,786.4	175.6	6.3	2,961.9
General Service staff				260.1	75.4	29.0	335.5
<i>Subtotal staff</i>	<i>2,125.4</i>	<i>-</i>	<i>2,125.4</i>	<i>3,046.5</i>	<i>250.9</i>	<i>8.2</i>	<i>3,297.4</i>
General temporary assistance	1,242.5	-	1,242.5	470.0	(166.0)	(35.3)	304.0
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>1,242.5</i>	<i>-</i>	<i>1,242.5</i>	<i>470.0</i>	<i>(166.0)</i>	<i>(35.3)</i>	<i>304.0</i>
Travel	332.8	6.2	339.0	440.4	0.6	0.1	441.0
Hospitality	-	-	-	-	-	-	-
Contractual services	5.3	-	5.3	-	-	-	-
Training	5.3	-	5.3	-	-	-	-
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>343.4</i>	<i>6.2</i>	<i>349.6</i>	<i>440.4</i>	<i>0.6</i>	<i>0.1</i>	<i>441.0</i>
Total	3,711.3	6.2	3,717.5	3,956.9	85.6	2.2	4,042.4

Table 22: Programme 2200: Proposed staffing for 2018

2200 JCCD	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
<i>Established Posts</i>														
Approved 2017	-	-	-	1	2	3	10	7	2	25	-	4	4	29
New	-	-	-	-	-	-	1	-	-	1	-	1	1	2
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	1	(1)	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	1	3	2	11	7	2	26	-	5	5	31
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	-	-	3.50	-	-	3.50	-	1.00	1.00	4.50
Continued	-	-	-	-	-	-	3.50	-	-	3.50	-	1.00	1.00	4.50
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	(1.00)	-	-	(1.00)	-	(1.00)	(1.00)	(2.00)
Proposed 2018	-	-	-	-	-	-	2.50	-	-	2.50	-	-	-	2.50

3. Programme 2300: Investigation Division

Introduction

325. The Investigation Division (ID), under the overall management of its Director and management team, provides the investigative and analytical component of the Integrated Teams which conduct the Office's investigations and prosecutions under the responsibility of the Prosecution Division's Senior Trial Lawyers. The ID recruits, trains and monitors the performance of investigators, analysts and data-inputters within the Integrated Team. In support of the Integrated Teams, the ID also is responsible for the forensic and scientific aspects of investigations, as well as providing operational support.

326. The Division comprises a Director and four sections: the Investigation Section (IS), the Investigative Analysis Section (IAS), the Forensic Science Section (FSS) and the Planning and Operations Section (POS).

327. The Investigation Section provides a substantial and critical component (investigators, information management and management resources) of the Integrated Teams. The investigative team undertakes the key investigative activities, focusing on the crimes and the suspects and the linkage between the crimes and the suspects (as individuals, an organization and/or by other means). For crimes, the team collects evidence on the incidents under investigation and the corresponding victimization. For suspects, it is necessary to manage the lines of inquiry into their role, knowledge and intent regarding the crimes. To that effect, the IS collects evidence on the structure or organization allegedly responsible for the crimes, the roles of the suspects involved and the linkage between them and the crimes, including the financing and logistics required to commit the crimes. Continued advances in and the widespread availability and use of technology (such as social media) create the necessity to conduct online investigations. Where feasible, dedicated field-based resources focus on developing leads, establishing strong local networks, coordinating with local and regional partners, participating in activities with Headquarters staff on mission, and following up on activities from concluded missions.

328. The specialized sections within the ID support the Integrated Teams in the elaboration and implementation of their plans, through expert advice and assistance in the conduct of operations. They also promote the strategic development of the Office's investigative capability by devising and implementing innovative procedures, tools and methodologies to ensure investigative activities are efficient, advanced, of the highest quality and in conformity with applicable standards.

329. The Investigative Analysis Section ensures the development of standards, best practices, training, quality reviews and resource provision across the various investigative teams. The Analysts and Analysis Assistants are part of the IAS and form an essential component of the Integrated Teams.

330. The IAS provides support to the Investigation and Prosecution Division in the following areas: Crime Patterns Analysis of multiple crime allegations with databases, statistics, chronologies, maps and reports to support management decisions on case selection, investigations, fugitive tracking, and periodical reports to the UN Security Council; 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 by standard criteria of reliability and credibility; analysis of structures and networks, including telecommunications data, military issues (including military command and control, operations, weaponry) and modus operandi; gender analysis on the relevant crimes and context implementing the OTP Gender Analysis Guidelines; trial support in preparation for witness examinations and filings; operational analysis in support of investigators in field missions; and systematic use of internet open sources.

331. The Forensic Science Section supports the Integrated Teams with specialist expertise, such as cyber investigation and technical expertise, forensic operations such as crime scene investigations (including exhumations, autopsies, 3D imaging, audio and video enhancement), and satellite imagery and infographics.

332. The Forensic Science Section provides scientific support to investigations and prosecutions as well as preliminary examinations. It is composed of three units, namely, 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 GIS and satellite image analysis, photo/video analysis, 3D mapping and reconstruction, drone imagery, etc.). In addition, the FSS maintains the Executive Secretariat of the OTP Scientific Advisory Board and develops the standard operating procedures and guidelines relating to scientific activities.

333. FSS invites the Scientific Advisory Board to the Court. This Board, composed of Presidents in office of the 18 most representative institutions of the international scientific community, meets annually and advises the Office about recent developments in new and emerging technologies, and scientific methods and procedures that could potentially enhance the collection, management, and analysis of testimonial, documentary and scientific evidence.

334. In the Planning and Operations Section, 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 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 through the division of responsibilities based on a continuum of services. The Gender and Children Unit (GCU) assists the teams in handling vulnerable witnesses and investigating sexual and gender-based crimes and crimes against children. Lastly, the Data Processing Unit (DPU) and the administration and planning team provide information processing and administrative services/project management support, respectively.

335. The Office issued its Strategic Plan 2016-2018 in November 2015, breaking down the prosecutorial strategy into nine strategic goals. The Division strives to create the necessary conditions for the success of the Strategic Plan and undertakes activities to directly support all nine strategic goals. In order to ensure that the investigations continue to meet the expectations of quality, and in the face of ever more challenging operating environments, the strategy outlined in the previous year remains – namely to maintain high-quality investigations while ensuring efficient functioning. These strategic objectives lead to activities such as: developing the ability to collect more diverse forms of evidence, including building capacity regarding science- and technology-based evidence; increasing the investigative field presence; continuing to implement a gender perspective in investigations; increasing the role of analysis, certifying staff, adapting the staff composition to the new environment; and further developing witness protection.

336. The ongoing evaluation of the current Strategic Plan (2016-2018)⁴⁴ shows that the prosecutorial strategy continues to yield positive results in Court (since 2012 and regarding article 5 crimes, a total of 97 counts have been presented at confirmation hearing stage and six counts were put forward at trial stage, all of which have been confirmed). The ID contributed to these results by prioritizing the quality, rather than quantity, of investigative activities, which is a strategy the Division intends to continue with its current cases.

337. Thanks to the efforts made in previous years' budgets, the Division has been able to staff its teams at a more adequate level. However, the total number of staff required still remains below the basic size and at an unsustainable level from a longer term perspective. Nonetheless, provided there are no unforeseen changes to the current assumptions, an appropriate level of quality can still be maintained but timelines of investigations will be stretched beyond those outlined in the basic size. Noting the current workload, there is an inability to further utilize resources flexibly without either affecting the quality or prolonging the duration of investigative activities even further. In short, the Division's current resource level is insufficient to meet all the demands placed upon the Office.

338. The pared-down and flexible approach to investigations and the focus on quality over quantity is reflected in the investment in quality and innovation. In fact, quality forms

⁴⁴ CBF/28/11, *Report on the Implementation of the OTP Strategic Plan*, 14 March 2017.

a central part of the OTP's present and future strategy. Cyber investigations, increased forensic work in terms of audio and video enhancement, crime scene examination, exhumations and autopsies play a critical role in this, as do investment in training (for example, ongoing training for investigative standards and training for operating in high-risk environments) and the continued development of networks with law enforcement agencies, forensic institutes, technology experts, NGOs and other partners. The 2018 budget continues to maintain this effort with a modest investment that allows the Division to stay abreast of current advances and re-invest where technology and equipment have become obsolete.

Budget resources

€20,351.3

339. The proposed amount has increased by €1,260.3 thousand (6.6 per cent). Staff make up 89 per cent of the costs and have the biggest impact on the budget.

340. As in previous years, the Division has made a significant effort in identifying efficiency gains and savings. It has also been particularly mindful of the recommendations made by the Committee regarding any potential resource increases for the 2018 budget. Throughout 2017, and in coordination with the other divisions of the OTP and the other organs of the Court, the ID has dedicated resources and time to identify efficiencies and savings through (a) coordination with States and other international organizations or third parties; (b) flexible use of resources; (c) review and standardization of procedures, operations and policies; and (d) use of (new) technology. Due consideration was given to finding efficiencies or savings before proposing an increase in resources. In 2018, the identification of efficiencies and savings ultimately led to a smaller increased budget request (see annex X on 2018 efficiency savings).

341. As for the Investigation Section, the requirements of a basic investigative team are highlighted in the basic size report.⁴⁵ Following the report's resource justifications, it is important to acknowledge that the current capacity of investigators still falls short of the identified needs. Additional resources are still required. One proposal to increase the Division's investigative capacity which was introduced in last year's budget is the addition of a Situation-Specific Investigation Assistant (GS-OL), who brings to the investigative team a deep knowledge of the situation country under investigation, including a better understanding of its socio-economic and cultural aspects. At Headquarters and/or deployed in the field, he or she supports the teams in establishing local/regional networks, identifying leads and investigative opportunities and collecting information from open sources, in particular when local languages are used. Given that the first Situation-Specific Investigation Assistants have proven to be extremely useful in the past year in the Darfur, Georgia and Uganda situations, other teams are requesting similar support (CIV II, Libya, and CAR II). The Investigation Section therefore requests two additional Situation-Specific Investigations Assistants to enhance investigative activity. While these posts could be justified (for other teams), they have not been requested in the current budget in order to limit budgetary growth. It is anticipated, however, that future budgets will contain requests for additional Situation-Specific Investigation Assistants.

342. As outlined above, while teams remain understaffed in 2018 in comparison to the basic size, prioritization of resources ensures that ongoing trials are fully supported. The persisting consequences of understaffing are as follows: active investigations require more time to conduct the planned activities; investigative teams are unable to adequately react to any important unforeseen events, including article 70 investigations, without removing or significantly reducing the resources allocated to other priority activities; no tracking capacity; 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. Increasingly, the Division is developing more investigative standards. Overall, prioritization helps to ensure that the investigative activities adhere to the highest quality standards, contributes directly to Strategic Goal 9 of the OTP Strategic Plan (2016-2018) and responds to internal and external demand.

⁴⁵ *Report of the Court on the Basic Size of the Office of the Prosecutor*, 17 September 2015.

343. In the light of the above, the Investigation Section therefore requests two Situation-Specific Investigation Assistants (GS-OL). In order to stay within the budget constraints and limit the increase in the OTP resource request, the ID firstly examined prior identified savings and efficiencies. However, none were found to offset the need for the positions. Therefore, alternative methods were explored. The Division thus proposes not to request one P-2 Associate Investigator in order to achieve a near budget-neutral exercise. Specifically for the Investigation Section, one P-2 GTA Associate Investigator position, currently vacant, will not be requested in 2018 in order to make room for the newly requested GTAs. While the Division still requires additional investigative resources and future resource requests may include additional P-2 Associate Investigator positions, the additional GTA profiles have been prioritized for 2018.

344. No additional staff requested in IAS for 2018 because of the current focus on consolidating new posts and tools acquired in the last two years, upgrading skills and optimizing efficiency.

345. No additional GTA resources are required in 2018 in the FSS because of the recruitment of two new positions in 2017 and the implementation of process related efficiencies, such as an automation/robotic platform.

346. Within the POS, the Protection Strategies Unit is responsible for the holistic management of OTP witnesses. Following an in-depth review of the needs and profile of the Unit, a decision was taken in 2017 to increase the number of Associate Protection Strategies Officers (P-2), the costs of which will be offset by utilizing the funds of three Protection Strategies Assistant positions (GTA) (GS-OL) which will not be requested in 2018. This budget-neutral change allows greater capacity of professional-level staff to deal with increasingly complex protection challenges. At the same time, through the identification of efficiencies and savings, the Unit has managed to reduce the more administrative activities formerly carried out by the Protection Strategies Assistants (for example, the administrative aspects of the Individual Risk Assessments). This has made it possible for the Unit to re-organize its resources and effect the above change, initiated in 2017 and formalized in the 2018 budget, without requesting additional resources.

347. The Operational Risk and Support Unit is responsible for a holistic approach to operations within the OTP, from preliminary examination to investigation and prosecution. The ORSU is requesting an additional Field Operations Officer (P-3). While there are sufficient resources at Headquarters to carry out duties as necessary, there is a lack of experienced professional staff in the field to sufficiently cover operations. There is insufficient field support in the Central African Republic in particular, especially since the Office is operating intensively in this situation. Hence, an additional Field Operations Officer is required to relieve the burden on the existing staff member and to increase operational effectiveness.

348. The Data Processing Unit catalogues the evidence collected and registered as effectively and as quickly as possible, in order to facilitate its timely analysis, review and use in court. Current working practices are optimized; hence, no additional resources are required in 2018.

349. The Gender and Children Unit plays an important role in relation to OTP policy development concerning sexual and gender-based crimes, crimes against children, and the handling of vulnerable witnesses in general. It ensures the implementation of policy as well as 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 Psycho-Social Experts from the roster maintained by GCU when parallel investigative activities require simultaneous support beyond the Unit's capacity. As a result of better use of in-country Psycho-Social Experts and improved coordination with Registry, a reduced provision for the equivalent of six months rather than eight work-months at the P-2 level is requested. There are no additional resource requests for the Unit.

350. The administration and planning team is responsible for administrative support, the essential collection, collation and production of management information, efficiency and risk management monitoring, as well as support for priority projects (including the deployment of the Investigation and Witness Management system) and assistance with the

Division's complex resource management requirements, including space management. No additional resources are required in 2018.

Staff resources **€18,112.8**

351. In 2018, the Division will comprise a total of 148 established posts, which include 139 approved in the 2017 staffing table plus nine positions submitted for conversion, and 37 recurrent GTA positions and five new GTA requests, for a total of 187.8 FTE.

Established posts: Professional and General Service *€14,302.6*

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

353. The Investigation Section is headed by one Investigations Coordinator (P-5) and comprises three Team Leaders (P-4), six Senior Investigators (P-4), 21 Investigators (P-3), 30 Associate Investigators (P-2), five of which are included for conversion, and four Information Management Assistants (GS-OL). In total, the Investigation Section comprises 65 established posts.

354. The Investigative Analysis Section is headed by one Head of Section (P-5) and comprises one Analyst (Crime Pattern) (P-4), nine Analysts (P-3), three of which are submitted for conversion, seven Associate Analysts (P-2), two Analysis Assistants (GS-OL) and three Data Processing Assistants (GS-OL). In total, the IAS comprises 23 established posts.

355. The Forensic Science Section is headed by one Head of Section (P-5) and comprises one Senior Forensic Officer (P-4) (*reclassified*), one Forensic Officer (P-3), three Cyber Forensic Investigators (P-3), one Associate Analyst (GIS) (P-2), one Associate Analyst (P-2) and one Information Storage Assistant (GS-OL). In total, the FSS comprises nine established posts.

356. The Planning and Operations Section comprises 49 established posts, headed by one Head of Section (P-5) and has:

(a) One Head, Protection Strategies Unit (P-4) with one Protection Strategies Officer (P-3), one Associate Protection Strategies Officer (P-2) and five Protection Strategies Assistants (GS-OL);

(b) One Head, Operational Risk and Support Unit (P-4) with three Operations Officers (P-3), four Field Operations Officers (P-3), two Information Analysts (P-2), one Assistant Analyst (P-1), five Field Operations Coordinators (GS-OL), two Field Operations Assistants (GS-OL), two Operations Assistants (GS-OL), one Witness Management Assistant (GS-OL) (converted from GTA), and three Administrative Assistants (GS-OL);

(c) One Victims Expert (P-4) and three Associate Victims Experts (P-2);

(d) One Data Processing Manager (P-2) and seven Data Processing Assistants (GS-OL); and

(e) Four Administrative Assistants (GS-OL).

General temporary assistance *€3,810.2*

357. The Division continues to require the GTA provision to support the increased activity of the Office. For 2018, the Division is requesting is 42 GTA positions, five of which are new (39.83 FTE). The budget impact has been minimized by discontinuing a total of four positions as indicated in paragraphs 343 and 346 above.

358. The GTA resources requested for Programme 2300 in 2018 are as follows:

(a) One *Senior Investigator (P-4), 12 months (1.0 FTE). Continued;*

(b) Seven *Investigators (P-3), 84 months (7.0 FTE). Continued;*

(c) Two *Associate Investigators (P-2), 24 months (2.0 FTE). Continued;*

- (d) One *Information Management Assistant (GS-OL)*, 12 months (1.0 FTE). *Continued*;
- (e) Three *Situation-Specific Investigation Assistants (GS-OL)*, 36 months (3.0 FTE). *Continued*;
- (f) Two *Situation-Specific Investigation Assistants (GS-OL)*, 16 months (1.34 FTE). *New*;
- (g) Three *Analysts (P-3)*, 36 months (3.0 FTE). *Continued*;
- (h) Eight *Analysis Assistants (GS-OL)*, 96 months (8.0 FTE). (Formerly known as *Data Processing Assistants*) *Continued*;
- (i) One *Head, Cyber Unit (P-4)*, 12 months (1.0 FTE). *Continued*;
- (j) Two *Forensic Officers (P-3)*, 24 months (2.0 FTE). *Continued*;
- (k) Two *Associate Protection Strategies Officers (P-2)*, 24 months (2.0 FTE). *Continued*;
- (l) Two *Associate Protection Strategies Officers (P-2)*, 16 months (1.34 FTE). *New*;
- (m) One *Field Operations Officer (P-3)*, 8 months (0.67 FTE). *New*;
- (n) Three *Field Operations Coordinators (GS-PL)*, 36 months (3.0 FTE). *Continued*;
- (o) One *Field Operations Coordinator (GS-OL)*, 12 months (1.0 FTE). *Continued*;
- (p) *Psycho-Social Experts (P-2)*, 6 months equivalent (0.5 FTE). *Continued*;
- (q) One *Project Officer (P-3)*, 12 months (1.0 FTE). *Continued*; and
- (r) One *Assistant Planning and Control Officer (P-1)*, 12 months (1.0 FTE). *Continued*.

359. In the Investigation Section, two new Situation-Specific Investigation Assistants (GS-OL) are requested, the costs of which will be mainly offset by not requesting one Associate Investigator (P-2).

360. In the Planning and Operations Section, one new Field Operations Officer (P-3) and two new Associate Protection Strategies Officers (P-2) are requested. The costs will be partially offset by discontinuing three Protection Strategies Assistants (GS-OL).

361. The increase is also affected by the number of work-months of the positions which in 2017 had been budgeted for less than 12 months (with the exception of the Psycho-Social Experts) and are being restored to full capacity in 2018.

Non-staff resources **€2,238.5 thousand**

362. The proposed amount has increased by €348.9 and is required for travel and general operating expenses.

Travel *€1,708.5 thousand*

363. The requested amount has increased by €298.9 thousand (21.2 per cent). The savings of €7.5 thousand for participation in the Assembly session in New York is reallocated to the operational mission travel requirements.

364. With the ID's 2016 travel expenditure amounting to €2,185.0 thousand and the 2017 expenditure forecast at a similar level, the ID continues to over implement its approved travel budget. The Division anticipates future travel expenditure to continue at a similar level resulting in a projected over implementation of approximately €800.0 thousand this year, should the travel budget not increase. This overspend has been in the past, and continues to be, covered by the reallocation of funds from other budget lines.

365. The Division paid considerable attention to identifying efficiencies and savings related to travel. Through a continued process in 2017 to evaluate and reduce costs, adapting the concept of operations, and improved operating conditions, the ID has reduced

hotel and DSA costs in the Central African Republic (CAR II) situation. Maintaining this approach, it is anticipated that €110.0 thousand can be saved in 2018 in CAR operations, assuming similar conditions prevail. These savings will reduce the anticipated 2018 over implementation of travel expenditure of €800.0 thousand to approximately €690.0 thousand. The Division proposes reaching a normalized travel budget over a two-year period (based on current activity) that responds to the actual needs of the Division by increasing the travel budget request by €298.9 thousand in 2018 and by the remaining deficit in 2019. The Office will continue to be as efficient as possible, adapting travel arrangements to maintain the most effective balance between flight and DSA costs, and prioritizing, to the extent possible, to harmonize operations and the available resources.

366. Investigative activities in the field are dependent on security conditions and opportunities that are often outside the control of the Office. Although maximum effort is devoted to improving mission planning and minimizing the cost per mission (e.g. reduced accommodation costs in the CAR mentioned above), there is a need to exploit any window of opportunity that can lead to advancements in the investigations that in turn improve the trial-readiness of cases (and bring about savings for the Court in terms of expeditiousness of proceedings).

367. The increase is required to reduce the ongoing overspend in the travel budget line and to support a similar number of missions. Costs associated with operating in increasingly high-risk environments and the cost of lodging because of limited available secure locations in the field pushes up prices in some situation countries in which teams operate.

General operating expenses

€530.0 thousand

368. The proposed amount has increased by €50.0 thousand (10.4 per cent).

369. This budget line is for costs necessarily incurred by witnesses attending interviews and costs relating to the Office's duty of care towards witnesses (including during the course of active 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 the interaction between the OTP and witnesses (e.g. travel and accommodation for witness for an interview) and low-cost/low-impact security measures taken by the OTP in the light of the protocol between VWS and OTP.

370. The requested increase in general operating expenses is based on a number of factors – greater number of new witnesses in ongoing investigations, while still retaining a duty of care to existing witnesses; increasing need to operate in high-risk environments which, by their nature, have significantly higher operating costs dedicated to the safety and security of both staff and witnesses; and maintaining or replacing equipment, such as trackers, panic buttons and telecommunication devices, which facilitate secure and untraceable communication with the Office. Provision has been made for the acquisition of satellite imagery whose demand for evidentiary purposes is becoming more frequent given the time lapse between incidents and the Office's intervention and the inability to gain access to certain crime scenes. While the Division is mindful of the costs and strives to limit expenditure in this area by constantly trying to identify savings and efficiencies, the increases remain necessary to maintain high operating standards and duty of care.

Table 23: Programme 2300: Proposed budget for 2018

2300 Investigation Division	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				10,733.3	1,036.8	9.7	11,770.1
General Service staff				2,373.9	158.6	6.7	2,532.5
<i>Subtotal staff</i>	<i>10,491.1</i>	-	<i>10,491.1</i>	<i>13,107.2</i>	<i>1,195.4</i>	<i>9.1</i>	<i>14,302.6</i>
General temporary assistance	5,244.0	259.8	5,503.8	4,094.2	(284.0)	(6.9)	3,810.2
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	17.6	0.7	18.3	-	-	-	-
<i>Subtotal other staff</i>	<i>5,261.6</i>	<i>260.5</i>	<i>5,522.1</i>	<i>4,094.2</i>	<i>(284.0)</i>	<i>(6.9)</i>	<i>3,810.2</i>
Travel	1,994.2	190.8	2,185.0	1,409.6	298.9	21.2	1,708.5
Hospitality	0.5	-	0.5	-	-	-	-
Contractual services	1.7	-	1.7	-	-	-	-
Training	144.9	-	144.9	-	-	-	-
Consultants	41.3	-	41.3	-	-	-	-
General operating expenses	415.2	3.7	418.9	480.0	50.0	10.4	530.0
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>2,597.8</i>	<i>194.5</i>	<i>2,792.3</i>	<i>1,889.6</i>	<i>348.9</i>	<i>18.5</i>	<i>2,238.5</i>
Total	18,350.5	455.0	18,805.5	19,091.0	1,260.3	6.6	20,351.3

Table 24: Programme 2300: Proposed staffing for 2018

2300 Investigation Division											Total P-staff and above		Total GS-staff	Total staff
	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1		GS-PL	GS-OL		
<i>Established Posts</i>														
Approved 2017	-	-	-	1	4	13	40	41	1	100	-	39	39	139
New	-	-	-	-	-	-	3	5	-	8	-	1	1	9
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	1	(1)	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	1	4	14	42	46	1	108	-	40	40	148
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	-	1.50	14.00	10.67	1.00	27.17	3.00	16.50	19.50	46.67
Continued	-	-	-	-	-	2.00	16.00	9.50	1.00	28.50	3.00	14.00	17.00	45.50
New	-	-	-	-	-	-	0.67	1.33	-	2.00	-	1.33	1.33	3.33
Converted	-	-	-	-	-	-	(3.00)	(5.00)	-	(8.00)	-	(1.00)	(1.00)	(9.00)
Proposed 2018	-	-	-	-	-	2.00	13.67	5.83	1.00	22.50	3.00	14.33	17.33	39.83

4. Programme 2400: Prosecution Division

Introduction

371. The Prosecution Division (PD) is central to 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 and Appeals Sections. 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, as well as 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.

372. 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, as well as to other sections of the Office, such as the SAS, the JCCD and the IOP.

373. The Prosecution and Appeals Section also organize extensive training and lectures for staff within the Prosecution and other Divisions including on written advocacy, oral advocacy, international human rights law, and international criminal law. This includes, *inter alia*, a biweekly Legal Meeting for all PD staff members where legal and procedural developments relevant to the Division are discussed, as well as regular internal advocacy training, including oral motion advocacy and witness examination training, in both French and English.

374. It is expected that, in 2018, the PD will remain engaged in trial activities in *Ntaganda*, *Gbagbo and Blé Goudé* and *Ongwen*. In addition, charges are expected to be brought for confirmation in one or more cases currently under investigation. The Appeals Section will have to deal with final appeals filed in CAR article 70 and in *Bemba*. Lastly, PD teams will remain engaged in investigative activities in the Georgia, CIV II, CAR II, Libya, Mali and other situations under investigation.

375. PD 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, as also identified as a priority area in the OTP Strategic Plan 2016-2018.

376. PD will also ensure that it adequately uses the various possibilities of criminal attribution offered by articles 25 (individual criminal responsibility) and 28 (responsibility of commanders and other superiors) of the Rome Statute. Consistent with existing policies, PD 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. PD will be particularly attentive to forms of victimization that have been traditionally undercharged internationally or domestically.

377. The Division has created internal coordination mechanisms and working groups, and is part of Office-wide initiatives working on priority areas of 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 internal evidence reviews, as well as reviews of critical instances of presentation of the case in court, in an effort to make continuous critical assessments of the quality of its work and ensure high-quality output.

378. In line with the OTP Strategic Plan 2016-2018, the PD has set its objectives for 2018. These can be found in annex V (d).

Budget resources**€11,915.0 thousand**

379. The requested amount has increased by €345.5 thousand (3.0 per cent) owing to the new request for additional resources.

380. The activities of PD are characterized by, and dependent upon, the use of professionals specializing in the field of international criminal law. The vast majority of the Division's budget (97 per cent) is therefore concentrated in the staff resources line. Consequently, the focus of the Division is on finding efficiencies and cost savings by stimulating an increase in productivity by 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 wide and strong network, where possible. In return, the Division builds its network by, for example, giving lectures and speeches to professionals and students at various institutions.

381. 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 continue focusing on finding efficiencies and cost savings. This will hopefully alleviate the pressure of work on and reduce the extensive working hours faced by Prosecution staff.

382. Examples of cost savings and efficiencies the Division has identified for 2017 are as follows:

(a) The ability to use *pro bono* facilitators for specialized training and organizing training jointly with third parties. This has been an ongoing practice in the Division for several years and the calculated cost savings (€33.0 thousand a year) have therefore already been incorporated into the requested training budget; and

(b) In addition, PD has always aimed to foster a culture of internal knowledge-sharing. For example, senior staff members are expected to transfer their knowledge and skills to junior staff members by providing training and lectures. This responsibility is even included as an objective in the annual performance appraisal of senior staff members. This has been an ongoing practice in the Division and is therefore already reflected in the requested training budget. It has been calculated that the use of internal expertise for lectures and training leads to a cost saving of approximately €32.0 thousand a year.

383. The Division requires additional non-staff resources to support its activities. Within the Office, most of these services are provided (and budgeted for) in sub-programmes 2110 and 2120. A specific allotment, however, is requested for Travel and is included in PD's budget.

384. PD has examined its current resources and allocated the positions in the teams where they are most needed. Staff members from cases that are not continuing in 2018 have been redeployed to new investigations, or to strengthen teams that were significantly understaffed in previous years. It is expected that 2018 will be a demanding year for the PD, with three trials ongoing for a full year, two final appeals and six active investigations, which need full investigative pre-trial teams.

385. The 2018 budget for PD is conservative, focusing only on the positions absolutely crucial to achieving the budget assumptions. No resources have been allocated for cases related to investigations pending arrest or any other activities. PD has put much effort into aligning the proposal with the concerns raised during previous budget meetings, while still reflecting the resources required to fulfil its mandate under the Rome Statute.

Staff resources**€11,540.9 thousand**

386. The Division will comprise 108 staff members: 94 established posts, including six submitted for conversion from long-standing GTA, and 14 GTA (13.0 FTE) positions including three new requests.

Established posts: Professional and General Service

€ 10,236.8 thousand

387. No additional established posts are requested apart from those included in the conversion list submitted to the Committee at its twenty-eighth session in April.

388. For budgetary purposes only, and owing to the original allocation of the post, the Deputy Prosecutor (ASG) is allocated 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, ID, and PD. The Personal Assistant to the Deputy Prosecutor is also allocated to PD.

389. The Prosecution Division is led and managed by the Director, Prosecution Division (D-1), who oversees the effective deployment of resources, standardization of case preparations and filings. Where appropriate, the Director, together with the Senior Appeals Counsel (P-5), reviews all filings and briefs before they are filed with the Court to ensure 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 Case Manager Coordinator (P-2) and one Special Assistant (Prosecutions) (P-3) for the planning and coordination of the Division. Furthermore, the Director 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.

390. The Prosecution Division comprises the following established posts: one Deputy Prosecutor (ASG), one Director, Prosecution Division (D-1), eight Senior Trial Lawyers (P-5), one Senior Appeals Counsel (P-5), 13 Trial Lawyers (P-4), two of which were submitted for conversion, three Appeals Counsel (P-4), 14 Trial Lawyers (P-3), one Legal Officer (P-3), three Appeals Counsel (P-3), 22 Associate Trial Lawyers (P-2) of which eight are reclassified from P-1 (established) Assistant Trial Lawyer plus three that have been converted from GTA (P-1) Assistant Trial Lawyer to established, one Assistant Trial Lawyer (P-1), which was submitted for conversion, 10 Assistant Legal Officers (P-1), nine Case Managers (P-1), one of which was submitted for conversion, five Trial Support Assistants (GS-OL), two Administrative Assistants (GS-OL), and one Personal Assistant (GS-OL).

391. 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 mainly focus on the formulation of the case hypothesis. This investigative pre-trial phase requires a team of six lawyers, one Case Manager and one Trial Support Assistant (0.5 FTE), together with the Senior Trial Lawyer who leads the team. The team will provide the 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 disclosure and draft relevant documents, including all filings, which may be necessary at the investigative stage. The Case Manager and Trial Support Assistant manage the evidence, information and filings, and support the lawyers in their tasks. The budget assumptions include six active investigations for 2018.

392. As soon as the investigation has sufficiently progressed to a case hypothesis, the Prosecution Division increases its capacity to form an investigative pre-trial team. For 2018, it is expected that, along with three trials and the final appeals in two cases, some cases will also be in the pre-trial stage. The pre-trial phase starts with the Integrated Team's preparing the investigation's transition towards trial through the stage of refining the case hypothesis from a legal perspective to the development of applications for warrants of arrest. The preparation of an Application for Warrant of Arrest or summons to appear includes a comprehensive evidence review involving Office staff external to the team to which an investigation or prosecution is assigned, to scrutinize the sufficiency of the evidence according to the standards for the 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 initial appearance should normally take place within 48 to 96 hours once the suspect arrives at the seat of the Court. According to rule 121(1) of the Rules, at the suspect's first appearance, the Pre-Trial

Chamber sets the date of the confirmation hearing. The typical target date for the confirmation hearing should be around four to six months from the first appearance. Between the initial appearance and the confirmation hearing, the Prosecution team will start with disclosure to the Defence, including reviewing and applying the appropriate redactions, prepare 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 confirmation hearing, the confirmation decision will be delivered. Following confirmation, the case is transferred to the Trial Chamber. Prior to the 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.

393. 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 is in the pre-trial or trial phase. The lawyers, led by the Senior Trial Lawyer, will organize and prepare the case during the pre-trial and trial phases, including marshalling both inculpatory and exculpatory evidence; manage witnesses; provide guidance for additional investigations; manage disclosure; draft all filings and briefs for the Pre-Trial Chamber and the Trial Chamber; participate in hearings; and act at the confirmation hearing and at trial by 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 three cases at trial for 2018.

394. The team compositions as described above are 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.

395. The Appeals Section comprises the following established posts: one Senior Appeals Counsel (P-5), who manages the Section and oversees all work carried out by the Section, three Appeals Counsel (P-4), three Appeals Counsel (P-3), and one Case Manager (P-1). These posts are needed to address the work of the Section, which includes preparing all written filings and briefs on interlocutory and final appeals before the Appeals Chamber; arguing in all oral hearings in final appeals before the Appeals Chamber; conducting all litigation in the interlocutory and final appeals phases (including handling additional evidence and disclosure); preparing all applications for leave to appeal and responses to such applications filed by the defence and other parties before the Pre-Trial and Trial Chambers; and drafting and reviewing key trial filings, in particular those involving significant and novel international criminal law and procedural issues.

396. In addition, the Appeals Section plays a major role in providing legal research and advice by written memos and oral advice to all investigation and trial teams in the Prosecution Section, as well as to other sections of the Office, such as the SAS, in relation to their preliminary examinations and reports, and to JCCD and IOP in relation to international criminal law issues.

397. The Appeals Section also conducts a variety of other litigation, such as article 53(3) review proceedings, compensation proceedings, early release proceedings and reparations. In addition, the Appeals Section has been responsible for preparing and updating a thorough case digest of all decisions and judgments issued by the Chambers since the inception of the Court, available for use by all divisions in the Office, and coordinates extensive legal and written and oral advocacy training and lectures throughout the year for all staff in the Division, which is also open to other divisions.

General temporary assistance

€1,304.1 thousand

398. In order to allow the Prosecution to carry out the activities provided for in the budget assumptions effectively, 14 GTA resources are requested (13.0 FTE), as follows:

- (a) Two *Trial Lawyer (P-4)*, 24 months (2.0 FTE). *Continued*;
- (b) One *Trial Lawyer (P-4)*, 8 months (0.67 FTE). *New*;

- (c) Two *Trial Lawyers (P-3)*, 24 months (2.0 FTE). *Continued*;
- (d) One *Special Assistant (Prosecutions) (P-3)*, 12 months (1.0 FTE). *Continued*;
- (e) Two *Associate Trial Lawyers (P-2)*, 24 months (2.0 FTE). *Continued*;
- (f) One *Associate Trial Lawyer (P-2)*, 8 months (0.67 FTE). *New*;
- (g) One *Associate Appeals Counsel (P-2)*, 12 months (1.0 FTE). *Continued*;
- (h) One *Case Manager Coordinator (P-2)*, 12 months (1.0 FTE). *Continued*;
- (i) One *Assistant Legal Officer (P-1)*, 8 months (0.67 FTE). *New*;
- (j) One *Personal Assistant to the Deputy Prosecutor (GS-PL)*, 12 months (1.0 FTE). *Continued*; and
- (k) One *Trial Support Assistant (GS-OL)*, 12 months (1 FTE). *Continued*.

Changes in comparison to the 2017 budget:

399. The investigation in the Mali situation is rapidly evolving and the Integrated Team working on the case is therefore moving to prepare the case for the next phase. At this stage of a case, more Prosecution team members are needed in the Integrated Team. Since the last quarter of 2016, the Prosecution Team has been able to effectively support the team only because other divisions in the OTP provided additional resources. However, these resources can no longer be borrowed in 2018.

400. The additional resources included a P-4 Trial Lawyer, and a P-2 Associate Trial Lawyer. In preparation for courtroom hearings, a P-4 Trial Lawyer is essential to support the Senior Trial Lawyer. The P-4 lawyer can exercise delegated supervisory authority over junior staff members and is the officer in charge of the team when the Senior Trial Lawyer is not in the Office. The P-4 lawyer supports the Senior Trial Lawyer by providing legal research and analysis on complex issues and drafting complex legal filings with minimal need for review and guidance. In addition, the P-2 Associate Trial Lawyer is essential to the team to review and summarize the evidence, assist with the cumbersome disclosure processes and with the preparation for key filings, such as the pre-trial brief.

401. Because of increased needs of the Office as a whole, this current structure of additional support will be discontinued in 2018, while the work of the prosecution team is expected to increase. Although the Division continues to reallocate staff members to different teams in order to keep the budget increase to a minimum, these two positions cannot be covered from an existing post. Therefore, the Division is requesting that these two positions be added to the Prosecution Division for 2018.

402. In addition, in order to accommodate the needs of the Division, the profile of one P-1 Assistant Trial Lawyer needs to change to P-1 Assistant Legal Officer. This is a cost-neutral change as the grade level remains the same.

Non-staff resources

€374.1 thousand

403. Within the Office, most of the non-staff resources needed to support the Division's activities are provided (and budgeted for) in sub-programmes 2110 and 2120. The non-staff costs of travel, however, are included in the PD budget.

Travel

€374.1 thousand

404. On the basis of the 2018 assumptions, the Division will need the same amount for travel as was budgeted for 2017. Prosecution staff regularly go on mission as part of the Integrated Teams to support ongoing investigations. The increased number of missions for investigations therefore also leads to increased travel by PD staff. Travel of PD staff is furthermore required in the pre-trial and trial phase of a case, including for the collection of article 68 declarations, witness preparation and to support witnesses who testify using a video link. Additionally, provision is made for the Deputy Prosecutor, Director of the Division and the Senior Appeals Counsel for missions in pursuit of their representative

functions aimed at broadening understanding of and cooperation with the Office's activities. The savings from the New York session of the Assembly (€8.7 thousand related to the Deputy Prosecutor's participation in the session) have been used to offset the cost of additional missions.

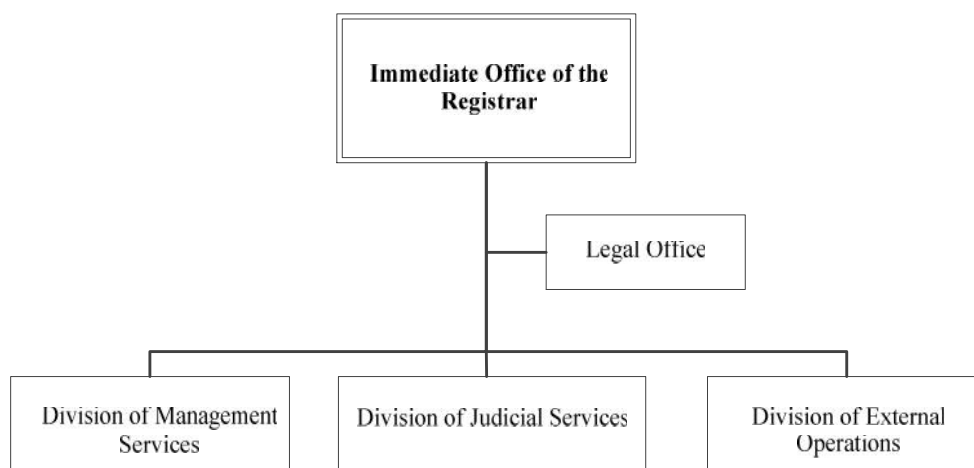
Table 25: Programme 2400: Proposed budget for 2018

2400 Prosecution Division	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				8,891.3	808.7	9.1	9,700.0
General Service staff				520.2	16.6	3.2	536.8
<i>Subtotal staff</i>	<i>5,442.4</i>	-	<i>5,442.4</i>	<i>9,411.5</i>	<i>825.3</i>	<i>8.8</i>	<i>10,236.8</i>
General temporary assistance	4,657.2	130.6	4,787.8	1,783.9	(479.8)	(26.9)	1,304.1
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>4,657.2</i>	<i>130.6</i>	<i>4,787.8</i>	<i>1,783.9</i>	<i>(479.8)</i>	<i>(26.9)</i>	<i>1,304.1</i>
Travel	193.0	2.6	195.6	374.1	-	-	374.1
Hospitality	-	-	-	-	-	-	-
Contractual services	45.2	-	45.2	-	-	-	-
Training	26.4	-	26.4	-	-	-	-
Consultants	1.8	-	1.8	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>266.4</i>	<i>2.6</i>	<i>269.0</i>	<i>374.1</i>	-	-	<i>374.1</i>
Total	10,366.0	133.2	10,499.2	11,569.5	345.5	3.0	11,915.0

Table 26: Programme 2400: Proposed staffing for 2018

2400 Prosecution Division	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
<i>Established Posts</i>														
Approved 2017	-	1	-	1	9	14	18	11	26	80	-	8	8	88
New	-	-	-	-	-	2	-	-	1	3	-	-	-	3
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	11	(8)	3	-	-	-	3
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	1	-	1	9	16	18	22	19	86	-	8	8	94
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	-	4.00	3.00	3.20	5.00	15.20	-	1.83	1.83	17.03
Continued	-	-	-	-	-	4.00	3.00	4.00	4.00	15.00	1.00	1.00	2.00	17.00
New	-	-	-	-	-	0.67	-	0.67	0.67	2.00	-	-	-	2.00
Converted	-	-	-	-	-	(2.00)	-	-	(4.00)	(6.00)	-	-	-	(6.00)
Proposed 2018	-	-	-	-	-	2.67	3.00	4.67	0.67	11.00	1.00	1.00	2.00	13.00

C. Major Programme III: Registry



Introduction

405. 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).

406. Judicial proceedings form the core of the Court’s work and cannot be undertaken without the necessary services provided by the Registry. As a neutral service provider, the Registry supports judicial proceedings through, among other things, court 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, and management of the detention facilities. Without these Registry services, judicial proceedings would not be possible, as different participants in the proceedings – including the judges, the Office of the Prosecutor, the defence, and the victims and witnesses – would not have the necessary technical, operational and language support or, where applicable, the necessary financial support to ensure fair and expeditious judicial proceedings. The Registry’s budgetary needs in these areas are directly driven by judicial and prosecutorial developments.

407. The Court is also a unique international institution, with its own external governance framework centred on the Assembly of States Parties (“the Assembly”) and its subsidiary bodies. The Court has a special relationship with the United Nations, with which it cooperates on many different issues, but also requires the cooperation of individual States on a broad range of matters, from warrants of arrest to witness relocation. Consequently, the Court needs to maintain and further develop relationships with these actors. At the same time, the Court needs to provide information to the general public on its activities, as well as more tailored outreach information to communities affected by crimes under its jurisdiction. The Registry is responsible for all of these initiatives, both from Headquarters and at its field offices in situation countries. Thanks to the Registry’s new, reorganized structure, which formally came into effect in 2016 but did not become fully operational until this year due to the many vacant posts in 2016, the Registry’s external functions have been consolidated within a single division. The External Auditor recently confirmed that this new structure is more effective. While the costs associated with external activities are also driven by judicial and prosecutorial developments, they partially depend on factors beyond the Court’s control, such as the level of State cooperation with the Court.

408. The administrative services provided by the Registry are crucial to the smooth functioning of the Court as a whole, which is staffed by nearly one thousand people. The Registry manages human resources, budgeting, finance, procurement, facilities, travel and

security. In these areas, too, the Registry's services are directly linked to the expeditious conduct of judicial proceedings by, among others, transporting witnesses, ensuring courtroom security and providing the parties with all the courtroom equipment they need. The Registry's budgetary needs in these areas depend on the needs of the Major Programmes it services.

409. The Immediate Office of the Registrar helps the Registrar provide strategic leadership, coordination and guidance to all Registry divisions and sections. The Registry Legal Office is responsible for supporting the performance of the Registrar's legal functions.

Trend in Registry budget requirements: 2013-2017

410. The table below provides an overview of yearly budget growth for the Registry over the past five years.

Table 27: Yearly increase/decrease in approved budgets of Registry from 2013 to 2017

	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2013-2017 Total increase	2013-2017 Total increase (excluding UNCS)
Registry	-0.8%	2.7%	-1.9%	11.9%	5.3%	18.0%	11.1%

411. The Registry's real growth over the 2013-2017 period was 11.1 per cent, after yearly adjustments for the application of the United Nations Common System (UNCS) are excluded. In contextualising this figure, two factors are relevant. First, the increase of 11.9 per cent in 2016 was directly linked to the Court's move to its permanent premises. It reflected the increased cost of managing, maintaining and securing a larger property without being able to share security costs with another organization, as had been the case at the Court's interim premises until the end of 2015.

412. Secondly, the Registry's growth over this five-year period must also be seen in the context of a sharp increase in workload. Witness protection and the facilitation of witness appearances are crucial Registry services. From 2013 to 2017, the number of witnesses appearing for testimony increased by 179 per cent. The number of hearing days increased by 241 per cent over the same period. Hearings require a wide range of Registry services, including courtroom management, interpretation, transcription, security and technical support. The Registry's workload has also expanded in terms of the number of victims applying for participation and reparations, the number of languages supported and the number of filings handled. This is all in the context of a 11.1 per cent real or operational increase over the five-year period, not including UNCS costs.

Table 28: Key workload indicators for 2013-2017

Parameter	2013 Actuals	2014 Actuals	2015 Actuals	2016 Actuals	2017* Approved	Growth 2013-2017
Number of hearing days	129	148	110	276	440	241%
Number of witnesses appearing for testimony	29	25	37	97	81	179%
Number of Registry courtroom support teams	1	1	1	2	2	100%
Number of victims applying for participation/reparation	4,288	2,455	3,391	4,845	7,100	66%
Number of situations	8	8	8	9	11	38%
Number of filings	10,082	11,287	17,334	11,603	13,408	33%
Number of case-related languages supported	18	30	14	24	22	22%

<i>Parameter</i>	<i>2013 Actuals</i>	<i>2014 Actuals</i>	<i>2015 Actuals</i>	<i>2016 Actuals</i>	<i>2017* Approved</i>	<i>Growth 2013-2017</i>
Number of languages supported in courtroom	6	4	10	10	10	67%
Number of defence teams	8	16	17	14	14	75%
Number of victims' teams (OPCV and external counsel)	16	20	17	19	17	6%
Number of OTP missions (in Man Working Day)	5,816	7,019	8,026	6,778	7,798*	34%
Number of Registry missions (in Man Working Day)	7,222	7,571	4,728	3,658	5,480*	-24%

* Projected to end of year, based on end of June 2017 data

Overview of Registry budget requirements for 2018

413. The proposed 2018 budget for the Registry amounts to €79.2 million, an increase of **€2.5 million**, or **3.3 per cent**. The Registry has made every effort to reduce the proposed increase by identifying savings and redeploying resources wherever possible. Indeed, had it not been for the efficiencies and savings achieved, and cuts to operational costs, the proposed increase would have been **€4.5 million**, or **5.9 per cent**.

414. Table 27 provides an overview of the main increases and reductions, with each item explained in the analysis that follows.

Table 29: Calculation of net increase based on approximate increases and reductions in Registry budget

Increases	
Support to judicial proceedings	€0.9 million
Support to six investigations and other field activities	€1.2 million
Information management and information security investments	€1.4 million
Restoration of vacancy rate	€1.2 million
Application of UNCS	€0.4 million
Other requirements	€0.4 million
<i>Subtotal</i>	<i>€5.5 million</i>
Reduction in non-recurring costs	- €1.0 million
<i>Total increase</i>	<i>€4.5 million</i>
Reductions through efficiencies, savings and cuts to operational costs	
Efficiencies and savings	- €0.9 million
Cuts to operational costs	-€1.1 million
Net increase	€2.5 million

Increases

415. The requested increases can be divided into six areas, the first three of which are related directly to the expanded workload resulting from 2018 judicial assumptions and Court-wide strategic priorities. They are: (a) the conduct of three trials and provision of support for judicial and prosecutorial activities; (b) provision of support for six investigations and other field activities; and (c) key Court-wide information technology requirements. The other three areas are: (d) restoration of the vacancy rate; (e) application of the UNCS; and (f) other requirements across the Registry.

Conducting three trials and supporting judicial and prosecutorial activities (€0.9 million)

416. In the vast majority of areas, the Registry will operate at the same level of resources as that approved for the 2017 budget, while maintaining or increasing its level of activity. With three cases expected to be at the trial stage in 2018, two for the full year and one for a part of 2018, and reparations proceedings ongoing in four other cases, the Registry will provide, as in 2017, two courtroom teams to support temporary sequences of three simultaneous trials, thereby ensuring maximum use of courtroom capacity.

417. There are two main reasons for the increases in this area. First, the number of witnesses to appear before the Court is expected to increase from 81 in 2017 to 132 in 2018, which will also entail greater logistical support, in particular an additional driver at Headquarters, and greater demand on the Registry for witness support (€0.2 million). The second reason is the impact of the legal aid scheme (€0.4 million). The proposed budget for 2018 has been estimated on the basis of expected judicial activities, the average cost of each current defence team and experience thus far in 2017. An additional sum has been requested for duty and ad hoc counsel for defence, 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. The requested increase in legal aid for victims' counsel is required to fund all existing external teams of legal representatives of victims, representing more than 8,500 of the 12,985 victims currently participating in proceedings before the Court.

418. Other increases under this heading amount to €0.3 million and reflect additional language assistance in Acholi to maintain the continued high pace of judicial activities in the *Ongwen* case; reinforcement of the Court's financial investigation capacity through one additional GTA position (Financial Investigator); and two additional local GTA positions for victim participation/reparations and outreach in the Central African Republic (CAR), where approximately 5,300 victims are participating in the CAR I proceedings.

Support to six investigations and other field activities (€1.2 million)

419. This includes the increased support that field offices must provide for investigative activities and other missions, including three additional drivers in the CAR and Côte d'Ivoire and two fully-costed posts for support to victims and witnesses in the Georgia situation, partially funded in 2017 (€0.2 million). A small satellite office in Gulu will be opened to support missions and activities, in particular outreach activities, in northern Uganda. Other field offices require maintenance. This is notably the case of the Kampala Field Office, in the light of the move to its new premises, and the Côte d'Ivoire Field Office, for increased vehicle maintenance in the light of its higher volume of missions (€0.2 million). Security support in Mali must be strengthened due to the increased threat to international staff, requiring additional security personnel. Security in Côte d'Ivoire also requires contractual services due to the withdrawal of the United Nations Operation in Côte d'Ivoire, on which the Court has relied thus far (€0.2 million). While Registry travel from Headquarters to the field has decreased, there is an increase in travel in the field due to enhanced support and staffing in the areas cited (€0.2 million).

420. Other increases in this category amount to €0.4 million and include the costs of ensuring secure and effective communications in the field, in support of investigative and other activities (not covered by the IT/IM strategy outlined below). These increases also include the cost of an additional established post in the Office of the Director of the DEO, which is justified by the significant workload involved in supporting the Director in handling the complexities associated with administering three sections and six field offices. This will bring the staffing structure of the Office of the Director in line with that of other Directors' offices in the Registry.

Key Court-wide information technology requirements (€1.4 million for the Registry out of €1.6 million for the entire strategy)

421. The Court has undertaken a thorough analysis of its existing IT/IM infrastructure across different organs and the associated immediate and long-term requirements. Since the Court was established, 15 years ago, a number of important IT/IM investments have been

made to support its judicial, investigative and administrative operations. A number of these systems have become obsolete or are expected to become obsolete in the near future as they reach their end of life or become outdated. Ringtail, which cannot process electronic evidence, is already outdated. Similarly, SAP will need to be upgraded to a new version in 2021, as the old system will no longer be supported by the vendor. Moreover, the Court has grown significantly since it was established, and this has had an impact on its IT requirements as well as the volume of data generated. Specifically, there are requirements in areas such as digital evidence collection, information security and information management that are only partially met by the existing systems.

422. To address these challenges, in February 2017, a Court-wide Five-Year IT/IM Strategy was adopted to ensure a holistic approach to information technology, information security and information management aimed at meeting the Court's essential needs while maintaining better control of invested resources and maximizing their impact.

423. In the 2018 proposed programme budget, the total requirement is €1.6 million, of which €1.4 million is covered by the Registry. The majority of the IT/IM resources requested pertain to prosecutorial activities, although they are presented within the Registry budget in the context of inter-organ synergies. Various projects are detailed in the annex IX on the IT/IM strategy. The essentials are as follows:

(a) Investigative – €50 thousand co-funded by the Registry (€70 thousand) and OTP (€180 thousand). In recent years, the proportion of digital evidence collection by the Court has increased from nought to more than 80 per cent. It is expected to rise to 100 per cent by 2020. Existing systems, and Ringtail in particular, were not designed to deal with digital evidence. This has led to a significant bottleneck in evidence processing. Investments are necessary to shorten the time required for the acquisition, analysis and processing of evidence;

(b) Judicial – €20 thousand. The initiatives planned for 2018 will focus on overseeing business analysis and improvements in core judicial processes, specifically in the handling of victim data. Because of the paper-based collection of victim applications, and the siloed processing of information, the Court is currently limited in its capacity to process all potential victim applications. Analysing and addressing process inefficiencies introduced by the use of outdated software is another problem area that the strategy will address. The proposed project activities for 2018 will also redefine the processes supporting the pre-trial, trial, appeals and reparations stages. This is a pre-requisite to ensuring that the technology and functionality built to support judicial processes delivers efficiencies for Chambers and litigating parties;

(c) Administrative – €100 thousand. These resources are needed to reduce manual work currently required to produce financial statements and reports, and to strengthen controls and eliminate duplication. Other initiatives focus on completing the Court-wide mission planning project by integrating the system with SAP and implementing tools to support activity planning, tracking and reporting for all Court managers; and

(d) Information Security – €80 thousand is requested in 2018 to continue with the necessary security enhancements to the Court's IT environment in order to accommodate the evolving and increasingly dense threat environment. Without proper precautions, the Court's increased cyber activity and the concomitant interest taken in it by state actors will leave the Court vulnerable to cyberattacks initiated by resourceful parties.

Restoration of the vacancy rate

(€1.2 million)

424. The fourth area of increase pertains to the restoration of the vacancy rate, from 12 per cent in 2017 to the standard rate of 10 per cent in 2018. This was anticipated last year in the 2017 proposed budget.⁴⁶

⁴⁶ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part A, para. 424: "It is expected in this regard that staffing levels will return to the normal 10 per cent vacancy rate by mid-2017 and will need to be costed accordingly in subsequent budgets."

Application of the United Nations Common System (UNCS) (€0.4 million)

425. An increase in staff costs of €0.4 million is due to the application of the UNCS. It should be noted that the recently revised UNCS, applicable at the Court as of 2017, is less costly than the previous system. While, in the past, average yearly increases for the Registry amounted to more than €1 million, the new UNCS has resulted in a much lower increase. The new system is expected to generate further savings in the future.

Other requirements (€0.4 million)

426. This refers to an increase of €0.4 million in several financially minor requirements across the Registry, including the use of conference facilities at the permanent premises; Court-wide corporate training needs; increases in external audit fees; an increase in the annual SAP licence fee; and costs of additional data storage attributable to increased use of electronic evidence. This category also includes redeployments, in terms of staff or non-staff costs, of expenses previously accounted for in other Major Programmes and now appearing in the Registry budget, such as the Web Development Assistant post transferred from the Secretariat of the Assembly of States Parties to the Registry.

427. Increases in the above-mentioned areas would have led to a total increase of €5.5 million if not for the reductions described below.

Reductions in non-recurring costs

428. A total of €1.0 million in non-recurring costs were applicable in 2017 but do not apply to 2018. Reductions in non-recurring costs are budget baseline reductions that can be expected from any regular budget process. In the proposed budget for 2018, they include a reduction in travel costs due to the fact that the 2018 session of the Assembly will take place in The Hague, and not in New York as was the case in 2017. This removes the need for travel resources for this purpose. Other examples of non-recurring costs include one-off projects such as consultancy related to the competitive procurement of medical insurance in 2017.

429. The total increase in the Registry budget for 2018 after reductions in non-recurring costs would have been €4.5 million, or 5.9 per cent.

Reductions through efficiencies, savings and cuts to operational costs

430. The Registry has implemented and continues to implement efficiencies and savings for 2018 in addition to those achieved in 2017. The details of these efficiencies and savings are provided in annex X.

431. For 2018, savings have reduced the budget baseline by €0.9 million.

432. This includes a reduction in travel from Headquarters to the field for staff dealing with the support and protection of victims and witnesses. More staff have been deployed to the field, empowered and trained in the new, reorganized Registry structure. At the same time a new standard procedure for missions was put in place, including a review of necessity and alternatives and the centralization of scheduling. The new structure generates fewer travel requirements for the Victims and Witnesses Section, limiting the need for travel funds: 25 per cent less is requested in the budget for travel in 2018, amounting to savings of €266 thousand.

433. A more flexible approach to relocation (ad hoc rather than framework agreements) doubled the number of countries actively cooperating with relocations, generating savings of €200 thousand. Four new relocation agreements were signed in 2017 and one agreement is in the final stage of negotiation. Each acceptance implies a reduction in case management and costs stemming from the International Criminal Court Protection Programme (ICCPP). Cases for relocation are those that have been identified as having the highest associated risks and therefore being the most expensive to manage day-to-day. Additional relocations have led to a reduction in general operating expenses, as well as staff travel and general staff expenses, in the mentioned amount.

434. Savings of €235 thousand have been found through close monitoring of all facilities management contracts, as well as rigorous procurement processes. This has led to a reduction in some contract costs compared to estimates by a Dutch government agency and the Permanent Premises Project building contractor. In particular, it has been possible to obtain lower-cost contracts for utilities, cleaning, garbage removal, pest control, plumbing services and indoor plant maintenance.

435. Savings of €100 thousand have been achieved in mobile phone costs at Headquarters and in the field by providing advice to Court staff on proper usage and encouraging the use of secure VPNs, and by reviewing the current allocation of mobile devices.

436. Improved inter-organ analyst coordination and consultation with the library has significantly reduced duplicate subscriptions and associated spending across the organs. More efficient information collection and cost sharing on fees have led to savings of €57.5 thousand.

437. In addition, the Registry has undertaken a careful review of its operations and needs for 2018, and has achieved a further reduction of €1.1 million based on specific decisions by managers to review operations on the basis of changing needs or managerial improvements. For example, certain case-specific languages may no longer be required on a continuous basis, allowing the Court to transition from fixed-term appointments to less costly contractual services.

Conclusion

438. The final combined result of the Registry's efforts to achieve efficiencies and savings, coupled with the aforementioned increases in six different areas, is an increase of **€2.5 million, or 3.3 per cent**. In the absence of the Registry's efforts, the proposed increase would have amounted to **€4.5 million, or 5.9 per cent**.

439. This proposed increase for 2018 is to be understood in the context of the real increase of 6.6 per cent with which the Registry has had to cope between 2013 and 2017, for operational purposes, not counting the effect of the implementation of the UNCS. The Registry has succeeded in implementing its mandate over this period despite a significant increase in its workload in a number of areas, including additional responsibilities associated with the maintenance and security of the Court's permanent premises, more than triple the number of hearing days, almost triple the number of witnesses appearing for testimony, and almost double the number of victims applying for participation/reparations.

Table 30: Major Programme III: Proposed budget for 2018

Programme III Registry	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				27,526.5	368.3	1.3	27,894.8
General Service staff				18,017.5	627.9	3.5	18,645.4
<i>Subtotal staff</i>	<i>40,824.0</i>	<i>-</i>	<i>40,824.0</i>	<i>45,543.9</i>	<i>996.3</i>	<i>2.2</i>	<i>46,540.2</i>
General temporary assistance	1,749.5	379.8	2,129.3	3,181.9	322.9	10.1	3,504.8
Temporary assistance for meetings	1,328.6	69.2	1,397.8	1,028.4	134.3	13.1	1,162.7
Overtime	449.0	9.1	458.1	325.5	(2.7)	(0.8)	322.8
<i>Subtotal other staff</i>	<i>3,527.1</i>	<i>458.1</i>	<i>3,985.2</i>	<i>4,535.8</i>	<i>454.5</i>	<i>10.0</i>	<i>4,990.3</i>
Travel	1,383.5	95.9	1,479.4	2,106.5	(90.0)	(4.3)	2,016.5
Hospitality	19.7	-	19.7	4.0	-	-	4.0
Contractual services	2,257.8	196.0	2,453.8	2,192.4	94.4	4.3	2,286.8
Training	593.4	7.1	600.5	498.4	124.8	25.0	623.2
Consultants	570.0	100.6	670.6	434.3	(38.9)	(9.0)	395.4
Council for defence	4,950.0	-	4,950.0	3,528.2	194.8	5.5	3,723.0
Council for victims	1,344.7	-	1,344.7	1,002.8	162.2	16.2	1,165.0
General operating expenses	12,509.0	131.7	12,640.7	14,859.9	293.7	2.0	15,153.6
Supplies and materials	1,154.8	3.5	1,158.3	830.0	65.3	7.9	895.3
Furniture and equipment	2,563.7	588.1	3,151.8	1,096.3	289.5	26.4	1,385.8
<i>Subtotal non-staff</i>	<i>27,346.6</i>	<i>1,122.9</i>	<i>28,469.5</i>	<i>26,552.9</i>	<i>1,095.7</i>	<i>4.1</i>	<i>27,648.6</i>
Total	71,697.7	1,581.0	73,278.7	76,632.6	2,546.5	3.3	79,179.1

Table 31: Major Programme III: Proposed staffing for 2018

III Registry	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	Total P-staff and above			Total GS-staff	Total staff
										GS-PL	GS-OL			
<i>Established Posts</i>														
Approved 2017	-	1	-	3	22	43	85	89	5	248	15	311	326	574
New	-	-	-	-	-	-	-	1	-	1	-	-	-	1
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	1	(1)	-	-
Returned	-	-	-	-	-	-	(1)	-	-	(1)	-	-	-	(1)
Proposed 2018	-	1	-	3	22	43	84	90	5	248	16	310	326	574
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	-	1.00	5.83	7.50	4.00	18.33	1.70	25.47	27.17	45.51
Continued	-	-	-	-	-	1.00	4.50	7.00	4.00	16.50	-	19.00	19.00	35.50
New	-	-	-	-	-	-	0.67	-	-	0.67	5.11	8.00	13.11	13.78
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	-	1.00	5.17	7.00	4.00	17.17	5.11	27.00	32.11	49.28

1. Programme 3100: Office of the Registrar

Introduction

440. 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 International Criminal Court (“the Court”) and external stakeholders. The IOR supports the Registrar in the performance of his or her executive functions and coordinates the remaining executive functions delegated to the Directors of the Registry Divisions.

441. The Legal Office 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, procurement and the coordination of 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. The LO represents the Court in litigation, both internally and externally, and acts as an interlocutor between the Court and States with respect to privileges and immunities.

Operating environment

442. 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 2018. In this regard, the OTR ensures appropriate inter-organ coordination, provides the required support to the work of the Registry Management Team and enables the Registrar to ensure that high-quality services are provided to the organs of the Court, as well as to discharge his substantive responsibilities on matters such as protection of witnesses, legal aid and support to counsel, and outreach. Given the level and type of support required from the Registry in relation to judicial activities, the Registrar must not only provide oversight with respect to the activities foreseen; the Registrar must also be able to react and reprioritize activities should developments in situations and cases so require. The continued issuance of new prosecutorial and judicial decisions with regard to ongoing investigations and cases, whether in the pre-trial, trial, appeals or reparations phase, means that the operational direction and allocation of resources, both at Headquarters and in the field, must be constantly monitored to ensure optimal service delivery and consistent implementation of the Registry’s legal position. Furthermore, the effective functioning of an optimized presence in the field, and the opening and closing of field offices, requires sustained attention from both the Registrar and the Registrar’s advisers, to ensure that the strategic and legal premises for the Registry’s engagement in these countries are sound.

Priorities

Organizational development

443. Since 2015, each Registry section has designed and pursued its own organizational development plans composed of short, medium- and long-term development goals to be met by the first quarter of 2018. Once implemented, at the beginning of 2018, these organizational development plans will be fully assessed against the overall goal of helping the Registry provide efficient end-to-end quality support in accordance with its core mandate. If needed, further actions or adjustments will be undertaken in 2018. The main areas covered by these organizational development plans include: working methods of the Registry; delegation of authority; establishment of an accountability framework; effective use of IT tools and databases; internal communications and information flow; training; and effective performance management.

Strengthening strategic leadership through the Registry Management Team

444. The Registry Management Team (RMT) oversees and drives 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 potentially facing the Court in 2018. The RMT is composed of the Registrar, the three Directors, the Legal Counsel, 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 2018, especially in relation to priority activities, are met and that appropriate action is taken where necessary.

Strategic and policy development

445. The OTR will 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 Court's current Strategic Plan, which finishes at the end of 2017, will be extended to 2018 in order to align the Court's new plan with the OTP-specific plan and the new Registry-specific plan as of 2019. Work must be undertaken next year to prepare an appropriate strategic framework for the years to come. A number of existing policy gaps will be addressed in 2018. The OTR will pay special attention to staff performance management, devoting time and resources to ensure that Registry staff continue to perform and develop to their full potential. The Registry and the Court as a whole will also focus on staff welfare and well-being in an effort to improve motivation, productivity and work-life balance. Other areas of particular involvement for the OTR will be the development and implementation of a new Legal Aid Policy and the implementation and integration of the new Registry structure in the field.

Greater coordination of Registry legal functions

446. The LO has been structured to take responsibility for the legal quality of all judicial filings submitted to Chambers by the Registry. The aim is to ensure the quality and consistency of Registry filings and to further improve communication between the Chambers and the Registry. In 2018, the Registry Legal Network (RLN) will continue to approach full operational capacity so as to ensure greater cooperation, consistency and the timely provision of filings and other legal information submitted to Chambers.

Budget resources**€1,726.6 thousand**

447. There is an overall proposed increase of €20.2 thousand (1.2 per cent), resulting from an increase in staff resources of €20.6 thousand, less an overall decrease in non-staff resources of €0.4 thousand thanks to reductions in the IOR's travel budget that fully offset the proposed increase for specialized legal training in the LO. The proposed net increase of €20.2 thousand is the result of the application of the UN Common System and the restoration of the standard 10 per cent vacancy rate in the OTR.

*Staff resources**€1,638.0 thousand*

448. As indicated, the proposed increase of €20.6 thousand results from built-in costs associated with the application of the United Nations Common System.

*Established posts: Professional and General Service**€1,638.0 thousand*

449. No new established posts are requested. The proposed amount for established posts has increased by €20.6 thousand (1.3 per cent). As outlined above, these increases are due to the costs associated with returning to the Registry's regular vacancy rate of 10 per cent in 2018 after a temporary, exceptional rise to 12 per cent in 2017.

Non-staff resources €88.6 thousand

450. The overall decrease in non-staff resources amounts to €0.4 thousand (0.4 per cent) and mainly reflects a decrease of €16.6 thousand in travel requirements in the IOR, which fully offsets the proposed increases of €1.1 thousand for travel and €15.0 thousand for training in the LO. The requested amount is required for travel, hospitality, training and consultants.

Travel €58.2 thousand

451. The proposed resources for travel in OTR have decreased by €15.4 thousand (20.9 per cent) and relate to a decrease in the IOR and a minor increase in the LO.

452. In the IOR, the proposed decrease of €16.6 thousand reflects the fact that the seventeenth session of the Assembly of States Parties (“the Assembly”) will take place in The Hague and therefore the resources approved for travel to New York, in 2017, for the sixteenth session of the Assembly, are no longer required in 2018. On the other hand, resources are still required for the Registrar, or a representative of the Registrar, 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’s presence is also required in the field on particular occasions to strengthen relationships with situation countries and local authorities and ensure their smooth cooperation with the Court.

453. The LO’s proposed travel budget of €24.9 thousand 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 a meeting held by the International Labour Organization Administrative Tribunal, which is the judicial organ with jurisdiction over staff disputes involving the Court; and (iii) advising on and assisting in the certification of prior recorded testimony outside the Netherlands pursuant to rule 68(2)(b) of the Rules of Procedure and Evidence.

Hospitality €4.0 thousand

454. The requested amount remains unchanged. The Registry engages in limited hospitality to help foster support and cooperation among States Parties and key external partners.

Training €21.4 thousand

455. The training budget has increased by €15.0 thousand and is required to cover the training needs of the LO and the RLN for capacity-building. As in any legal workplace, training is crucial to maintaining and enhancing the quality of legal services. Training in 2018 will focus on skills: legal drafting, legal advocacy and negotiation. To optimize the use of resources and maximize impact, instead of training all RLN lawyers at once, the mechanism used may be that of “train the trainers” (TTT). This means that RLN lawyers who receive training in 2018 will be expected to train their colleagues in turn. Alternatively, half of the RLN team could receive training now and the other half in 2019.

Consultants €5.0 thousand

456. The proposed amount remains unchanged and continues to be required in the LO to cover consultancy and specific legal expertise needed at Headquarters and in the field, particularly concerning matters involving domestic legislation and jurisdictions. Securing timely, sound and accurate legal advice and assistance on such issues is essential in order to manage the Court’s legal risk and defend its position in legal proceedings.

Table 32: Programme 3100: Proposed budget for 2018

3100 Office of the Registrar	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				1,474.1	18.4	1.2	1,492.5
General Service staff				143.4	2.1	1.5	145.5
<i>Subtotal staff</i>	<i>1,272.0</i>	<i>-</i>	<i>1,272.0</i>	<i>1,617.4</i>	<i>20.6</i>	<i>1.3</i>	<i>1,638.0</i>
General temporary assistance	259.3	-	259.3	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>259.3</i>	<i>-</i>	<i>259.3</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>
Travel	44.6	-	44.6	73.6	(15.4)	(20.9)	58.2
Hospitality	19.1	-	19.1	4.0	-	-	4.0
Contractual services	55.6	-	55.6	-	-	-	-
Training	-	-	-	6.4	15.0	234.4	21.4
Consultants	40.0	-	40.0	5.0	-	-	5.0
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	1.3	-	1.3	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>160.6</i>	<i>-</i>	<i>160.6</i>	<i>89.0</i>	<i>(0.4)</i>	<i>(0.4)</i>	<i>88.6</i>
Total	1,691.9	-	1,691.9	1,706.4	20.2	1.2	1,726.6

Table 33: Programme 3100: Proposed staffing for 2018

3100 Office of the Registrar										Total P-staff and above	Total GS-staff		Total staff	
	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	GS-PL	GS-OL	GS-staff	Total staff	
<i>Established Posts</i>														
Approved 2017	-	1	-	-	2	2	5	2	-	12	1	1	2	14
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	1	-	-	2	2	5	2	-	12	1	1	2	14
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	-	-	-	-	-	-	-	-	-	-

2. Programme 3200: Division of Management Services

Introduction

457. The Division of Management Services (DMS) provides administrative and management services to support the operations of the International Criminal Court (“the Court”) as a whole. DMS is led by the Director of the 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).

458. 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 as well as reporting on organizational performance. OD-DMS coordinates audit compliance throughout the Court and Court-wide efforts to address reporting requirements from oversight bodies including the Committee on Budget and Finance and the Audit Committee. OD-DMS also promotes and maintains a duty of care via policies and programmes that ensure the physical, mental and emotional well-being of staff through the Occupational Health Unit (OHU). Through the SAP team, it provides the strategic framework and operational support for the use of the Court’s Enterprise Resource Planning (ERP) system, SAP, and supports the delivery of SAP-related projects aimed at achieving efficient work processes.

459. 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, recruitment, post management, administration of contracts (staff and non-staff), benefits, entitlements and payroll, insurance and pension matters. In addition, emphasis is placed on performance management, staff training and managerial development.

460. 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.

461. 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 and accounting and financial reporting. In addition, the DMS provides assistance and guidance in relation to financial policies and processes across the Court.

462. In the area of general services, the Division is responsible for daily building operations at Headquarters, including managing soft services such as catering, cleaning, utilities and services to the conference cluster, as well as hard services such as building maintenance, repairs and replacements. In the field, DMS is responsible for assessing and adapting premises. Through procurement, it also 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 for 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.

463. Finally, DMS provides a safe and secure working environment at Headquarters and protects all persons to whom the Court owes a duty of care, as well as its tangible and intangible assets. At Headquarters, the Division provides uninterrupted round-the-clock 24/7 security and safety services, including for the safe and undisturbed conduct of court hearings.

Operating environment

464. The Division's structure has made it largely fit for purpose and will allow it to cope effectively, and within its planned capacity, with most of the administrative and operational increases expected in 2018. That said, one notable difference in the Division's operating environment in 2018, as throughout the Registry, will be the vacancy rate decrease from 12 per cent in the approved budget for 2017 to the standard level of 10 per cent in 2018. In total, the Division is facing an increase of €322.4 thousand due to vacancy rate changes and the unavoidable impact of changes in United Nation Common System rates (€290.1 thousand and €32.2 thousand respectively).

465. DMS will coordinate the provision of information to oversight bodies and other stakeholders, including the Committee on Budget and Finance, the Audit Committee, the External Auditor and the Office of Internal Audit, so that they can discharge their mandates efficiently and effectively.

466. After the introduction of new performance management software in 2017, guidance and support to staff and managers on performance management will continue and intensify in 2018. DMS will also manage the induction of new staff members and provide prioritized training based on the development needs of the Court as a whole.

467. As some staff members are deployed under extraordinary circumstances, DMS will place emphasis on the relevant duty of care. Prevention is a crucial element of that duty of care, and DMS will continue working to prevent secondary trauma in order to mitigate the risk of post-traumatic stress on staff exposed to evidence of atrocities in the various cases before the Court (e.g. investigators, field interpreters, etc.). Preventive health care will also cover preventable behaviours and exposures, identification of health risk factors, and the importance of a healthy and balanced lifestyle for all staff members.

Strategic priorities in 2018 and relevance to the 2018 proposed programme budget

468. DMS's overarching objective is to provide the necessary administrative and operational services to the entire Court. To this end, in 2018, DMS will focus on solutions to enhance its services to support the achievement of the Court's high-level priorities for 2018. This includes the following priority areas:

Judicial and prosecutorial activity in 2018

469. In addition to providing management services to the entire Court (Headquarters and field offices) as described in the introduction above, DMS will provide direct support to judicial and prosecutorial activities. In 2018, three cases are expected to continue at the trial stage. These cases will require the provision of 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 provision of facilities management at Headquarters, including courtroom management, and facilities in the field for remote testimony (video link). Furthermore, reparations in *Lubanga* and *Katanga* will be implemented in 2018, requiring DMS to provide support both from Headquarters (e.g. travel-related services) and from the field (e.g. local transportation and facilities management), including for the TFV.

470. Similarly, the six active investigations that the Office of the Prosecutor will continue conducting in 2018 will require DMS support for the arrangement of official travel, including of investigators and analysts; shipping of equipment (e.g. forensic equipment); and management of the Court's vehicles at field 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.

471. The number of witnesses scheduled to appear for testimony at the Court is expected to increase to 132 in 2018 (as opposed to about 81 in 2017). An additional Driver (GTA) is

therefore required to provide direct support to ongoing trials, given this expected significant increase in the number of witnesses. On the other hand, the security-related GTA positions that directly support the cases at trial remain unchanged. Information on these requirements is provided below under the GTA budget item.

472. In the field, the opening of the satellite office in Gulu, northern Uganda, planned to take place in 2018, will require DMS support for facilities management to ensure that the rented office is fit for the Court's requirements with regard to operations, confidentiality and security and safety. Transport and logistics services will also be required from DMS to equip the office. Direct support from DMS will also be needed with regard to fleet management in order for the Court to carry out activities in the field.

Court-wide information technology improvement projects

473. DMS will play a leading role in identifying and implementing proposals aimed at achieving efficiencies and savings 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).

474. For 2018, the Court's Five-Year Information Technology and Information Management (IT/IM) Strategy has led to the identification of necessary improvements in a number of areas. One of these areas is the process of improving administration systems pertaining to human resources, finance, budget and external operations. This will be a strategic priority for DMS in 2018.

475. In order to support the implementation of this strategy, DMS will work on putting into practice administrative process improvements and automation initiatives. In this regard, DMS's objective is to review, streamline and digitalize paper-based administrative processes, increase efficiency through a higher level of automation and strengthen internal control. Further information about the relevant initiatives is provided below under the GTA and contractual services categories.

Budget resources

€19,107.7 thousand

476. The requested amount has increased by €309.2 thousand (1.6 per cent).

477. Unavoidable increases associated with the United Nations Common System, the return to the standard 10 per cent vacancy rate, and the level of prices for goods and services for the entire Court have been partially offset through the achievement of efficiencies and savings.

478. In fact, the requested overall increase of €309.2 thousand is lower than the increase associated with the restoration of the standard vacancy rate and the unavoidable impact of the United Nations Common System in the amount of €22.4 thousand. This has been achieved thanks to an overall decrease in non-staff costs by €153.0 thousand for the Division.

479. DMS expects to achieve efficiencies of around €62.5 thousand in 2017, resulting mainly from reduced bank charges achieved by negotiating preferential rates, and from a new approach for personnel security clearance that includes outsourcing and a limited number of components to be checked. In 2018, DMS also intends to insource field paramedic services, automate sick leave certification and automate HR-related services by introducing self-service. For example, if a staff member changes home address or dependency status, he or she will be able to update the data directly instead of requesting HRS to do so, thereby reducing duplication of work. For 2018, these efficiencies have been estimated at €27.7 thousand.

480. The savings expected in 2017 amount to €342.3 thousand. The knowledge gained after more than one year of occupancy of the Court's permanent premises has allowed budgeting for utilities, garbage removal and cleaning in 2018 based on actual costs. In addition, savings in training are expected thanks to in-house capacity and a train-the-trainer approach. Detailed information on expected savings and efficiencies for 2017 and 2018 is provided in annex X.

Staff resources **€13,988.7 thousand**

481. DMS comprises 178 established posts and 12 GTA positions (10 FTE). The number of established posts remains unchanged from 2017. The number of GTA positions has increased by 1.5 FTE.

Established posts: Professional and General Service *€13,055.3 thousand*

482. No new established posts are requested in 2018. The requested staff costs have increased by €21.2 thousand (2.5 per cent), which is entirely associated with the United Nations Common System (€32.2 thousand) and the return of the vacancy rate from 12 per cent to 10 per cent (€90.1 thousand).

General temporary assistance *€605.6 thousand*

483. The requested amount has increased by €123.7 thousand (25.7 per cent) in order to accommodate one Driver for 12 months and the full funding for 12 months of the position of Associate ERP Systems Officer in the SAP team, which was funded for six months in 2017.

484. *One Driver (GS-OL), 12 months. New.* In 2015, 22 witnesses appeared at court hearings. This number increased to 108 and 81 in 2016 and 2017 respectively. An extra, short-term driver was hired for eight months in 2017 to cover this increase. The number of witnesses appearing at the Court is expected to rise to 132 in 2018. This represents an increase of approximately 2,300 driver hours in 2018 over 2015. The Court proposes to hire a GTA driver for 12 months in 2018 solely for the transport of the increased number of witnesses in The Hague. The need for this resource will be re-examined in the 2019 budget proposal.

485. *One Associate ERP Systems Officer (P-2), 12 months. Continued. Multi-year.* This position was approved for six months in 2017 and is required in 2018 to assist with the implementation of the Court's Five-Year IT/IM Strategy (2017-2021). SAP initiatives in this area are intended to automate and enhance the efficiency of administrative processes. They include the following:

(a) Integration of mission planning with SAP to eliminate the need for the staff members who travel for official purposes to record the same information multiple times in different systems. Travellers will only be required to enter travel data once in an integrated system;

(b) Automation of budget forecasting, which is currently performed manually using Excel sheets, will allow direct downloads from the SAP system, reducing the risk of error. In addition, automating SAP to generate staff forecasts using staff cost information available in the system will increase the quality and speed of delivery of forecasting information, allowing for better budget planning and control and payroll execution;

(c) Implementation of a new SAP module for automation of IPSAS (International Public Sector Accounting Standards)-compliant financial statements as recommended by the External Auditor; and

(d) Implementation of a Payroll Control Centre to process the monthly payroll more efficiently, including the mandatory requirements for automated transmission of data related to staff pension contributions to the United Nations Joint Staff Pension Fund (UNJSPF). This will eliminate manual checks and steps currently required to consolidate the pension contributions before they can be sent to the UNJSPF.

486. The role of this GTA position is to help the relevant sections (HRS, FS, GSS, BS and the External Operations Support Section) define and document efficient work processes and translate them into SAP technical requirements for implementation. Once the technical requirements are developed by the GTA post holder, they are implemented by the SAP team. External SAP expertise is required only for highly specialized support under contractual services.

487. *One Handyman (GS-OL), 12 months. Continued. Multi-year.* This position is needed to help perform some of the extra duties associated with the Court's ownership and occupation of its premises in The Hague. At its interim premises, the Court employed three handymen. With the move to its permanent premises, a fourth handyman on a GTA position was approved in 2016 and 2017 to cover certain functions in facilities management that would, at a later date, be taken over by a maintenance contractor. However, after 18 months of occupancy the Court has gained experience on how best to operate its permanent premises, which have a 30 per cent larger floor area than the interim premises. Immediate hands-on support services and minor repair work in all areas of the building require a higher level of resources than anticipated. These immediate repairs and operations are not suitable to be outsourced to a contractor that will charge a premium for immediate response times and management overheads on top of the base costs of the service. Therefore it is less costly to have an internal staff member.

488. *Seven Security Officers/Senior Security Officers (GS-OL), 12 months. Continued. Multi-year.* These positions are required to guarantee security support for the second courtroom. These resources are recurrent as the requirement to support the judicial activities in the two courtrooms for 12 months is maintained.

Temporary assistance for meetings

€20.0 thousand

489. The requested amount has increased by €20.0 thousand and is required for servicing the conference facilities at the permanent premises.

490. At the permanent premises, the conference cluster is designed to be flexible in size and number of rooms – ranging from six to nine conference rooms depending on the configuration – with capacity per room varying from 10 to 250 persons. Since the Court's move to the permanent premises, the work to set up the rooms has proved to be much greater in scope than the work required at the interim premises, and yet the resources available for this purpose have remained at the same level as at the previous premises.

491. Conference facilities are in high demand and their use has increased to nearly full capacity since mid-2016. The larger rooms have experienced very high rates of occupancy, often being used twice per day. Meetings include regular all-staff meetings, meetings of States Parties and oversight bodies, inter-agency network meetings and presentations of the work of the Court to interested parties. At the interim premises, the Court used to support approximately 170 meetings per year. Meeting space was very limited and the possible configurations were few. In contrast, from May 2016 to April 2017, the Court has supported 812 meetings in the conference cluster. As a result, temporary assistance for peak times and for limited periods is required to supplement regular staff when adapting rooms to user requirements. These resources are recurrent.

Overtime

€307.8 thousand

492. The requested amount has decreased by €2.7 thousand (0.9 per cent).

493. Overtime requirements have changed only in relation to security, where they have been reduced by the mentioned amount of €2.7 thousand thanks to an expected reduction in the number of Court hearing days (440 in 2017 as opposed to 400 in 2018). Overtime in security is required not only to support the expected extended hours for Court hearing days but also to provide security and safety services during official Court holidays; and for the night differential for staff working during evenings and nights, as maintenance of round-the-clock security and safety services requires permanent staffing of a number of posts. Overtime resources are recurrent.

Non-staff resources

€5,119.0 thousand

494. Non-staff resources are required for travel, contractual services, training, consultants, general operating expenses, supplies and materials and furniture and equipment. Some budget items show small increases, which have been fully offset by decreases in other non-staff costs, resulting in an overall decrease of €153.0 thousand (2.9 per cent).

Travel

€170.1 thousand

495. The requested amount remains unchanged.

496. The Division will have lower travel costs for participation in the seventeenth session of the Assembly of States Parties, which in 2018 will take place in The Hague rather than in New York.

497. There are, however, increased requests for security support for the Heads of Organ during official travel to situation countries and other locations, with two more missions envisaged than in 2017 (€4.7 thousand).

498. In other areas of operations, DMS presents no proposed increases in travel requirements for 2018 for travel to the field to determine the standards and requirements for facilities, vehicle fleet and asset management; and for travel to participate in meetings to ensure the Court's alignment with the United Nations Common System and with accounting standards/IPSAS. Travel resources are recurrent.

Contractual services

€643.5 thousand

499. The requested amount remains unchanged.

500. As SAP projects require a range of functional and technical expertise not always available in-house, resources in the amount of €24.9 thousand are required. The proposed increase of €6.9 thousand reflects the complexity of the projects to be carried out in 2018. Once the technical requirements for the SAP projects included in the Information Technology Strategy are established by the Associate ERP Systems Officer (P-2), some requirements will be implemented by internal staff members while others will require external SAP support in highly specialized areas (e.g. coding, configuration and migration). Areas for improvement are listed above under the request for the mentioned post. External expertise will only be engaged when it is strictly necessary because of limited capacity and/or highly specialized needs. These resources are not recurrent.

501. For the successful performance of its finance function, the Court is proposing an increase of €30.0 thousand. This is related to the increase in the External Auditors' fees (€15 thousand) resulting from the expansion of the External Auditor's mandate, as decided by the Assembly, to include performance auditing;⁴⁷ it is also related to United Nations Finance and Budget Network observer fees (€15 thousand) payable every two years. The remaining resources are proposed for the External Auditor's fees for the financial statements of the Court and the TFV (€2 thousand), US tax reimbursement administrative fees (€10 thousand), and the mandatory actuarial valuation required for IPSAS-compliant financial statements (€7 thousand). These resources are recurrent.

502. In the area of general services, the proposed amount of €24.5 thousand is required to cover the cost of vehicle insurance at field locations and all other commercial insurance policies for the Court, the costs of UNLP (United Nations laissez-passer) renewals, external printing and postage costs. However, the Registry is proposing an overall decrease of €19.6 thousand in general services due to a reduction in the need for outsourced moving teams. These teams were used in 2016 and 2017 to assist the Court in making adjustments to the distribution of staff in the new premises. Fewer office moves are expected at the Court in 2018. These resources are recurrent.

503. Finally, there is a proposed decrease of €6.5 thousand in security services due to the implementation of a more efficient approach for the pre-employment screening procedure for all new personnel, interns, visiting professionals, consultants and contractors. These resources are recurrent.

Training

€362.7 thousand

504. The requested amount has increased by €29.9 thousand (9.0 per cent).

⁴⁷ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.2, annex VII, para. 48.

505. In 2018, the Registry will continue to centralize all non-technical training for the Court (€209.0 thousand) to ensure optimal use of training funds. The approved amount for corporate training programmes in recent years has been kept to the minimum for an organization of the size of the Court. In 2018, funding is sought only for a small number of programmes to support the enhancement of skills in critical areas such as performance management, language training, management training, cultural awareness and project management. The proposed increase (€1.0 thousand) is largely due to the Court's initiating an essential corporate training programme for Court-wide leadership development.

506. Resources are also required for training on safety aspects of facilities management in the field, procurement and the latest shipping terms for goods delivery and pricing, and standard driver training necessary for the maintenance of professional certificates (€16.3 thousand); they are also required for mandatory medical training for OHU staff to be able to prescribe medication for travellers to the field and for licence renewals for nurses, and for SAP training in relation to projects such as the new budget planning and control and HR renewal projects (€1.8 thousand). This will develop internal SAP capacity to support new SAP-related tools and make the Court less reliant on external services.

507. Security-related mandatory training is also required for first-aid, fire and emergency response and firearms, as well as for 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 in the Netherlands; the United Nations mandatory security certification for new Field Security Officers is also required. Total security-related training amounts to €12.4 thousand and represents a decrease of €5.4 thousand.

508. Similarly, resources are required to cover the cost of a trainer for budget staff and budget focal points within the Court in the use of the SAP-based Business Planning and Consolidation (BPC) module to ensure that the Court takes full advantage of all functionalities of the new tool (€5.2 thousand), and for specialized training in financial reporting. All activities are recurrent.

Consultants

€12.0 thousand

509. The requested amount has decreased by €26.0 thousand (68.4 per cent), as resources were included in the 2017 budget for external insurance experts to carry out the major project of inviting tenders for the Court's health insurance programme. The tendering process is expected to be completed in 2017, and this requirement is not recurrent. For 2018, resources are required to provide post (re)classification external expertise (€4.0 thousand) and to engage outside expertise in the area of risk management (€8.0 thousand), which includes the yearly risk rating and the review of risk monitoring strategies. This will enable the Court to make progress on its risk management initiatives in consultation with the Audit Committee. These resources are recurrent.

General operating expenses

€3,259.9 thousand

510. The requested amount has decreased by €15.2 thousand (6.2 per cent).

511. The Court is proposing a decrease of €35.6 thousand in general services. The estimates included in the proposed budget for 2017 for building operation costs such as utilities and cleaning were based on estimates made before the building was completed. Occupancy of the building has shown that some costs are lower than anticipated, including heating and cooling, garbage recycling and disposal, cleaning and adjustments to premises.

512. The €2,756.4 thousand proposed for general operating expenses in general services is made up mainly of: €900.0 thousand for cleaning of the premises in The Hague; €200.0 thousand for adjustments to premises at field locations; €125.0 thousand for courier and freight costs in The Hague and at field locations; €77.0 thousand for heating/cooling, electricity, sewage, water, and garbage removal; €62.0 thousand for adjustments to buildings (such as heating and cooling systems and security systems) and operation costs such as pest control, plumbing and carpet repairs; €250.0 thousand for corrective maintenance, which will be incorporated into Major Programme V in 2019 as corrective

maintenance becomes the responsibility of the general maintenance contractor; and €42.5 thousand for vehicle maintenance and storage and disposal of written-off equipment. These resources are recurrent.

513. An amount of €23.5 thousand is required for existing contracts for SAP software maintenance and licences, and for the use of the recruiting software and the new performance and goals software. The Court is proposing an increase (€20.4 thousand) related to the activation and usage of the performance and goals software for performance management. The previous performance system used by the Court was developed internally and required manual maintenance, while the new tool will require less time for administering performance management. These resources are recurrent.

514. SSS shows a decrease (€ thousand) related mainly to exchange rate fluctuations for the United Nations Security Management System membership fee. In addition to this membership, the proposed amount of €10.0 thousand in SSS will mainly cover preventive and corrective maintenance of security screening equipment (X-ray machines, walk-through metal detectors and handheld metal detectors), as well as maintenance of firearms and other security and training equipment.

515. An amount of €70.0 thousand is required by FS to cover banking fees and charges. FS has negotiated preferential rates with banks to benefit from low bank charges. All resources above are recurrent.

Supplies and materials

€304.8 thousand

516. The requested amount has increased by €6.9 thousand (9.7 per cent).

517. The proposed cost of supplies and materials in the area of general services is €41.2 thousand and has increased by €46.3 thousand, mainly owing to the projected costs of office supplies (€160.0 thousand), fuel and maintenance for the vehicle fleet at Headquarters (€14.0 thousand), and buildings management supplies such as cleaning materials for a larger building and miscellaneous tools (€52.2 thousand). The Court is adapting to its new premises and certain supplies such as tableware, crockery and cutlery for the cafeteria, electrical supplies and spare parts need to be replaced. This also includes replacement suits for drivers and safety clothing for logistics and facilities management staff members. Similarly, demand for court robes has increased, including for the new judges, and resources are needed to replenish stocks (€15.0 thousand).

518. The proposed increase has been partially offset by a proposed decrease in security services estimated at €19.5 thousand, resulting from a reduction in requirements for security uniforms and equipment. The Court replaces security staff uniforms and equipment only when they reach the end of their life cycle. This includes safety footwear and protective equipment such as concealed body armour and tactical ballistic vests and helmets. The proposed amount for these items is 63.6 thousand. All resources are recurrent.

Furniture and equipment

€366.0 thousand

519. The requested amount has increased by €31.5 thousand (9.4 per cent).

520. The proposed increase is to cover the cost for furniture at field offices. Much of the furniture at some offices is worn out and in need of replacement. This is predominantly the case in Bangui, Abidjan, Kinshasa and Bamako, while the new office in Georgia would also need to be equipped, with the costs for all of these offices estimated at €65.0 thousand.

521. In addition, seven 4x4 vehicles in the field need to be replaced at an estimated cost of €301.0 thousand. Vehicles are below the industry and United Nations standards (seven years or more than 100,000 kilometres), which has a negative impact on the safety and effectiveness of the Court's operations due to the reduced reliability of the fleet and frequent repairs. The vehicles have high mileage and have been driven on poorly paved and unpaved roads, causing extraordinary wear and tear and making their replacement imperative. 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 failures in this regard. As mentioned by the Court in its proposed programme budget for 2017, the Court's fleet is being updated and replaced year-to-year. These resources are recurrent.

Table 34: Programme 3200: Proposed budget for 2018

3200 Division of Management Services	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				3,761.3	65.2	1.7	3,826.5
General Service staff				8,972.9	255.9	2.9	9,228.8
<i>Subtotal staff</i>	<i>12,314.6</i>	<i>-</i>	<i>12,314.6</i>	<i>12,734.1</i>	<i>321.2</i>	<i>2.5</i>	<i>13,055.3</i>
General temporary assistance	107.0	29.3	136.3	481.9	123.7	25.7	605.6
Temporary assistance for meetings	-	-	-	-	20.0	-	20.0
Overtime	347.8	-	347.8	310.5	(2.7)	(0.9)	307.8
<i>Subtotal other staff</i>	<i>454.8</i>	<i>29.3</i>	<i>484.1</i>	<i>792.4</i>	<i>141.0</i>	<i>17.8</i>	<i>933.4</i>
Travel	121.1	-	121.1	170.1	-	-	170.1
Hospitality	-	-	-	-	-	-	-
Contractual services	546.3	-	546.3	643.5	-	-	643.5
Training	479.7	-	479.7	332.8	29.9	9.0	362.7
Consultants	264.1	-	264.1	38.0	(26.0)	(68.4)	12.0
General operating expenses	3,190.0	-	3,190.0	3,475.1	(215.2)	(6.2)	3,259.9
Supplies and materials	419.2	-	419.2	278.0	26.9	9.7	304.8
Furniture and equipment	773.3	193.2	966.5	334.5	31.5	9.4	366.0
<i>Subtotal non-staff</i>	<i>5,793.7</i>	<i>193.2</i>	<i>5,986.9</i>	<i>5,272.0</i>	<i>(153.0)</i>	<i>(2.9)</i>	<i>5,119.0</i>
Total	18,563.1	222.5	18,785.6	18,798.5	309.2	1.6	19,107.7

Table 35: Programme 3200: Proposed staffing for 2018

3200 Division of Management Services										Total P-staff			Total GS-staff	Total staff
	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	and above	GS-PL	GS-OL		
<i>Established Posts</i>														
Approved 2017	-	-	-	1	5	8	12	6	-	32	8	138	146	178
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	1	5	8	12	6	-	32	8	138	146	178
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	-	-	-	0.50	-	0.50	-	8.00	8.00	8.50
Continued	-	-	-	-	-	-	-	1.00	-	1.00	-	8.00	8.00	9.00
New	-	-	-	-	-	-	-	-	-	-	-	1.00	1.00	1.00
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	-	-	-	1.00	-	1.00	-	9.00	9.00	10.00

3. Programme 3300: Division of Judicial Services

Introduction

522. The Division of Judicial Services (DJS) is responsible for providing support for the judicial proceedings of the International Criminal Court (“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).

523. 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 simultaneous hearings and 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 reparations (where appropriate), by receiving and processing their applications, and strives to simplify the process of collecting victims’ applications with the help of information technologies. The Division also manages legal aid for indigent victims and defendants. CSS coordinates all assistance provided to counsel by the Court. DS ensures safe, secure and humane conditions for persons in the Court’s custody and smooth functioning of the detention facilities according to international standards.

524. The Division’s 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’ teams, as well as the Trust Fund for Victims (TFV). Pursuant to article 87(2) of the Rome Statute (“the Statute”), translation from and into more than 20 languages is provided for the purpose of judicial cooperation, for which the Court communicates its requests to States Parties.

525. Although substantively independent, the 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 steadily increased since 2012. Out of the 12,985 victims currently participating in proceedings before the Court, 4,434 are being represented by OPCV counsel, and over 8,500 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 in 2018

526. All ongoing judicial activities in 2018 will require full support from DJS sections. Support is expected for a total of 400 days of hearings in three ongoing trial proceedings. While lower than what was anticipated for 2017, this level of support will still require two full courtroom support teams and interpretation services in seven languages in the courtroom alone. The third courtroom will be available for an estimated maximum of 15 hearing days in appeals and pre-trial proceedings, for which additional support will be provided using existing resources. In addition, language support for 15 other case-related languages is expected to be required. Reparations proceedings in at least four cases will continue in 2018. The number of victims applying for participation/reparations in 2018 may be as high as 7,400, and the Registry’s assistance will be required to process those applications.

Furthermore, DJS will continue to administer legal aid for 12 defence and five victims' teams, and to support the work of OPCV teams. All accused are expected to remain in detention throughout 2018; two convicted persons are also expected to remain in detention for several months in 2018.

527. The Division's structure allows it to cope effectively with most of these activities within its existing level of resources. Additional resources are sought exclusively in connection with the Court-wide priorities for 2018, and only after savings and reductions have been identified to contain the required increases.

Pre-trial proceedings, including investigations

528. Active investigations by the Office of the Prosecutor (OTP) in six situations – namely, CAR II.a (Séléka), CAR II.b (anti-Balaka), CIV II, Darfur, Georgia, Libya III and Mali – will require the normal DJS support in terms of language services, IT assistance, management of legal aid and processing of victims' applications.

529. In view of the OTP's plans to continue its investigation in Georgia, language support will be required in three languages: Georgian, Ossetian and Russian. A large number of victims are expected to apply for participation in the proceedings, for which missions to Georgia will be required, in particular for outreach purposes. The reinforcement of secure communications will be of particular importance in this situation.

530. Language support, including in the languages of lesser diffusion, will also be required for field activities (communication with victims, witness protection, etc.) in other situations. Many victims have already applied and more are expected to file their applications in the situations in CAR II (a and b) (in which 2,300 victims might apply) and CIV II (in which more than 4,000 have already applied and more are expected). Interpretation and translation services will likely be required for the pre-trial proceedings in the respective languages used in the context of these situations.

Trial proceedings

531. In 2018, three cases at trial will continue to require judicial support.

532. In the case of *The Prosecutor v. Bosco Ntaganda*, the Accused is in the Court's custody and his defence team is being financed through legal aid. Approximately 2,144 victims are participating in these proceedings and are represented by two OPCV teams; additional victims are expected to apply at later stages of proceedings. For this case, 26 witnesses are expected to appear in 2018. LSS will continue providing support in Congolese Swahili, Kinyarwanda and Lingala.

533. In the case of *The Prosecutor v. Dominic Ongwen*, the Accused is also in the Court's custody and his defence team is also being financed through legal aid. Approximately 4,107 victims are participating in these proceedings, 2,605 of whom are represented by external legal representatives and financed through legal aid; OPCV is representing the remaining 1,502 victims participating in the case. In the context of this trial, 53 witnesses are expected to appear in 2018. DJS will continue providing translation and interpretation services in Alur, Ateso, and Lango. The Division must also be prepared to support increased judicial activities in the Acholi language for this case.

534. In the case of *The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé*, both Accused are in the Court's custody and both of their defence teams are being financed through legal aid. A total of 726 victims are participating in the proceedings and are represented by OPCV. For this case, 53 witnesses are expected to appear in 2018. Language support in Dioula, Guéré and Bambara may be required throughout 2018.

Appeals proceedings

535. In the CAR I situation, two cases are expected to be in the final appeals phase during 2018: *The Prosecutor v. Jean-Pierre Bemba* and *The Prosecutor v. Jean-Pierre Bemba et al.* In the first case, the defendant is in the Court's custody and, while he has not been found indigent, legal aid is being advanced to finance his defence team. In relation to

the Bemba et al. case, which concerns offences against the administration of justice, the defence for the five defendants is also being financed through legal aid. In addition, expenses are expected to be incurred to support the appearance at the appeals hearings of four of the convicted persons who are not currently in detention.

536. Appeals against reparations orders are also expected to be filed. In Katanga, all parties filed notices of appeal in April 2017. In Lubanga and Bemba, appeals are highly probable following reparations-related decisions of the Chambers concerned.

537. 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 courtroom teams.

Reparations proceedings

538. Four cases have reached the reparations stage (Lubanga, Katanga, Al Mahdi and Bemba). In Katanga, Trial Chamber II issued its reparations order in May 2017, leading to the implementation stage of reparations. In Lubanga and Al Mahdi, reparations orders are expected to be issued in late 2017. In Bemba, Trial Chamber III has appointed a panel of experts pursuant to rule 97(2) of the Rules of Procedure and Evidence (RPE) to determine the scope and extent of any damage, loss and injury to victims. Reparations proceedings will continue in 2018.

Strategic priorities in 2018

539. Apart from the provision of judicial support and the implementation of Court-wide strategic priorities, other areas will require additional resources, for instance, to place greater focus on reparations proceedings and to implement the new Five-Year Information Technology and Information Management (IT/IM) Strategy.

Running and supporting proceedings in three trials

540. In 2018, the Court will continue to be engaged in three trial proceedings: Ongwen, Laurent Gbagbo and Charles Blé Goudé, and Bosco Ntaganda, with the latter expected to run for approximately half of the year. The Division will continue to provide all necessary support to these three cases, two of which will be taking place simultaneously, each requiring a courtroom support team. It is estimated that the trial hearings will last 160 days each in Gbagbo and Blé Goudé (CIV) and Ongwen (Uganda), whereas the estimated length is 80 days in Ntaganda (DRC). All of the four Accused are expected to remain in detention. Services in seven languages will be required to support the ongoing proceedings and to facilitate testimony in the courtroom. This support will be provided both in the courtrooms and for missions. A total of 132 witnesses are expected to appear for the three cases in 2018.

541. At least four sets of reparations proceedings are ongoing. The Bemba reparations proceedings, which started in 2017, are expected to continue in 2018. With regard to the proceedings in Lubanga and Katanga, the implementation of reparation awards is expected to commence in late 2017 and continue in 2018. In Al Mahdi, a reparations order is expected in 2017. The Registry will require adequate resources to be able to render a number of services to both Chambers and the parties involved in the reparations process. Effective representation will require counsel, including OPCV, to be active in the field, collecting evidence and consulting with clients. VPRS will be required to process application forms and perform the requisite legal review, to facilitate expert assignments as appropriate, and to provide adequate reports and other assistance to the Chamber. Field activities will also require language support.

542. The appellate level will also be busy in 2018, with the pending final appeals in Bemba and Bemba et al. expected to continue into the first part of the year. Other final appeals arising from the cases that are currently before the Trial Chambers may reach the Appeals Chamber in 2018. In addition, it is anticipated that current reparation proceedings will generate complex appeals that will be pending before the Appeals Chamber in 2018. The Appeals Chamber is also expected to be seized of several interlocutory appeals.

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

543. In 2018, the IT/IM strategy for 2017-2021, approved by the Information Management Governance Board and endorsed by the Coordination Council, will be entering the second year of its implementation stage. 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 the victims' and defence teams.

544. The Court has undertaken a thorough analysis of the existing IT/IM infrastructure, across different organs, and the expected immediate and long-term requirements. Having IT/IM requirements governed by a strategy will cost ICC €1.23 million less over the five-year period than continuing without a strategy in place. The savings are mainly coming from using systems that can be used across organs, and removing duplicate systems where possible. Savings also result from cheaper storage solutions that have become recently available. Further details of the total cost savings realized through the IT/IM strategy are described in Annex IX.

545. Since the establishment of the Court 15 years ago, a number of important ICT investments have been made to support judicial, investigative and administrative operations of the Court. A number of these systems have become – or are expected to become in the near future – obsolete as they reach their end of life or become outdated. At the same time, the Court has grown significantly since its establishment, which has impacted its IT requirements as well as the volume of data generated. Specifically, there are requirements in areas such as digital evidence, information security, and information management that are only partially supported by the existing systems.

546. To address these challenges, the new Court-wide approach in the field of IT/IM has led to a new governance structure, the establishment of the Information Management Governance Board (IMGB), in the context of the synergies exercise, which then has led to the present Five-Year IT/IM Strategy. The strategy offers comprehensive solutions that maximize the reusability of systems and are, in their totality, less costly than continuing with the current IT/IM infrastructure, while also leading to more efficient internal processes.

547. An overview of the goals of the IT/IM strategy for the Court is shown below. The essential requirements are divided into two major categories: Functional and Foundational. Functional refers to a high-level grouping of processes in the Court, specifically Investigative, Judicial, and Administrative. Foundational refers to activities that form the basis for the Court's functioning as a whole, specifically Information Management, Information Security, and Optimizing IT. It is the aim to achieve the points in each of the Functional and Foundational areas below by 2021 through the IT/IM strategy.

<i>Functional</i>		
<i>Investigative</i>	<i>Judicial</i>	<i>Administrative</i>
<ul style="list-style-type: none"> • Investigative capability can efficiently capture and analyse data to efficiently define and action investigative strategies • Case information and evidence can be captured, managed and presented in original digital format in the court room • Consolidated case and witness management, from situations through to litigation 	<ul style="list-style-type: none"> • Simplified and more efficient processes for disclosures, filing and transcript management • Consolidated access to case information for all participants via the litigation platform • Efficient and scalable court management to accommodate simultaneous trials 	<ul style="list-style-type: none"> • Administrative processes are standardized and automated to maximize efficiency • Management solution for managers to plan, track and report on progress • Availability and accessibility of data to support monitoring and reporting of Court Key Performance Indicators

<i>Foundational</i>		
<i>Information Management</i>	<i>Information Security</i>	<i>Optimizing IT</i>
<ul style="list-style-type: none"> • Information is captured once and reused multiple times by authorized staff and external parties • Information is systematically governed and managed throughout its lifecycle: from creation through to archiving • Providing access to evidential and court records to enhance knowledge and practice of international criminal justice 	<ul style="list-style-type: none"> • The Court has a strong security culture – staff and parties are aware of their responsibilities for protecting information • There is visibility of internal and external threats and capacity to respond to reduce or negate impact on the Court • Security assurance is risk-based for processes and technology 	<ul style="list-style-type: none"> • IT systems are built to last – leveraging open-standard technologies and architectures • Resources maximized with consistent governance and standardized processes to plan, deliver and support IT • Reduction of at least 5% of ongoing non-staff operational cost by 2021

548. It should be mentioned that the IT/IM strategy also contains a number of initiatives that are undertaken through in-house solutions and hence require no additional funds. For more detailed information on the Five-Year IT/IM Strategy (2017-2021), including a detailed analysis of the projects and the cost implications, please refer to annex IX.

Budget resources

€33,575.4 thousand

549. The Division's budget proposal represents an overall net increase of €1,502.5 thousand (4.7 per cent). The total proposed increase in DJS consists mainly of three components: (i) a proposed net increase of approximately €92.4 thousand in established posts as a result of restoring the vacancy rate in the Registry to its standard level of 10 per cent, and the application of the United Nations common system; (ii) a proposed net increase of €793.4 thousand in IMSS for the implementation of the Court-wide IT/IM strategy; and (iii) a proposed increase of €395.5 thousand required to support the adequate representation of accused and victims in ongoing proceedings, including through legal aid, and proposed increases in OPCV. In addition, the application of the United Nations common system in GTA resources within the Division results in an increase of €21.2 thousand.

550. The total increase in staff costs amounts to €430.2 thousand. This is due to a net increase in established posts of €92.4 thousand, and an increase in other staff costs amounting to €337.8 thousand. As explained, the increase in established posts is the result of restoring the vacancy rate in the Registry to 10 per cent (€83.5 thousand) as well as the application of the United Nations common system (€40.7 thousand). The total increase of €424.2 thousand is partly offset by a reduction of €31.8 thousand which corresponds to the redeployment of the Financial Investigator (P-4) from CSS to the Division of External Operations. The increase in other staff costs of €337.8 thousand includes additional investments in GTA and temporary assistants for meetings (TAM), which have been partially contained by reductions found in language services. A more detailed explanation of these figures will follow.

551. The total increase in non-staff costs amounts to €1,072.4 thousand. The only sections within the Division presenting an increase in non-staff costs are IMSS (€793.4 thousand) for the implementation of the Court-wide IT/IM strategy, CSS (€43.5 thousand) for legal aid, OPCV (€38.5 thousand) to support additional requirements for the representation of victims in ongoing proceedings, and to a lesser extent DS (€7.0 thousand) for the yearly indexing of the rental prices of cells under the Product Price Agreement. All other sections in the Division present a net decrease in non-staff costs amounting to overall net savings of €110.0 thousand.

552. Notably, while the overall proposed investment within the Division in non-staff costs for the implementation of the Court-wide IT/IM strategy is approximately €1,005.0 thousand, €111.6 thousand of this amount is covered by net savings in the IMSS budget, resulting in a proposed net increase of €793.4 thousand. Of the total €1,005.0 thousand in investments earmarked for the strategy, approximately €70.0 thousand is intended for the implementation of solutions in the OTP, mainly in relation to the processing, registration and analysis of evidence; €80.0 thousand is required for improvements in the judicial

process, including the management of victim-related information; and €255.0 thousand is required for improvements in information security, including for protection from cyberattacks and to ensure secure communications.

553. As a result of the Court-wide identification of efficiencies and savings, 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. Accordingly, the proposed increase in GTA of €72.9 thousand in IMSS is the result of the transfer of the Web Developer (GS-OL) from the Secretariat of the Assembly of States Parties (SASP). While the impact of this measure on the Court's overall budget is neutral, it results in a decrease in the SASP budget and a corresponding increase in the Registry's staff costs.

Staff resources **€19,813.7 thousand**

554. The €430.2 thousand increase in staff resources corresponds to an increase of €292.4 thousand on account of restoring the vacancy rate in the Registry to its standard level of 10 per cent, as well as the application of the United Nations common system. In addition, there is a proposed increase of €137.8 thousand for GTA and other staff resources.

Established posts: Professional and General Service *€17,171.0 thousand*

555. No new established posts are required. The total number of established posts within the Division has been reduced from 189 in 2017 to 188 in 2018. This reduction corresponds to the redeployment of the Financial Investigator (P-4) from CSS to the Division of External Operations. The proposed increase of €292.4 thousand is the result of restoring the vacancy rate in the Registry to its standard level of 10 per cent, as well as the built-in increases arising from the application of the United Nations common system. In this regard, the proposed budget includes a combined increase of €24.2 thousand owing to changes in the vacancy rate (€383.5 thousand) and the United Nations common system (€40.7 thousand). However, the reduction in staff costs of €131.8 thousand resulting from the redeployment of the Financial Investigator (P-4) has partially contained these costs, resulting in a net increase of €292.4 thousand.

General temporary assistance *€1,800.8 thousand*

556. The driving factor for all GTA requirements in the Division is the level of judicial activity, and in that connection, the need to invest in more sustainable judicial management processes. The overall proposed net increase of €11.1 thousand (6.6 per cent) for GTA in the Division corresponds to additional requirements in CMS (€144.1 thousand), IMSS (€72.9 thousand) and LSS (€88.8 thousand). In addition, the application of the United Nations common system in GTA resources within the Division results in an increase of €21.2 thousand. Notably, the proposed increase in IMSS is the result of the transfer of the Web Developer (GS-OL) from the Secretariat of the ASP. While the impact of this measure on the Court's overall budget is neutral, it results in a decrease in the SASP budget and a corresponding increase in the Registry's GTA costs.

557. Importantly, reductions in GTA resources amounting to €215.9 thousand were achieved in LSS as the need for the three Court Interpreters (Kinyarwanda) was shortened by six months in the light of the expected duration of the Ntaganda trial in 2018, as well as the non-continuation of a GTA Administrative Assistant (GS-PL) budgeted in 2017 for approximately five months in LSS.

Overview of GTA resources in DJS

Increases in 2018

United Nations common system	€21.2 thousand
Funding eCourt Project Manager (P-4) (CMS)	€144.1 thousand
Transfer of Web Developer GS-OL from SASP (IMSS)	€72.9 thousand
Language Assistant (Acholi) GS-PL (LSS)	€88.8 thousand
<i>Subtotal</i>	<i>€327.0 thousand</i>

*Overview of GTA resources in DJS***Reductions and savings in 2018**

6 months reduction of Kinyarwanda interpretation (LSS)	€186.0 thousand
Administrative Assistant (GS-PL) for 5 months (LSS)	€29.9 thousand
<i>Subtotal</i>	<i>€215.9 thousand</i>
Net proposed GTA increase in DJS for 2018	€111.1 thousand

558. The requested amount of GTA resources in CMS has increased by €148.6 thousand to fund the previously approved, but not funded, position of eCourt Project Manager (P-4).

559. One Assistant Legal Officer/Courtroom Officer (P-2), 12 months. Continued. This position is required in CMS to support hearings, alongside the two existing ALO/Courtroom Officers, for two simultaneous trials. The number of positions is unchanged.

560. Three Text Processors (French) (GS-OL), 12 months each. Continued. In order to provide real-time transcripts in French for one trial, a team of two Court Reporters and two Text Processors is required in CMS. In order to provide edited versions of the French transcripts within the required time, the three Text Processors (French) continue to be required.

561. One eCourt Project Manager (P-4), 12 months. Continued. Approved but not funded in 2017. With a view to strengthening the ownership of the entire eCourt system, CMS is mandated to handle eCourt administration and management. The Project Manager will lead the Judicial Workflow Platform project, planned under the IT/IM strategy to be established by 2021. Failure to fully develop a new platform, will lead to judicial inefficiencies in relation to legal research for end users, managing access to the system, and the absence of one single point of entry for the whole of the case record. In turn, the new platform will provide a single interface for end users whereby in one location it will be possible to access the various components of the case records, including filings, transcripts, evidence, and audio-visual recordings of hearings. This will require training and familiarization of end users to one application only, which will in turn encourage a much wider range of end users to make use of the electronic tools for judicial information management. Furthermore, by centralizing access management to one location governing the various underlying applications, substantial efficiency gains will be achieved by eliminating duplication and inaccuracies in the administration of the applications. The new platform will also remove redundant systems currently in place for litigating parties to compensate for the lack of functionality in the eCourt platform. In 2017, the position was maintained but not funded in the approved budget. This position is a core, essential element of the five-year strategy, which requires a dedicated project manager. Given the length and extend of the project, a GTA position is more cost-effective for the Court than the use of external resources. In the context of the proposed 2018 project activities, the eCourt Project Manager will redefine the processes supporting the pre-trial, trial, appeals and reparations stages – a key pre-requisite to ensuring that the technology and functionalities built to support judicial processes deliver efficiencies for Chambers and litigants. The second area of work entails expanding the VPRS's victims' database to become a Court-wide tool to support all activities, from the initial registration of victim participation to managing reparations. The planned work will enable the digital collection of victim applications from the field, which will improve processing time at Headquarters. This database will then be extended to victims' representation and to the TFV, and will cost €80.0 thousand in hardware and software.

562. The requested amount of GTA resources in IMSS has increased by €72.9 thousand. The proposed increase is the result of the transfer of the Web Developer (GS-OL) from SASP. This movement took place following the Court-wide analysis of synergies and efficiencies, which led to identifying concrete ways to maximize the use of existing resources. While the impact of this measure on the Court's overall budget is neutral, it results in a decrease in the SASP budget and a corresponding increase in the Registry's staff costs.

563. One Web Developer (GS-OL), 12 months. Continued. As part of the Court-wide synergies exercise, the Web Developer (GS-OL) is to be transferred from SASP to the Registry to consolidate IT expertise. This transfer will enable the Assembly and its

subsidiary bodies to have documentation and information posted on the website and on the respective extranet pages. Some of the documentation and information available on the website for the general public also pertains to nominations and elections to Assembly bodies. Continuing to fund this post in the Registry is more cost-effective than outsourcing the service. Moreover, thanks to centralization in IMSS, the Web Developer can benefit from synergies to improve technologies and backups to ensure continuity of service to the Assembly and its subsidiary bodies.

564. The requested amount of GTA resources in LSS has decreased by €110.7 thousand. The GTA resources for Kinyarwanda interpretation will be required only for six months in 2018 as the Ntaganda trial will come to end in the first half of the year. The need for an additional Language Assistant (Acholi) (GS-PL) has been absorbed within the decrease in resources.

565. Three Court Interpreters (Kinyarwanda) (P-3), 1.5 FTE, 6 months each. Continued. Ntaganda trial – Court capacity. The interpreters recruited since 2015 for the Ntaganda trial will continue on their GTA contracts in 2018 until the expected end of the proceedings in the first half of the year. They provide interpretation for the Accused and take on translation and other special projects when required by the Chamber.

566. Three Paraprofessional Interpreters (Acholi) (P-1), 3 FTE, 12 months each. 3 continued, multi-year. Ongwen trial – Court capacity. The Acholi team, supported by one Associate Translator (English) seconded to the interpretation team, interpret from and into Acholi and English for the Accused and for Acholi-speaking witnesses, the Chamber, the parties and participants. They also take on translation assignments when not interpreting in the booth.

567. One Language Assistant (Acholi) (GS-PL), 12 months. New. The proposed position will strengthen the Acholi interpretation team in the Ongwen trial in order to support the increased workload in relation to witness familiarization, provide interpretation for the Accused and carry out ad hoc written and sight translations as may be needed by witnesses and victims. There are additional sensitive interpretation requests for the Accused, expected to result in a 100 per cent increase in monitoring time, which makes the current structure imperative. This position is needed to ensure that there is no interruption of service provision. Without this additional staff, it will not be possible to provide the victims, witnesses and the Accused with the necessary services, as the Paraprofessional Interpreters would be working in the booth while the Language Assistant prepares witnesses for testimony (witness familiarization, psychosocial assessment and other assignments).

568. In VPRS, the requested amount has increased slightly, by €1.2 thousand, which represents a minor adjustment to the costs required in the Section to fund the two existing positions. The Section will need to maintain the 2017 approved level of GTA resources to adequately respond to the continuous need in 2018 for the expected proceedings, in particular regarding reparations.

569. One Assistant Legal Officer (P-1), 12 months. Continued. This position, which was approved in 2017 for processing several thousand individual victim applications in the Ongwen trial proceedings, will continue to be required in 2018 to manage the expected increased workload, in particular, in relation to reparations proceedings. In accordance with the Court's present assumptions, it is considered that this position will be essential to meet the Chambers' deadlines in all ongoing proceedings.

570. 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 reparations proceedings. Furthermore, the position will assist in making the VPRS's victim-related database more widely accessible within the Court in order to provide improved information and data workflow.

571. The requested amount in OPCD has decreased slightly, by €1.2 thousand. It is proposed that the Office retain the same level of GTA resources as approved for 2017.

572. One Legal Officer (P-3), 12 months. Continued. In the light of the increasing number of cases, especially at the trial stage, OPCD will continue to need adequate resources to assist trial teams in real-time and respond to requests for information. The

Legal Officer, in conjunction with the Associate Counsel (P-2), will conduct legal research and prepare manuals to provide assistance to the defence teams and execute policy functions where needed. This position will also assist the Legal Adviser/Counsel (P-4) with management duties by supervising the output of the OPCD and undertaking tasks arising out of requests made by the Chambers.

573. The requested amount in OPCV includes a slight adjustment of €0.3 thousand. It is proposed that the OPCV retain the same level of GTA resources as approved for 2017.

574. One Associate Legal Officer (P-2), 12 months. Continued. This position was approved in the 2017 budget. The position continues to be needed and is essential for the satisfactory fulfilment of the OPCV's mandate. The 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

€826.9 thousand

575. Overall, the proposed increase in TAM is €26.7 thousand (3.3 per cent). This increase is mainly related to support provided by LSS (€20.0 thousand), in particular to complement its in-house capacity for the provision of English and French interpretation for simultaneous trials, as well as to a minor increase in CMS amounting to €6.6 thousand.

576. The modest increase identified in CMS is required to continue complementing the in-house capacity for the provision of English and French edited transcripts for simultaneous trials. In CMS, the recruitment of freelance Court Reporters and Text Processing Assistants continues to be more cost-effective than outsourcing for contractual services. The majority of the resources required correspond to the need to continue complementing the current capacity in court reporting teams to sustain services for trial proceedings for 400 days.

577. For LSS, the number of Court hearing days in 2018 has been set at 400 (CIV: 160, Uganda: 160 and DRC: 80). There are enough LSS staff interpreters to cover only one and a half parallel events, which means that they will need to be supported by an additional four English/French freelance interpreters (two for each language), who will have to be recruited in order to ensure full support for all hearings. Three freelancers will be recruited for 32 weeks and one for 16 weeks in line with these assumptions, but will be recruited only if there is a real need, i.e. if a hearing actually takes place. TAM funds will also be used to cover services requiring the recruitment of Arabic, Georgian and Spanish freelance interpreters, in particular.

Non-Staff resources

€ 13,761.7 thousand

578. The requested net increase in non-staff costs amounts to €1,072.4 thousand (8.5 per cent) and is largely related to: (i) investments in the implementation of the Court-wide IT/IM strategy, which will result in greater efficiencies for the entire organization (€1,005.0 thousand net increase); (ii) maintenance of furniture and equipment owing to the synergies exercise, in which some activities were moved to IMSS, and the increase resulting from the higher number of licence users and the rise in contractual costs (€682.4 thousand); (iii) costs related to support for counsel for defence and victims (€357.0 thousand); and (iv) support to the OPCV in relation to proceedings in which it is appointed as legal representative of victims (€88.5 thousand). A further minor increase in the DS results from the yearly indexing of the rental prices of detention cells under the Product Price Agreement (€7.1 thousand).

579. While the total requirements for new investments and activities in 2018 amount to €2,090.0 thousand, the Division has managed to reduce the impact of the increase by almost 50 per cent, with reductions and savings of €1,017.6 thousand. Such reductions include non-recurring investments in IMSS which were made in 2017 and for which resources are not required in 2018 (€599.5 thousand); savings in IMSS in relation to mobile, satellite and internet communication costs (€294.5 thousand); and other reductions spread throughout the Division, including in travel, contractual services, training and consultants (€123.6 thousand).

<i>Overview of non-staff resources in DJS</i>	
Increases in 2018	
IT/IM strategic investments (IMSS)	€1,005 thousand
Maintenance of equipment (IMSS)	€682.4 thousand
Legal aid (CSS)	€357.0 thousand
OPCV	€38.5 thousand
Product Price Agreement on detention cells (DS)	€7.1 thousand
<i>Subtotal</i>	€2,090.0 thousand
Reductions and savings in 2018	
Non-recurrent investments made in 2017 (IMSS)	€599.5 thousand
Communication costs (IMSS)	€294.5 thousand
Other reductions (including travel, training, consultants, etc.)	€123.6 thousand
<i>Subtotal</i>	€1,017.6 thousand
Net proposed increase in DJS for 2018	€1,072.4 thousand

580. The vast majority of the non-staff resources required in DJS relate to IT/IM strategic investments in IMSS. The total amount required for these investments is €1,005.0 thousand, of which approximately €670.0 thousand is intended for the implementation of solutions in the OTP, mainly for the processing, registration and analysis of evidence; €80.0 thousand is required for improvements in the judicial process, including for the management of victim-related information; and €255.0 thousand is required for improvements in information security, including protection from cyberattacks and for secure communications.

Travel €397.7 thousand

581. The resources requested for travel have decreased by €16.8 thousand (4.1 per cent). All sections within the Division, with the exception of OPCV, present decreases in their proposed travel budget. For instance, CMS will require fewer resources (€4.1 thousand) to support video links. This is because the field offices are now more operational, allowing for some decreases in travel expenses.

582. Additional resources amounting to €4.6 thousand are requested for OPCV in support of its mandate during reparations proceedings, e.g. collection of evidence, consultation with clients and preparation for the presentation of evidence at trial (appearance of witnesses and victims) in *Ongwen* and *Gbagbo and Blé Goudé*.

583. Travel resources are still required in the Division for missions scheduled to provide the relevant judicial services. Such services include language interpretation (LSS), facilitation of victim participation in proceedings (VPRS), support for video links (CMS) and information security assessments (IMSS). Resources required in CSS have decreased by €9.5 thousand, but are still needed for missions calling for the presence of ad hoc counsel appointed to support suspects under article 55(2) of the Statute and witnesses under rule 74 of the RPE. Travel resources have also been requested in CSS to ensure the appearance of convicted persons in *Bemba et al.* before the Court at appeal hearings.

Contractual services €440.4 thousand

584. The resources requested for contractual services for DJS have increased by €12.4 thousand (34.3 per cent). The totality of the increase is due to an increase of €155.0 thousand in IMSS, which has been partially contained by reductions amounting to €42.6 thousand in LSS (€27.6 thousand) and VPRS (€15.0 thousand).

585. The total proposed increase for contractual services in IMSS amounts to €155.0 thousand. In total, €275.0 thousand is requested to implement the 2018 strategic initiatives pursuant to the Court's Five-Year IT/IM Strategy, and €45.0 thousand is carried over from 2017 for external

vendors to increase in-house expertise and to provide for inter-library loans. This means that at least €120.0 thousand in savings have been found in the IMSS budget for contractual services, thus reducing the impact of the additional resources required by 37.5 per cent.

586. These investments in contractual services for the IT/IM strategy, which amount to €75.0 thousand, are distributed as follows: €100.0 thousand for the OTP to implement the improved evidence management system; €60.0 thousand for VPRS to build a mobile application to facilitate more efficient collection of victim data in the field; and €75.0 thousand for contractual services to implement Court-wide improvements for standardized and automated processes, including the integration of the Court-wide mission planning system in SAP. The remaining €40.0 thousand is for IMSS to implement Court-wide improvements in information security and to update the Windows operating system used by all staff. For more detailed information on the Five-Year IT/IM Strategy (2017-2021), including a detailed analysis of the projects and the cost implications, please refer to annex IX.

587. The requested resources in LSS have been reduced by €27.6 thousand (41.8 per cent) owing to the transfer of ECOS enhancement and maintenance from LSS to IMSS in order to centralize all information technology expenditures as much as possible. The remaining resources continue to be required in LSS in 2018 to outsource a part of translation services, as not all languages are available in-house, such as Acholi, Ateso, Dioula, Georgian, Kinyarwanda, Lingala and both Congolese and Standard Swahili.

588. The requested resources for contractual services in VPRS have decreased by €5.0 thousand (31.9 per cent) as a result of the optimization of the Victims Application Management System (VAMS), which has led to improvements and greater efficiency for its users, and to a decrease in consultancy and contractual service needs. Resources continue to be required in the Section for external printing of application forms, explanatory booklets and other materials for victims; specialized external services regarding certain aspects of the VPRS database development (software improvement and adaptation of VPRS's systems used for storing, tracking and processing documentation, and to respond to new requirements arising from the Chambers' decisions); and other contractual service requirements linked to interaction with victims and intermediaries.

589. The requested amount in OPCV (€0.0 thousand) is unchanged and continues to be needed for the Office'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

590. The proposed DJS training budget shows a decrease of €1.9 thousand (2.0 per cent). The staff training budgeted for 2018 is an essential element which helps DJS cope with the increased workload and covers any additional expertise needed. 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 the OTP and Chambers. The following sections will require training as part of their recurring expenses: OD-DJS (€3.9 thousand), CMS (€5.5 thousand), IMSS (€59.0 thousand), DS (€16.8 thousand), VPRS (€5.3 thousand) and OPCD (€0.6 thousand). In most of these sections, the training budget is unchanged, while in IMSS and in the OD-DJS, the requested resources show a slight decrease of €1.8 thousand and €0.2 thousand, respectively.

591. Training requirements in IMSS for 2018 continue to focus on staff receiving the required technical training to maintain certifications. Upgrades of core applications, infrastructure and information security are required to maintain the supportability of these systems; therefore IMSS staff must have the appropriate training and certifications to perform their activities to support these systems. Resources continue to be required in DS to provide Custody Officers with mandatory training on, for example, the effects of long-term detention and cross-cultural awareness in a detention environment. In VPRS, the resources are required for staff working with the Section's database to train them in software tools to combine and extract data and produce statistics more efficiently, as well as for training for staff members who interact with victims and intermediaries in highly sensitive environments.

Consultants

€378.4 thousand

592. The proposed DJS budget for consultants has decreased by €2.9 thousand (3.3 per cent). This proposed budget is mostly the result of requirements in OPCV, which amount to

€37.5 thousand, representing a proposed increase of €3.9 thousand in 2018. Savings and reductions amounting to €46.8 thousand have been identified in LSS (€41.8 thousand) and VPRS (€5.0 thousand). The resources requested for OD-DJS (€5.0 thousand), OPCD (€20.0 thousand) and DS (€6.0 thousand) are unchanged.

593. The proposed increase in OPCV is mainly on account of its appointment as legal representative in the *Lubanga* and *Katanga* reparations proceedings. In this regard, it is worth noting that OPCV was appointed in 2016 to represent victims during the reparations proceedings in *Katanga*. The resources for a consultant were already budgeted in 2017 for six months and are now budgeted for a full year in 2018. OPCV has already taken steps to ensure efficiency and reduce costs by engaging the same field-based consultant for the reparations proceedings in both *Lubanga* and *Katanga*.

594. The requested amount in LSS has been reduced from €46.8 thousand in 2017 to €4.9 thousand in 2018. The remaining resources are requested for a consultant in terminology systems. The consultant will work for a week with the Translation Support and Terminology Unit (TSTU) on the new features installed following the upgrade from the current MultiTrans PRISM to the MultiTrans 2017 platform to ensure that the software functions properly.

595. VPRS has reduced its consultancy budget by 50 per cent (€5.0 thousand), and the remaining resources are required to bring in external specialist expertise to handle challenges in terms of victim participation and, in particular, reparations before the Court (victim mapping exercises, harm categorization techniques, etc.).

Counsel for the Defence

€3,723.0 thousand

596. The proposed legal aid budget for defence counsel presents an increase of €194.8 thousand (5.5 per cent). This proposed budget is the result of the application of the Court's legal aid system for existing judicial activities and related assumptions for 2018. Notably, following the recommendations of the Committee on Budget and Finance ("the Committee"), the budget for defence counsel has decreased by €41.5 thousand. This results in a substantial decrease of €93.2 thousand when compared to the approved levels for 2016. The proposed budget for 2018 has been estimated on the basis of expected judicial activities, the average cost of each current defence team and experience thus far in 2017. The proposed budget for defence counsel is requested to fund defence teams in the *Lubanga*, *Katanga*, *Ntaganda*, *Ongwen* and *Banda* cases, the five convicted persons in the *Bemba et al.* case, and the two Accused in the *Gbagbo and Blé Goudé* case. It should be noted that in the *Bemba* main case, even though Mr Jean-Pierre Bemba Gombo is not considered to be indigent, the Court continues to advance the payment for his defence using the resources from the legal aid budget.

597. An additional sum has been requested for duty and ad hoc counsel, appointed by the Registrar and Chambers, respectively, under the conditions established in the Statute, the RPE and the Regulations of the Court.

Counsel for Victims

1,165.0 thousand

598. The proposed legal aid budget for counsel for victims' presents an increase of €162.2 thousand (16.2 per cent) compared to the approved budget for 2017, which represented a decrease of €718.2 thousand in relation to the previous year. Notably, following recommendations by the Committee, the 2017 approved budget for counsel for victims was further reduced by €200.0 thousand from the proposed budget at that time. The requested increase is required to fund all existing external teams of legal representatives for victims, i.e. over 8,500 of the 12,985 victims currently participating in proceedings before the Court. This figure includes 2,605 victims in the *Ongwen* case, 5,229 victims in the *Bemba* case, and all the victims participating in the *Lubanga*, *Katanga* and *Al Mahdi* cases. External legal representatives also represent victims in the *Banda*, *Al Bashir* and *Haroun* cases, in addition to the victims in the DRC and Darfur, Sudan situations; however, no specific resources have been estimated for activities in relation to these cases and situations.

General operating expenses

€6,289.7 thousand

599. The proposed budget in DJS for general operating expenses (GOE) represents an increase of €336.1 thousand (5.6 per cent). The resources required in GOE include an increase of €346.1 thousand in IMSS and a slight increase of €7.1 thousand in DS. In addition, two sections present a net decrease in GOE amounting to €17.1 thousand: the OD-DJS (€13.1 thousand) and CSS (€4.0 thousand). In the case of the OD-DJS, the resources for GOE have been fully cut from the proposed budget, representing a 100 per cent reduction.

600. Of the total requested amount of €6,289.7 thousand, €4,248.6 thousand corresponds to resources required in IMSS and €2,027.1 thousand to resources required in DS. The remaining €14.0 thousand is requested for OPCV (€1.0 thousand) and CSS (€3.0 thousand).

601. The proposed GOE budget for IMSS amounts to €4,248.6 and represents an increase of €346.1 thousand. The largest component of IMSS non-staff resources is devoted to GOE, including rental and maintenance of equipment, as well as communications. Notably, the actual additional resources required in IMSS for 2018 amount to €599.4 thousand; however, the savings of €253.4 thousand for the rental of equipment and for reductions in communication costs contain the impact of the additional requirements and limit the increase to €346.1 thousand.

602. As indicated, the proposed GOE budget includes three components: (i) communication costs (€1,159.2 thousand); (ii) rental of equipment (€126.6 thousand); and (iii) maintenance of equipment (€2,962.8 thousand) to support Headquarters and field offices.

603. Of the €1,159.2 required for communication costs, €605.7 thousand is needed for requirements at Headquarters, which include the main and backup connectivity for desk phones, internet, lease of a fibre-optic line and mobile communications. The remaining €553.4 thousand is for running costs for internet connectivity and secure mobile communication in seven field offices and the New York Liaison Office.

604. For the rental of equipment, the requested €126.6 thousand has decreased by €22.4 thousand. This decrease is due to the closure of the Nairobi Field Office. The remaining requested funds are required for the rental of printing services for Headquarters and for equipment in the Bangui and Kampala Field Offices.

605. The increase in relation to maintenance of equipment is due to an increase in software applications supported by IMSS in the centralized IT budget. These costs were previously shared by the OTP and other Registry sections, as were costs for additional software purchased in 2017 for the Georgia and Uganda situations. The resources required for maintenance of equipment correspond to an annual recurring cost determined by the Court's contractual obligations for the annual use of all software and hardware. These annual fees are a fixed cost and of a per-contract duration (usually of three to five years) and consist of either a percentage of the initial purchase price or an annual subscription fee. Maintenance covers all hardware and software licencing for all systems used by Court staff at Headquarters and the field offices to do their daily work. This includes the systems and the supporting IT infrastructure, such as data storage, databases and the network.

606. An increase in GOE (€7.1 thousand) is proposed for DS on account of the yearly indexing of the rental prices of detention cells under the Product Price Agreement. Other recurring expenses for DS are unchanged.

607. The sum of €1.0 thousand requested for OPCV is unchanged. The resources are required to 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.

608. The requested budget in CSS reflects a decrease of €4.0 thousand. The remaining €3.0 thousand is required to cover expenses related to the expected appearance of convicted persons in *Bemba et al.* at the appeals hearings in 2018.

Supplies and materials

€266.4 thousand

609. The amount requested in the Division for supplies and materials represents a slight increase of €4.0 thousand (1.5 per cent). The majority of the resources in the Division's

budget for supplies and materials correspond to the €26.0 thousand required in IMSS. Other allocations of resources include €2.7 thousand in CMS, €7.5 thousand in DS, €8.2 thousand in LSS and €2.0 thousand in VPRS.

610. The requested resources in IMSS have increased by €3.0 thousand (1.3 per cent) and are required for the Library to obtain specialized archival supplies for long-term preservation to accommodate recent acquisitions or archival and legacy material. The Library has received important legacy materials from Chambers, OTP and the Office of the Registrar which have historical value for the Court and its premises, and supplies are requested to catalogue and preserve these materials. The remainder of the requested resources is for recurring costs, including for the continued provision of library references and resources, such as digital and print subscriptions for serials and monographs, used daily for legal research by OTP, Chambers and Registry staff. Supplies continue to be required for core services and materials, such as printing, replacement of memory chips, audio-visual supplies for courtrooms and offices, and end-user requests for language-specific keyboards, encrypted drives and laptop computer batteries.

611. In LSS, an additional €1.0 thousand will be needed for reference materials. Language professionals, in particular translators, need up-to-date dictionaries and reference materials (online and hard copies) in the working, official, situation and case languages, bearing in mind that new situations and cases can result in new language combinations. CMS will require the same level of expenses as in 2017, i.e. €2.7 thousand, to support additional requirements arising from the conduct of three trial proceedings with 400 days of hearings. The amount for supplies and materials will also remain unchanged for DS and VPRS.

Furniture and equipment

€1,010.0 thousand

612. The requested amount for furniture and equipment in DJS has increased by €94.5 thousand (41.2 per cent) and corresponds exclusively to investments required in IMSS. No other section in the Division has proposed any resources for furniture and equipment.

613. The proposed budget for furniture and equipment amounts to €1,010.0 thousand and is required for recurring costs and non-recurring investments under the Five-Year IT/IM Strategy.

614. The resources required in relation to recurring expenditure for furniture and equipment amount to €280.0 thousand, €200.0 thousand of which corresponds to the annual investment required for the five-year replacement cycle of end-user hardware which is in place to minimize the risks to the Court of using outdated workstations or laptops that are not compatible with software in use or the required security updates. The remaining recurring costs are €40.0 thousand to extend data storage and €40.0 thousand to add additional servers to support the Court's applications and databases. These recurring expenditures are necessary to accommodate the growth in Court data and databases that are directly related to Court activities which generate data and require their storage in file shares and systems such as TRIM, Ringtail and Wynyard.

615. The proposed submission for furniture and equipment requires €730.0 thousand for non-recurring investment in software and hardware necessary to implement the 2018 strategic initiatives of the Five-Year IT/IM Strategy. An evidence management system for OTP (€570.0 thousand) to lessen the processing time for digital evidence and reduce the legal review effort will require: €400.0 thousand for software licencing, €30.0 thousand for the purchase of supporting hardware and €140.0 thousand for forensic tools, building on the previous years' investments with ongoing process improvements for capturing digital evidence and utilizing open-source data. In addition, automating the collection of victim applications requires €20.0 thousand in hardware expenditures to purchase tablets to enable field office staff to conduct the collection from remote locations in the field. The remaining €140.0 thousand is required to purchase hardware and software to extend vulnerability and patch management to the field offices, improve identity and access management controls, implement enhanced security for data stored in the cloud, and extend the Threat Intelligence Platform (implemented in 2017) and the information security classification tools, currently being used by OTP, to the rest of the Court. For more detailed information on the Five-Year IT/IM Strategy (2017-2021), including a detailed analysis of the projects and the cost implications, please refer to annex IX.

Table 36: Programme 3300: Proposed budget for 2018

3300 Division of Judiciary Services	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				11,950.4	140.8	1.2	12,091.2
General Service staff				4,928.2	151.6	3.1	5,079.8
<i>Subtotal staff</i>	<i>15,994.8</i>	<i>-</i>	<i>15,994.8</i>	<i>16,878.6</i>	<i>292.4</i>	<i>1.7</i>	<i>17,171.0</i>
General temporary assistance	837.1	326.9	1,164.0	1,689.7	111.1	6.6	1,800.8
Temporary assistance for meetings	1,040.1	69.2	1,109.3	800.2	26.7	3.3	826.9
Overtime	12.7	9.1	21.8	15.0	-	-	15.0
<i>Subtotal other staff</i>	<i>1,889.9</i>	<i>405.2</i>	<i>2,295.1</i>	<i>2,504.9</i>	<i>137.8</i>	<i>5.5</i>	<i>2,642.7</i>
Travel	357.3	38.6	395.9	414.5	(16.8)	(4.1)	397.7
Hospitality	0.2	-	0.2	-	-	-	-
Contractual services	507.8	53.2	561.0	328.0	112.4	34.3	440.4
Training	86.3	-	86.3	93.0	(1.9)	(2.0)	91.1
Consultants	263.8	89.3	353.1	391.3	(12.9)	(3.3)	378.4
Council for defence	4,950.0	-	4,950.0	3,528.2	194.8	5.5	3,723.0
Council for victims	1,344.7	-	1,344.7	1,002.8	162.2	16.2	1,165.0
General operating expenses	5,326.5	97.4	5,423.9	5,953.6	336.1	5.6	6,289.7
Supplies and materials	524.4	-	524.4	262.4	4.0	1.5	266.4
Furniture and equipment	1,455.0	394.9	1,849.9	715.5	294.5	41.2	1,010.0
<i>Subtotal non-staff</i>	<i>14,816.0</i>	<i>673.4</i>	<i>15,489.4</i>	<i>12,689.3</i>	<i>1,072.4</i>	<i>8.5</i>	<i>13,761.7</i>
Total	32,700.7	1,078.6	33,779.3	32,072.9	1,502.5	4.7	33,575.4

Table 37: Programme 3300: Proposed staffing for 2018

3300 Division of Judiciary Services	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
<i>Established Posts</i>														
Approved 2017	-	-	-	1	7	24	33	42	5	112	2	75	77	189
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	(1)	-	-	-	(1)	-	-	-	(1)
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	1	7	23	33	42	5	111	2	75	77	188
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	-	1.00	4.00	2.00	4.00	11.00	1.70	8.22	9.92	20.92
Continued	-	-	-	-	-	1.00	2.50	2.00	4.00	9.50	-	4.00	4.00	13.50
New	-	-	-	-	-	-	-	-	-	-	5.11	1.00	6.11	6.11
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	-	1.00	2.50	2.00	4.00	9.50	5.11	5.00	10.11	19.61

4. Programme 3800: Division of External Operations

Introduction

616. The Division of External Operations (DEO) is responsible for and consolidates the Registry's functions in the areas of cooperation, external communication, protection of witnesses, analysis and field operations. In addition to the Office of the Director (OD-DEO), DEO consists of three sections at Headquarters, namely the Victims and Witnesses Section (VWS), the Public Information and Outreach Section (PIOS) and the External Operations Support Section (EOSS). It also has field presences in six situation countries.

617. The Division is responsible for the field offices of the International Criminal Court ("the Court"), which are established in situation countries to facilitate and serve as the base for the Court's operations. The decision on whether or not to establish a field presence, as well as the size and composition of each field office, is made on a case-by-case basis. As the specific circumstances of each situation and the stage of investigative or judicial activities are taken into consideration, the resources needed are bound to fluctuate. The Division also plays a central role at Headquarters in ensuring that logistical and administrative issues concerning the field offices are addressed effectively and efficiently. Crucially, DEO acts as the centre for all field-related mission planning and also supports the implementation of crisis management procedures.

618. Within the Division, VWS has the role of making security arrangements and providing protective measures, counselling and other assistance to witnesses and victims who appear before the Court, and to others who are at risk on account of testimony given by such witnesses. In close coordination with the other organs of the Court, DEO is also responsible for external communication, namely for delivering accurate and timely information about the Court's principles, objectives and activities to the general public and to target audiences. Through outreach, the Division ensures that communities affected by the cases before the Court are kept apprised of judicial proceedings.

619. The Division has the additional task of carrying out the Registry's statutory responsibilities in relation to State cooperation and judicial assistance, such as implementing requests emanating from the Chambers and establishing operational contacts with States regarding the arrest and surrender of persons subject to warrants of arrest. DEO provides information and analysis on security and socio-political developments in countries of relevance for the Court's work to all of its organs and to parties and participants in the proceedings. This enables the Court to successfully perform its core activities, meet its staff safety obligations and safeguard its property and assets.

Operating environment

620. In 2018, the Court will have field presences in six situation countries – the Central African Republic (CAR), Côte d'Ivoire, the Democratic Republic of the Congo (DRC), Georgia, Mali and Uganda – one fewer than in 2017 following the planned closure of the Kenya Field Office in the second half of 2017. After a thorough evaluation of costs and operational imperatives, it has been decided not to open a satellite office in western Côte d'Ivoire, but rather to continue supporting activities in this area from the Abidjan field office, which will be relocated to more secure premises during the course of 2017. The opening of the satellite office in Gulu, in northern Uganda, is planned to take place in 2018. The field office in Georgia is expected to be operational in 2017, but its size and composition will be reviewed in line with developments in the situation. The recent conclusion of a memorandum of understanding between the Court and the Georgian authorities is an important step towards establishing a Court field presence in the country.

621. The three simultaneous trials that will be ongoing in 2018, involving a high number of witnesses expected to appear before the Court either in person or via video link, add to the demanding operating environment for the DEO. The active investigations carried out by the OTP will continue to require DEO support, while other actors such as the Trust Fund for Victims (TFV) will rely more than ever on DEO assistance in the field and for reparations-related activities. In addition to continuing projects under its assistance mandate

in Uganda and the DRC, the TFV will also be launching an assistance programme in Côte d'Ivoire. Under its new structure, the Secretariat of the TFV will also be deploying more personnel to situation countries who will work from and rely on the services of the field offices. The number and complexity of the cases before the Court, as well as the situation countries in which it operates, mean that 2018 will again be a challenging year with respect to external operations. The continuing volatility of the security landscape in many areas in which the Court operates is another factor that has had to be fully taken into account in resource planning for 2018.

622. DEO will continue to play an important role in addressing the unique external challenges faced by the Court, which imply the need for a refreshed and intensified approach to the Court's external relations and public information efforts. These challenges threaten political and financial support for the Court and must therefore be addressed. Public information choices and tools can serve to enhance external relations and other operational efforts to push back on specific issues that have a negative impact on the Court's credibility. With all the challenges the Court faces, it must take a realistic approach to ends and means. Even with sufficient resources, the Court alone as a judicial institution will be unable to meet all its communication needs. The goal of an integrated approach, thus, is to amplify the impact of priority activities and to create opportunities for other actors to intervene in support of the Court.

Central African Republic

623. Activities in 2018 with regard to the two ongoing situations in the CAR will require enhanced support from the field office in Bangui. In the context of CAR I, two judicial proceedings the *Bemba* and *Bemba et al.* cases are expected to be in the final appeals phase in 2018, with ongoing reparations proceedings in the former. The OTP will continue to conduct two active investigations with respect to CAR II throughout 2018, which will lead to an increase in witness and victim protection activities by the VWS as a sizeable number of protection referrals are foreseen by the OTP. Investigations will lead to a notable increase in missions outside the capital in a very volatile environment, which will continue to require support from the field office.

624. Following the closure of the previous field office in 2013 and four years of difficult ad hoc arrangements due to deteriorating security in Bangui, a more stable solution for accommodation was finally achieved in 2017. The new premises will allow the office to provide an acceptable level of services and enable staff to work in tolerable office conditions. The security situation in the CAR continues to be unstable. That situation, coupled with deficient infrastructure, means that significant measures will be required to protect staff (including those on mission) and assets on the ground.

625. In relation to engagement with victims and affected communities, approximately 5,300 individuals are participating in the proceedings in the *Bemba* case which is in the reparations phase. Intensive field missions during this phase could be anticipated and would require the Registry's services, including support from the field staff working on victim participation and reparations. Intensified outreach activities are also crucial in order to lay solid groundwork for the implementation of the reparations awards, when they are decided by the Chamber. It is anticipated that over 2,300 victims could potentially apply to participate in proceedings related to the cases in the CAR II situation. The field office, in liaison with the VPRS and PIOS, will play a leading role in the *Bemba* case and the CAR II situation, in supporting and intensifying efforts in outreach and victim participation activities in the CAR.

Côte d'Ivoire

626. The trial in the *Gbagbo and Blé Goudé* case will be ongoing throughout 2018, while the OTP pursues its active investigation in the CIV II situation. A continued field presence in Abidjan will be necessary to support these activities. The field office and the VWS are required to support an increased number of witness testimonies in the trial, some of which will be given via video link. The number of missions supported by the field office will increase from the 2017 level, and will entail extensive activities in western Côte d'Ivoire. The TFV will launch a new assistance programme in Côte d'Ivoire in 2018, which will

require logistical support from the field office. Importantly, the United Nations Operation in Côte d'Ivoire has withdrawn, thus requiring the field office to identify additional sources of support and assistance in the field.

627. Over 700 victims are participating in the *Gbagbo and Blé Goudé* case, while more than 4,000 victims have applied to participate in proceedings in relation to the CIV II investigation. More victims are expected to apply. A proactive outreach programme, to be designed by the field office and PIOS, is required to communicate accurately and in a timely manner with the affected communities throughout the country about the ongoing proceedings. The warrant of arrest for Simone Gbagbo remains to be executed.

Democratic Republic of the Congo

628. The *Lubanga* and *Katanga* cases are both in the reparations phase. Reparations awards will be implemented throughout 2018 in *Katanga* and it is anticipated that they will be initiated in *Lubanga* in 2018. Approximately 400 victims in *Lubanga* and 300 victims in *Katanga* are considered qualified to receive reparations awards. The field offices, in liaison with PIOS and TFV, will conduct intensified outreach activities in the context of the reparations proceedings in both cases. Meanwhile, trial proceedings in *Ntaganda* will continue throughout the year. The warrant of arrest for Sylvestre Mudacumura remains outstanding. The TFV will continue its assistance programmes in the eastern DRC. To support these activities, continued field presences are required in both the capital, Kinshasa, and in Bunia, in the eastern DRC.

629. The field office will continue to provide mission support, conduct outreach activities and support the VWS to facilitate witness appearances and manage the IRS and protection of witnesses. Because these activities will be conducted in the context of a volatile security situation and in an environment with poor infrastructure, the field office will need to devote adequate resources to ensuring the safety and security of all personnel working and travelling in the area.

Georgia

630. The OTP, with necessary operational support from the Registry, will continue active investigations in the Georgia situation throughout 2018. The OTP will have only limited field-based staff in Georgia in 2018. To provide the required level of support for these activities, including that of the protection and support services provided by the VWS, it will be necessary for the Registry to set up a small field office in Tbilisi. The limited field presence will allow direct and immediate access to national and local authorities on whose cooperation and assistance the Court relies to conduct its operations in the country. Setting up a Georgia Field Office will, however, allow the Court to reduce costs for travel from Headquarters, which would be significantly higher without a permanent presence in the country. Setting up the Field Office will also accommodate the VWS field staff that will continue developing and providing IRS, emergency and other support measures that may be required in the course of 2018. In addition, a large number of victims are expected to apply to participate in proceedings, with underlying cost implications.

Mali

631. The OTP will continue its investigations in Mali during 2018. The Registry is expected to maintain its current level of support. The field office in Bamako is expected to support a limited OTP presence in the country. VWS will continue to develop its witness protection capacity to be able to respond to the witness and victim protection needs. The operations will continue to focus on putting in place emergency extraction, IRS and other protection measures. The security situation in Mali remains grave, with frequent attacks against peacekeepers and humanitarian personnel. The reality on the ground thus also poses significant security challenges for the Court's operations. The Registry's responsibilities with regard to witness protection will continue in Mali. The persistent violent attacks by terrorist groups against international staff working in Mali mean that adequate security arrangements must be in place for the Court's staff, property and assets.

Uganda

632. In the Uganda situation, the trial of Dominic Ongwen will continue throughout 2018. The TFV's assistance programme in the country will likewise continue throughout the year. To support activities in relation to this situation, the field presence in Kampala and Gulu will continue to be required in 2018. However, the OTP field presence related to the Uganda situation is expected to be reduced, therefore decreasing the level of support required from the field office for OTP operations.

633. The field office in Kampala and VWS will support a large number of witness appearances in the *Ongwen* case, including via video link from Uganda. Video link testimonies are an increasingly viable option, thanks to the investments made in 2017 to upgrade the speed of the internet connection in the Kampala field office. Over 4,000 victims are participating in this case and more than 51,000 individuals were affected by the crimes. The affected communities are scattered over a number of different locations in northern Uganda, often far away from towns. The Court plans to open a small satellite office in Gulu to support activities and missions in the region in a more cost-effective way, as well as to reach out more effectively to the victims and affected communities. While the field office is developing innovative tools, such as a text messaging platform, to provide information on the proceedings, resources will continue to be required to provide support for missions.

634. The warrants of arrest for Joseph Kony and Vincent Otti remain to be executed.

Strategic Priorities for 2018

635. The overarching objective of the DEO is to ensure high-level coordination and give strategic direction to all external operations of the Registry. To this end, in 2018, DEO will focus on developing processes and strengthening its capacity in the four main priority areas below.

Full operational capacity of the field offices

636. Three of the five Chief of Field Office posts were filled only in the first half of 2017, while the recruitment process for many of the key positions in the field are currently ongoing. As a result, 2018 will be the first year under the new structure that the offices will be able to operate at a satisfactory level of staffing. This will be an opportunity for the field offices to implement best practices and further develop effective working methods for providing support to clients, for instance, in relation to the active investigations by the OTP. Facilitating video link testimonies will require the field offices to dedicate time and resources to ensuring that the service provided meets the requisite standards. The ongoing judicial proceedings, especially those cases in the trial and reparations phases, will require the Uganda, DRC, CAR and Côte d'Ivoire Field Offices to undertake crucial outreach and victim participation and reparations activities.

Strengthening support to and protection of witnesses

637. In the light of the continuing activities in all situation countries, the number of persons under protective measures will remain high in 2018. Thirty-three new referrals for protection from the OTP are expected next year, in addition to 12 new referrals for the support programme and the establishment and/or continuation of 20 initial response systems. The projected number of international relocations has increased from 10 in 2017 to 16 in 2018. International relocations remain a more cost-effective measure than attempting to keep people under the Court's protection in the countries where they reside. In total, 500 people (100 witnesses and 400 dependents) will remain under the Court's protection.

638. Electronic case management, appropriate staff training and empowerment of staff in the field have improved case management, thus enabling some individuals to leave the Court's protection. Such steps have contributed to the faster implementation of risk reduction measures and swifter reintegration of witnesses and their dependents, allowing them to resume their lives and attain financial independence.

639. During the course of 2016 and 2017, the Registry concluded five new witness relocation agreements and successfully relocated a number of protected individuals and their family members. These successes are a result of new partnerships being established and existing partnerships being enhanced in the area of witness protection. Effective State cooperation can reduce the costs of managing cases of protected individuals, thus reducing the resource needs of the VWS.

Enhancing the impact of the Court's external relations and communication efforts

640. Consistent and visible support for the Court's mandate from States, international organizations and other stakeholders is both crucial for the Court's long-term success and also for the facilitation of its operations in situation countries in the short to medium term. DEO will seek to nurture such political commitment and translate it into enhanced technical and operational support in such areas as field operations and sanctions regimes. The Court must also actively counter negative perceptions and engage in principled dialogue to address the criticisms that it faces. Engagement with non-States Parties is likewise crucial to encourage further ratifications of the Rome Statute. To this end, DEO will continue to develop and implement a variety of communications tools, including the Court's website and social media channels, to effectively engage with external stakeholders. In 2018, this will include activities marking the twentieth anniversary of the adoption of the Rome Statute.

Development and implementation of financial investigation capacity and policy

641. A primary objective of the DEO for 2018 is to enhance the Registry's capacity to effectively track the assets and property of accused persons to accurately assess indigence and reparations. In 2018, the Registry's financial investigation capabilities will also be reinforced, in recognition of the fact that financial investigations and asset freezing are priorities for cooperation with States. They are paramount in ensuring the Court's effective and efficient functioning and are in line with its recent efforts to ensure enhanced centralization and greater coordination within the Registry. Indeed, the Registry plays a key role in supporting the Court's operations on freezing assets. First, it facilitates the measures authorized by Chambers to secure the fines, forfeitures or reparations awards that may be ordered at a later stage. Second, it investigates the indigence of persons claiming legal aid. Cooperation from States is crucial for the implementation of these two mandates. Both legal aid and reparations have emerged in recent years as crucial areas of concern for the Court as a whole in ensuring that the reparations phase is meaningful for participating victims, and further streamlining the budgetary impact of the legal aid system within the Court's annual budget. By concentrating judicial cooperation expertise and analytical, technical and investigative knowledge within the same section, the Registry aims to further reinforce the effectiveness of its strategies and activities in tracing, identifying, freezing and seizing assets.

642. It is expected that in 2018, with the reinforced financial investigations capacity, requests for cooperation in the area of freezing of assets will be fully implemented by States, exchanges of information reinforced and good practices established, so that resources will be available for reparations and/or indigence purposes. As for voluntary cooperation, efforts will be focused on widening the pool of States interested in entering into negotiations and increasing the number of cooperation agreements signed by the Court.

643. To that end, additional staff resources and a minimum level of resources required for necessary training and travel are requested. DEO will continue to engage with external parties to tap into existing networks dealing with financial investigations. Investments in this area can potentially have a positive budgetary impact, notably by reducing legal aid expenditure incurred in verifying the indigence of persons charged who apply for legal assistance paid by the Court. Effective financial investigations would also assist the Judges in determining the scope of reparations and their meaningful implementation. Wherever possible, the Registry will maximize areas of synergy with the OTP, such as by sharing resources, participating in conferences and organizing joint training.

Budget resources for the Division of External Operations

644. The overall proposed budget in 2018 for DEO is €24,769.4 thousand, representing an increase of €714.7 thousand (3.0 per cent). The proposed additional resources are requested to cover a greater volume of field operation activities, and to reinforce the Registry's financial investigation capacity.

645. The net proposed increase for DEO of €714.7 thousand consists of an increase of €362.1 thousand in staff costs, €175.8 thousand in other staff costs, including GTAs and temporary assistance for meetings (TAM), as well as an increase of €176.8 thousand in non-staff costs.

646. Over 35 per cent of the €362.1 thousand increase in staff costs corresponds to the redeployment of the Financial Investigator (P-4) from DJS to DEO, thus representing an increase of €131.8 thousand in the latter's proposed budget, but remaining cost-neutral in the Registry's overall budget.

647. The proposed increase of €88.1 thousand in GTA resources is the result of one additional Financial Investigator (P-3) for eight months to strengthen the Registry's financial investigation capacity. The proposed GTA increases, all of which are in the field offices, have been offset by reductions of approximately €60.0 thousand achieved in VWS. Moreover, the increase of €87.7 thousand in TAM is exclusively related to the support required to facilitate the increase in the number of witnesses scheduled to appear before the Court in 2018.

648. Finally, the proposed increase of €176.8 thousand in non-staff costs is solely linked to increased operational requirements in the field offices, in particular in the DRC, CAR and Côte d'Ivoire, to support a higher level of activities related to investigations, trials, reparations and the TFV's assistance mandate. The total net increase in the Division's non-staff costs takes into account savings and reductions amounting to approximately €136.0 thousand, achieved mostly in VWS (€10.0 thousand) and PIOS (€26.1 thousand).

649. DEO expects to achieve efficiencies of approximately €0.8 million through the careful and flexible use of resources, taking advantage of the new structure put in place within the Registry and carefully allocating resources between Headquarters and VWS in the field. Likewise, with the new field office staffing structure, improved coordination with States has allowed the Registry to implement more activities with the same level of resources. Most of these structural efforts will continue in 2018 and the Division expects to maintain the same high level of improvements in efficiencies. Detailed information on the expected savings and efficiencies for 2017 and 2018 is provided in annex X.

Staff resources

€16,090.1 thousand

650. The total proposed increase in staff costs, including other staff costs, amounts to €37.9 thousand. In total, €11.4 thousand corresponds to the decrease in the vacancy rate from 12 to 10 per cent in Major Programme III, as well as to the implementation of the UN Common System. As indicated, the 2017 approved budget provides for a 12 per cent vacancy rate in the Registry, while the historical level of 10 per cent is forecast to be achieved in 2017 and proposed to be maintained throughout 2018.

651. With regard to established posts, the Division's proposed budget shows an increase of two posts, only one of which – Associate External Affairs Coordinator (P-2) (€60 thousand) – is actually new. The second post, Financial Investigator (P-4) (€131.8 thousand), is the result of a direct internal Registry redeployment from the Counsel Support Section (CSS) in the Division of Judicial Services (DJS) to the EOSS in DEO. Thus, while the resources corresponding to this post appear as an increase in the DEO proposed budget, the redeployment is actually budget-neutral in the Registry's overall proposed budget. In addition, PIOS requests one reclassification of the Online Communications Assistant (GS-OL) to Senior Online Platforms Manager (GS-PL) (€4.3 thousand). The total financial impact in DEO of the redeployed, reclassified and new posts amounts to €206.1 thousand of the €362.1 thousand proposed net increase in established posts.

652. The total proposed increase for other staff costs amounts to €175.8 thousand, divided in €88.1 thousand for GTA resources and €87.7 thousand for TAM. Of the

approximately 16 FTE GTA resources approved in 2017, 13 FTE will be continued in 2018 and 6.7 FTE are requested as new GTA. Thus, the total proposed GTA resources for 2018 are 19.7 FTE, or a net increase of 3.7 FTE. This is important as it shows that the Registry does not take an incremental approach to the analysis of its resource requirements, but rather reviews its baseline in order to assess its future needs. Accordingly, some resources approved in 2017 will not be continued in 2018, and new resources, reflecting new operational requirements, are proposed instead.

Established posts: Professional and General Service €14,675.9 thousand

653. As indicated, the amount requested for established posts has increased by €62.1 thousand (2.5 per cent). In total, €484.7 thousand corresponds to the reduction of the vacancy rate from 12 to 10 per cent in Major Programme III (€326.3 thousand), as well as the application of the UN Common System (€158.4 thousand). The rest of the increase corresponds to the redeployment of the Financial Investigator (P-4) from DJS to DEO, thus representing an increase of €31.8 thousand in the latter's proposed budget, but remaining cost-neutral in the Registry's overall budget. In addition, there is an increase of €14.3 thousand in relation to the proposed reclassification in PIOS of the Online Communication Assistant (GS-OL) into the Senior Online Platforms Manager (GS-PL), as well as an increase of €60.0 thousand in relation to the proposed new Associate External Affairs Coordinator (P-2) in the Director's Office.

654. The total increases in staff costs for established posts in DEO amount to €90.8 thousand; however, savings in the amount of €328.7 thousand have made it possible to partially offset the additional requirements and limit the net increase to €62.1 thousand. Such savings include a reduction of €15.4 thousand from the full closure of the field office in Nairobi, Kenya, as well as an overall reduction in the months in which staff will be required to support operations in the field, amounting to €13.3 thousand. As a consequence of the closure of the field office, one *Administration and Operations Officer (P-3)*, 12 months is being returned. The post will not be required anymore in 2018.

Overview of established post resources in DEO

Increases in 2018

Vacancy rate adjustment to 10 per cent	€26.3 thousand
United Nations common system	€158.4 thousand
Transfer of Financial Investigator (P-4) from DJS	€31.8 thousand
Associate External Affairs Coordinator (P-2)	€60.0 thousand
Reclassification of Senior Online Platforms Manager (GS-PL)	€14.3 thousand
<i>Subtotal</i>	<i>€690.8 thousand</i>

Reductions in 2018

Closure of Nairobi field office	€15.4 thousand
Reductions of months required for staff in field offices	€13.3 thousand
<i>Subtotal</i>	<i>€328.7 thousand</i>

Net proposed increases in established posts in DEO €362.1 thousand

655. The following posts are proposed to be added to DEO's structure.

656. One *Financial Investigator (P-4)*, 12 months. *Redeployed*. The requested post would be located in EOSS. The post is transferred from CSS in DJS and moved to EOSS in DEO. The functions of the transferred post will be reviewed in 2017 to ensure that this more senior position supported by the new proposed Financial Investigator (P-3) GTA and in close coordination with the relevant Registry sections will lead the work related to financial investigation. The investigative expertise and experience of the Financial Investigator, as well as the international/national contacts the post would bring, will assist the Registry in formulating its investigation strategies and their implementation. The

Financial Investigator (P-4) will conduct investigative missions and provide legal, technical and investigative advice and direction on complex and sensitive investigations. Effective financial investigations contribute to verifying the indigence of persons charged who apply for legal assistance paid by the Court, and to identifying their assets and property to the extent possible. This will enable any fines to be imposed and Judges to determine the scope of reparations awards and their implementation. High-level expertise in this field is required more than ever in the light of the ongoing and expected reparations proceedings; it is therefore crucial that the Registry enhance its overall capacity in this area.

657. *One Associate External Affairs Coordinator (P-2), 8 months. New.* The requested post would be located in OD-DEO. The addition of this post would bring the composition of OD-DEO in line with OD-DJS and OD-DMS, where the Judicial Coordinator (P-3) and Administrative Officer (P-3) are supported by an Associate Judicial Coordinator (P-2) and an Associate Administrative Officer (P-2), respectively. A total of five Chiefs of Field Office and three Section Chiefs report directly to the Director of DEO. The new post is justified by the significant workload created from supporting the Director in handling the complexities associated with administering three sections and six field offices, encompassing over 200 staff members located at Headquarters and in field offices. Effective coordination with and supervision of the six field offices is becoming increasingly complex. Five out of the six field offices are now fully operational following the appointment of their chiefs. They have been active in all areas requiring close coordination by the OD-DEO in order to ensure cohesion within the Division/Registry and in accordance with the strategic guidance of the Director. The workload is such that it simply cannot be managed by an External Affairs Coordinator alone. In this regard, both the External Affairs Coordinator and his/her Associate will be assigned the task of coordinating the day-to-day work within the Division, which entails providing operational support to the field offices, as well as assistance and analysis on policy to the Director, drafting various documents and managing administrative matters.

658. *Senior Online Platforms Manager (GS-PL), 12 months, Reclassification (currently Online Communication Assistant (GS-OL)).* The Online Communications Assistant (GS-OL) post was created in 2015 following the reorganization of the Registry during which the Public Affairs Unit was incorporated into the PIOS. The post was formally classified in 2015 and the G-6 level was confirmed. However, at the time of the reorganization, there were important developments in the area of online communications which ultimately had an impact on the job and significantly changed the profile of the post. The workload and demands for technical skills in digital communications have steadily increased and require additional resources for the team working on digital communications. For example: (i) a new website with a completely new set of tasks, structure and administration workflow was launched. Maintaining and further developing the new site requires a different level of responsibility and additional skills; (ii) a social media strategy has been developed. Its implementation will affect the role of the person handling online communications and will require, in particular, creating online channels and producing content that is consistent, accessible and user-friendly; and (iii) other Court-wide projects, such as the Case Law Database, intranet support and the archiving project have taken shape.

General temporary assistance

€1,098.4 thousand

659. The requested resources for GTA within the DEO have increased by €88.1 thousand (8.7 per cent). In total, seven new positions are being requested, six of which are proposed for the field offices and one in EOSS for financial investigations. The net increase in GTA resources corresponds almost exclusively to the new Financial Investigator (P-3), as the savings and reductions of approximately €160.0 thousand achieved in VWS have offset most of the increase corresponding to the new GTA resources requested in the field.

660. The requested amount of GTA resources in **EOSS** has increased by €81.1 thousand and corresponds to the new Financial Investigator (P-3) requested for eight months in 2018.

661. *One Financial Investigator (P-3), 8 months. New.* The requested position would be located in EOSS. It is created to support the Financial Investigator (P-4). Four cases before the Court have entered into the reparations phase. Enhancing its capacity in financial

investigation will assist the DEO in identifying the assets and properties of convicted persons to determine the scope of reparations awards by the Judges and their meaningful implementation. The Registry is also mandated to: verify the indigence of accused persons who apply for legal aid paid by the Court, which is one of the accused's rights; and investigate their assets and properties for the purpose of awarding reparations to victims, if ordered by the Judges. Having two financial investigators will ensure that the rights of the accused are not harmed by such investigations. In fulfilling the Registry's mandates and in view of the rights of the accused, it is paramount that the information collected on the accused who applies for legal assistance paid by the Court is not used in the financial investigation into his/her assets and property for the purpose of implementing reparations awards.

662. The proposed GTA resources in VWS have decreased by €159.7 thousand following the discontinuation of positions in the Section. The following positions were approved in 2017, and will not be continued in 2018: one Associate Team Leader (P-2) in Mali, one Senior Planning Assistant (GS-OL), and one Senior Case Management Assistant (GS-OL).

663. *One Team Leader (P-3) (GEO) 12 months. Continued.* This position continues to be required to lead the multidisciplinary team for the situation in Georgia, responsible for: programme set-up and case management of witnesses and victims under VWS's responsibility; management of the International Criminal Court Protection Programme (ICCPP) and witness movements; management of new cases following referrals for protection and support made by the parties; management of threat and risk assessments for inclusion into the ICCPP and recommendations on witness protection measures; preparation of relevant information for the Senior Managers; and filings to be submitted to Chambers. The Team Leader in charge of Georgia will also be directly responsible for managing the operations, and therefore have day-to-day leadership responsibilities for the functioning of VWS's trial activities at Headquarters.

664. *One Associate Witness Protection Training Officer (P-2) (FO-OPS), 12 months. Continued.* The continuation of this position in 2018 is required to maintain the Section's training strategy and to ensure the development, coordination, maintenance and delivery of the VWS training programme intended to equip staff with a consolidated understanding of protection, risk and case management concepts necessary for the Section's mandate. The continuation is justified by the fact that the Section will have finalized its recruitment for the field staff only over the course of 2017. New staff, especially in the field, must be familiarized with the relevant operation standards. It is essential that the position be extended in 2018 so that new staff can obtain the same training level as former field and Headquarters staff members. In accordance with the VWS mandate, the Associate Witness Protection Training Officer will also train other participants in the Court proceedings to ensure standardization of good practices, as well as to promote a better understanding and management of witnesses and victims by all parties involved. Finally, considering the need for the flexible use of resources across the Registry, the Associate Witness Protection Training Officer will also work in coordination with the Human Resources Section's Learning and Development team to develop a team-building programme that will be of benefit to all Registry staff members. This programme is anticipated to run throughout 2018. The request is justified by the difficulty in identifying external service providers capable of developing witness protection training tailored to the Court's specific context, the need to protect the confidentiality of VWS operations, and the estimated cost savings of €60.0 thousand a year, determined after a thorough cost comparison with outsourcing (difference between external training consultant average fees and costs of a GTA P-2).

665. *One Associate Team Leader (field) (P-2) (GEO), 12 months. Continued.* The position was approved in 2017 for six months. It will continue to be required throughout 2018 in order to lead the VWS field team in the field office and to support the Team Leader in managing protection-related issues on a daily basis; running the Initial Response Services; developing protection cases following referrals for protection and support made by the parties; conducting threat and risk assessments for inclusion into the ICCPP; recommending witness protection measures, collecting and updating witness information for the Senior Managers, and submitting filings to Chambers.

666. *One Associate Field Case Officer (P-2) (GEO), 12 months. Continued.* The position was approved in 2017 for six months. This position will continue to be required throughout

2018 in order to assist the Associate Team Leader in the field and the Team Leader at Headquarters in handling the daily ICCPP case management workload and witness movements. The staff member will also conduct threat/risk assessments for the inclusion of victims and witnesses in the ICCPP, assist with the management of protection cases following referrals for protection and support made by the parties, recommend witness protection measures, and conduct and oversee witness protection operations in the field.

667. *One Associate Case Development Officer (P-2) (FO-OPS), 12 months. Continued.* The position, which was previously called Associate Analyst (P-2), continues to be required to support the Analyst in monitoring and reviewing the security situation in Uganda, Mali, Georgia and regions in which the Court operates and security incidents involving victims and witnesses; register information and intelligence collected; provide analytical support to the VWS management in the absence of the Analyst; and provide analytical interpretation on matters concerning the mandate of VWS.

668. The requested amount of GTA resources in **Field Offices** has increased by €166.7 thousand and corresponds to resources required to support the increased level of field activities in a number of the Registry's field presences. As explained, these increases have been almost fully offset by reductions in VWS amounting to €159.7 thousand.

669. *Two Field Assistants (VPRS/PIOS) (Uganda) (GS-OL). 12 months. Continued.* The requested positions would be located in the satellite office in Gulu, Uganda. The positions are requested in the light of the increased number of activities and missions in 2018 to contact victims and affected communities and to reduce travel costs of the VPRS/PIOS staff supporting the missions and activities in Gulu from the Kampala field office. The requested resources are in line with equivalent resources already in place in the field offices in the DRC and Côte d'Ivoire, the two other situations in which trials will be taking place in 2018.

670. *One Driver (Uganda) (GS-OL). 12 months. Continued.* The requested position would be located in the Uganda Field Office. It is required to support the same level of in-country missions anticipated in the light of trial proceedings in *Ongwen*.

671. *One Field Security Officer (Mali) (P-3). 12 months. Continued.* The requested position would be located in the Mali Field Office. It is requested that this position be continued in order to provide an adequate level of security to staff operating in Mali, one of the most dangerous countries in which the Court is operating. Given the varying level of activities in Mali, the position is requested as GTA for 2018.

672. *One Local Security Assistant (Mali) (GS-OL). 12 months. New.* The requested post would be located in the Mali Field Office. The position is requested to support the work of the Field Security Officer (P-3) in order to provide an adequate level of security to staff operating in Mali. Given the varying level of activities in Mali, the position is requested as GTA for 2018. Notably, this position replaces the Associate Field Security Officer (P-2) which was approved without funds in 2017.

673. *Four Field ICT Technicians (GS-OL). 12 months. Continued.* These positions continue to be required for the Uganda, DRC, CAR and Côte d'Ivoire Field Offices given the need to ensure uninterrupted IT services, notably in relation to witness testimonies conducted by video link from the situation country. The positions will continue to be required until IMSS has had time to develop and gradually implement the "Field Office in a Box" IT solution. This concept refers to the outsourcing of IT support services, while providing the necessary infrastructure and security from Headquarters. The position in the field office in Nairobi is no longer requested because of its closure.

674. *Two Field Assistants (VPRS/PIOS) (CAR) (GS-OL). 12 months. New.* The requested positions would be located in the CAR Field Office given the increased number of activities in 2018. With approximately 5,300 victims participating in CAR I proceedings (currently in the reparations phase), and an estimated 2,300 victims potentially applying to participate in proceedings related to the CAR II situation, the field office faces a significantly heavier workload to support VWS and PIOS. The field office will also provide CAR II.a and CAR II.b with related support for an increased volume and intensity of investigation work; extended missions outside of Bangui are also anticipated.

675. One *Senior Driver (GS-OL) (CAR)*. 12 months. New. The requested position would be located in the CAR Field Office and is requested to enable the field office to provide adequate support for the increased number of missions scheduled to take place in 2018.

676. Two *Drivers (GS-OL) (CIV)*. 12 months. New. The requested position would be located in the Côte d'Ivoire Field Office and are requested to support anticipated extensive field missions and activities in western Côte d'Ivoire in relation to the ongoing trial, including support for witness appearances and the ongoing CIV II investigation.

Temporary assistance for meetings

€315.8 thousand

677. The proposed resources for TAM represent an increase of €87.7 thousand (38.4 per cent) and correspond to the cost of an established roster of *Witness Assistants (G-4)* required to facilitate and support 132 witnesses expected to appear before the Court and the associated workload of the proposed 400 Court days. The number of witnesses to appear before the Court is expected to increase from 81 in 2017 as per the approved budget to 132 in 2018. The roster is required to provide important welfare-related services to witnesses appearing before the Court in The Hague, assisting as witness escorts during their stay (medical, shopping and others), monitoring and supporting witnesses (day and night), assisting with day-to-day activities for their well-being, and providing them with logistical support during their preparation by the calling party when such is granted by the Chambers. The roster allows more flexibility in the use of human resources, which is more compatible with the fluctuating nature of trial-related activities. It allows the size of the VWS team to adjust to a variable workload and obviates the need for additional staff to manage any escalation in trial activity which would become superfluous when trial activity decreases.

Non-staff resources

€8,679.3 thousand

678. The proposed resources for non-staff costs in the DEO for 2018 have increased by €176.8 thousand (2.1 per cent). The resources are required for travel, contractual services, training, general operating expenses, supplies and materials, and furniture and equipment. The primary cost-driver is a proposed increase of €172.8 thousand in general operating expenses mainly concerning activities in VWS and in the field offices. The increases in training (€81.8 thousand), as well as in supplies and materials (€34.4 thousand), mostly relate to operational requirements in the field offices and have been almost completely offset by net reductions in travel (€57.7 thousand), contractual services (€18.0 thousand), and furniture and equipment (€36.5 thousand).

Travel

€1,390.5 thousand

679. The resources requested have decreased by €57.7 thousand (4.0 per cent). A thorough reassessment of the Division's operational requirement led to the redistribution of resources for travel after reviewing the needs of the various sections. Accordingly, the proposed increase of €209.1 thousand in the field offices for in-country travel has been fully offset by reductions in travel from Headquarters by VWS amounting to €266.0 thousand. This is the direct result of the efficiencies produced by the working methods and structure of VWS following the reorganization of the Registry; VWS staff in the field have increased responsibilities and the capacity to manage cases locally, which significantly reduces the need for VWS staff at Headquarters to travel to the field.

680. The additional resources for the field offices are requested in CAR, DRC and Côte d'Ivoire to allow these offices to provide adequate logistical and security support to the OTP, the TFV and other clients for their increased number of missions, as well as to undertake in-country missions to meet with victims and affected communities. The difficult security situation, notably in the CAR and eastern DRC, necessitates additional measures that increase the cost of travel in those areas. Most of the field offices have been operating with only skeleton staff, thus keeping travel costs at an artificially low level. As recruitments are finalized in the field and the offices are able to function at an adequate level, the resources required for these staff members to perform their functions, including necessary mission travel, will change.

681. Resources in the OD-DEO and in EOSS continue to be required at the same level as approved in 2017. Resources amounting to €75.7 thousand will continue to be requested for official travel, mainly to allow the Director and members of his immediate office to visit the field offices on a regular basis. Weekly video teleconferencing between the Director and Chiefs of Field Office has allowed the OD-DEO to minimize travel requirements, while allowing the Director to effectively perform his responsibilities with respect to field operations. In relation to EOSS, the requested amount is €52.7 thousand and is required mainly for the regular deployment of its personnel to both situation and non-situation countries, including for missions related to targeted information collection in situations, as well as those related to judicial cooperation, external relations matters and financial investigations.

682. The travel resources requested for PIOS represent a slight decrease of €0.8 thousand and continue to be required for travel to situation countries and other locations to build institutional support and to promote more coverage of the Court's work and missions in relation to outreach, with a view to preparing and coordinating strategies for engagement with victims and affected communities.

Contractual services

€1,202.9 thousand

683. The resources requested for contractual services for DEO have decreased by €18.0 thousand (1.5 per cent). The vast majority of the required resources in contractual services are for the field offices (€1,011.9 thousand). The requested resources represent a decrease of €13.2 thousand and are necessary for security measures to be implemented in the field offices and transportation protection for missions, for example. Contractual services are likewise used primarily for outreach and VPR activities in the field. Further use of contractual services includes operations/crisis management, seminars hosted by the Registry, development of new events and information products, and maintenance of the new Visitor Centre at the Court.

684. There is a proposed increase of €5.2 thousand in VWS to cover service providers' costs related to activities aimed at increasing State cooperation in the area of international relocation of witnesses. The resources requested for EOSS have decreased by €10.0 thousand, as Court-wide commercial analysis subscription requirements are re-posted to the supplies and materials budget line.

Training

€148.0 thousand

685. The resources requested for training have increased by €81.8 thousand (123.5 per cent). In addition to training to strengthen financial investigation capacity in EOSS, the resources are mainly requested to meet mandatory training needs for field office staff. Following the appointment of the Field Security Coordinator in January 2017 and given the acute security situation in some situation countries, further mandatory security training has been identified for the field security staff to enable them to cope with any unexpected security needs. This includes annual training for drivers and security personnel required under the UN Security Management System. The requested resources would partially ameliorate the current situation, which has been caused by sustained underinvestment over the years in field office staff training. Meeting the pressing training needs of staff in the field offices will benefit the Court through improved skills and motivation of staff members.

686. An increase of €8.7 thousand is required in PIOS for media crisis training to be better prepared for potential crises concerning the Court's activities, technical training to be able to implement the Court's social media approach, and maintenance of the infrastructure needed to keep the website up to date. Finally, resources in VWS continue to be required at the same level as approved in 2017 to cover external trainers' fees to provide specific training to VWS staff at Headquarters and in the field offices. This is a multi-year programme to be continued in 2018 as part of the strategic plan for the Section. The VWS bespoke training plan is intended to familiarize and provide staff with a consolidated understanding of concepts in witness protection, risk assessment and risk management, as well as case management of protected witnesses.

General operating expenses

€5,604.0 thousand

687. The amount requested for general operating expenses has increased by €172.8 thousand (3.2 per cent). The increase is primarily the result of a greater workload for the VWS arising from increased judicial activities, the highest ever number of witnesses and expenses related to the move to new premises of the Uganda and Côte d'Ivoire Field Offices. The resources requested by VWS would cover support to witnesses appearing before the Court, protection management and relocation costs, including initial response systems. The significant increase in judicial activities and the number of witnesses to appear before the Court has been almost completely absorbed through the efficiency measures developed: strengthening coordination with States in order to increase relocation agreements, eventually reducing case management costs; streamlining case management of protected persons with a view to finalizing reintegration strategies; centralizing the planning and financial functions; and cross training of staff.

688. In EOSS, resources for general operating expenses have decreased by €13.0 thousand. The remaining budget is requested for third-party information services support in relation to "suspects at large" activities specific to EOSS areas of operation. Resources requested in PIOS remain unchanged and are required mainly for maintenance of editing and film equipment, photography material and USB duplicators.

Supplies and materials

€324.1 thousand

689. The requested resources have increased by €34.4 thousand (11.9 per cent). The increase is, for the most part, a result of moving items in EOSS (€25.0 thousand) previously budgeted under other budget lines so as to conform to standard budgeting practices. Furthermore, increases are also proposed in the field offices (€23.4 thousand) mainly in relation to CAR for the purchase of equipment and supplies necessary to comply with the Minimum Operating Security Standards requirements in the light of the country's security environment.

690. A reduction of €14.0 thousand has been achieved in PIOS thanks to new working methods and the use of electronic tools, allowing the Section to work with fewer resources while producing a greater effect. Moreover, the requested resources in VWS remain unchanged and are required 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.

Furniture and equipment

€9.8 thousand

691. The requested amount has decreased by €36.5 thousand (78.8 per cent). The total amount of resources of €20.0 thousand, approved for PIOS in 2017, has been completely removed from the proposed budget. In addition, the requested resources for the field offices have decreased by €16.5 thousand, and the remaining proposed resources are mainly required for security equipment for the new field office in CAR, as the existing equipment needs to be replaced or upgraded.

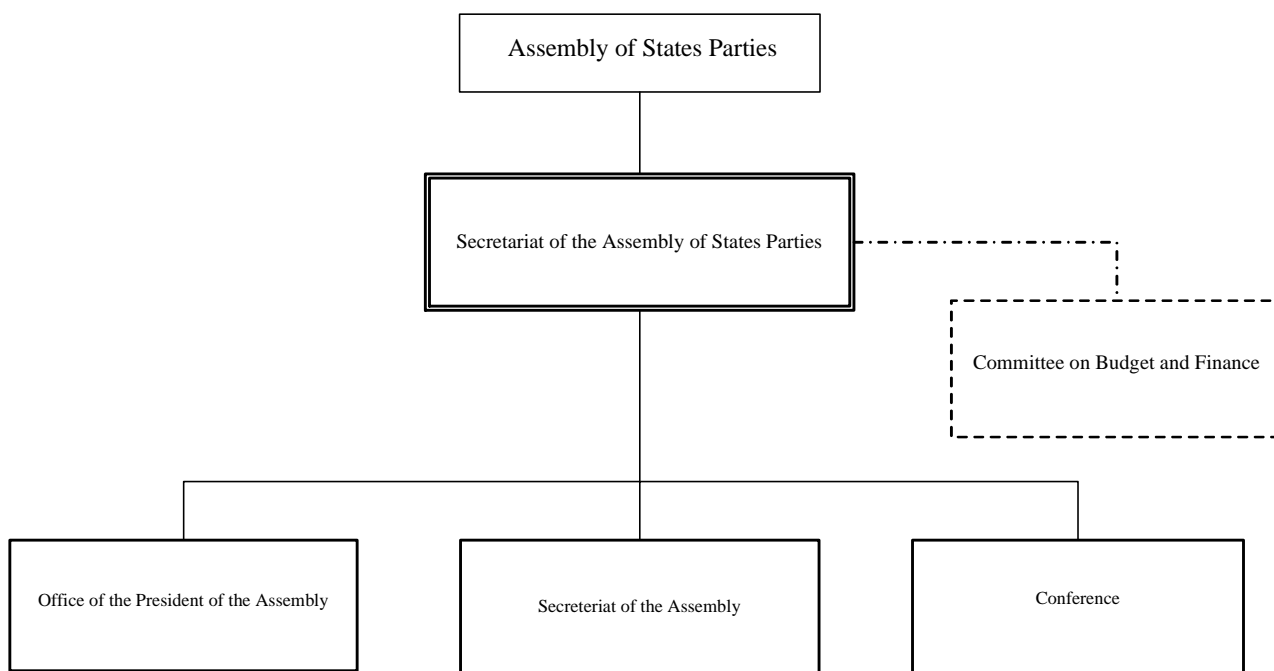
Table 38: Programme 3800: Proposed budget for 2018

3800 Division of External Operations	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				10,340.7	143.9	1.4	10,484.6
General Service staff				3,973.1	218.2	5.5	4,191.3
<i>Subtotal staff</i>	<i>11,242.6</i>	<i>-</i>	<i>11,242.6</i>	<i>14,313.8</i>	<i>362.1</i>	<i>2.5</i>	<i>14,675.9</i>
General temporary assistance	546.1	23.6	569.7	1,010.3	88.1	8.7	1,098.4
Temporary assistance for meetings	288.5	-	288.5	228.1	87.7	38.4	315.8
Overtime	88.5	-	88.5	-	-	-	-
<i>Subtotal other staff</i>	<i>923.1</i>	<i>23.6</i>	<i>946.7</i>	<i>1,238.4</i>	<i>175.8</i>	<i>14.2</i>	<i>1,414.2</i>
Travel	860.5	57.3	917.8	1,448.2	(57.7)	(4.0)	1,390.5
Hospitality	0.4	-	0.4	-	-	-	-
Contractual services	1,148.1	142.8	1,290.9	1,220.9	(18.0)	(1.5)	1,202.9
Training	27.4	7.1	34.5	66.2	81.8	123.5	148.0
Consultants	2.1	11.3	13.4	-	-	-	-
General operating expenses	3,992.5	34.3	4,026.8	5,431.2	172.8	3.2	5,604.0
Supplies and materials	209.9	3.5	213.4	289.7	34.4	11.9	324.1
Furniture and equipment	335.4	-	335.4	46.3	(36.5)	(78.8)	9.8
<i>Subtotal non-staff</i>	<i>6,576.3</i>	<i>256.3</i>	<i>6,832.6</i>	<i>8,502.5</i>	<i>176.8</i>	<i>2.1</i>	<i>8,679.3</i>
Total	18,742.0	279.9	19,021.9	24,054.7	714.7	3.0	24,769.4

Table 39: Programme 3800: Proposed staffing for 2018

3800 Division of External Operations	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
<i>Established Posts</i>														
Approved 2017	-	-	-	1	8	8	35	39	-	91	4	97	101	192
New	-	-	-	-	-	-	-	1	-	1	-	-	-	1
Redeployed	-	-	-	-	-	1	-	-	-	1	-	-	-	1
Reclassified	-	-	-	-	-	-	-	-	-	-	1	(1)	-	-
Returned	-	-	-	-	-	-	(1)	-	-	(1)	-	-	-	(1)
Proposed 2018	-	-	-	1	8	9	34	40	-	92	5	96	101	193
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	-	-	1.83	5.00	-	6.83	-	9.25	9.25	16.08
Continued	-	-	-	-	-	-	2.00	4.00	-	6.00	-	7.00	7.00	13.00
New	-	-	-	-	-	-	0.67	-	-	0.67	-	6.00	6.00	6.67
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	-	-	2.67	4.00	-	6.67	-	13.00	13.00	19.67

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



Introduction

692. 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 Statute.⁴⁸ 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.

693. The Secretariat has four programmes: Programme 4100 (Conference), Programme 4200 (Secretariat of the Assembly), Programme 4400 (Office of the President of the Assembly), and Programme 4500 (Committee on Budget and Finance).

Budget resources

€2,718.2 thousand

694. The requested amount for 2018 represents an increase of €9.4 thousand (3.8 per cent) in comparison to the 2017 approved budget.

695. Increases are requested for Contractual services €12.7 thousand and for General temporary Assistance €10.7 thousand. Increases under Contractual services are attributable to the holding of the seventeenth session of the Assembly in The Hague. The cost of renting the conference rooms and catering for the 2018 session of the Assembly is not included in the request under contractual services, as the host State will bear those costs in accordance with its letter of 21 June 2016.⁴⁹ The increases under General Temporary

⁴⁸ Such bodies include the Bureau and its Hague and New York 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.

⁴⁹ In a letter dated 21 June 2016, the host State informed the Court that the government of the Netherlands and the Municipality of The Hague, in joint cooperation with the World Forum convention centre, had decided to continue

Assistance are required to fund one Legal Officer (P-3) for 12 months that was previously approved and funded for seven months, one Administration Officer (P-3) for one month, and one IT assistant (GS-OL) for 6 months.

696. A total of €96.0 thousand in non-recurring costs under Travel were applicable in 2017 but do not apply to 2018. This is due to the fact that in 2018 the annual session for the Assembly session will be held in The Hague instead of New York.

697. The moderate increase in resources amounting to 3.8 per cent was contained through a combination of measures, such as synergies and re-adjustments of staff resources, with a view to meeting the actual needs of the Secretariat in a flexible manner and bearing in mind efficiency considerations and synergy effects. For example, a GTA Associate Legal Officer position (P-2) that was approved for nine months in the 2017 budget has not been requested for 2018; instead, the GTA position of Legal Officer (P-3) that was previously approved and funded for seven months is now requested for 12 months. This will enable the SASP to better meet its actual needs, ensure continuity and maintain institutional knowledge. In addition, based on a change in actual needs related to the incoming President of the Assembly, the GTA position of Special Assistant to the President (P-2) based in Dakar, which was approved but not financed in the 2017 approved programme budget, is not being requested for 2018. Furthermore, the requested budget for Major Programme IV has been reduced by transferring one GTA position (Web Developer (GS-OL)) to the Information Management Services Section (IMSS) of the Registry. By embedding this post in the information management and IT environment, this measure creates Court-wide efficiency gains and synergies while maintaining the same high-quality services for the Secretariat.

Staff resources

€1,725.2 thousand

698. The Secretariat has 10 established posts (five Professional-level staff and five GS-level staff) and 12 GTA positions (seven Professional-level (4.2 FTE) and five GS-level (1.6 FTE)). Some of the GTA positions are short-term (0.4 FTE) to service the Assembly and its subsidiary bodies.

699. In the 2017 approved budget, the GTA position of Legal Officer (P-3) was approved for four months, while the GTA position of Administrative Officer (P-3) was approved for five months.

700. In the proposed budget for 2018, three GTA P-3 positions have been fully costed: one Administration Officer for 12 months, one Administration Officer for one month and one Legal Officer for 12 months. Having one GTA P-3 for the entire 12 months provides greater stability, enhances the support provided to the Assembly and its subsidiary bodies, develops institutional memory and dispenses with the investment of time and resources necessitated on at least a biennial basis to recruit GTA staff for a few months a year.

Established posts: Professional and General Service

€943.2 thousand

701. 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),⁵⁰ and two Administrative Assistants (GS-OL). With the exception indicated below, all Secretariat staff carry out their functions under the supervision of the Director. Secretariat staff provide 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.

702. The Special Assistant to the President of the Assembly reports directly to the President. The Executive Secretary to the Committee on Budget and Finance ("the Committee") reports directly to the Chair of the Committee. In addition to the particular duties of the post, the Executive Secretary continues to perform functions within

the support earmarked for organizing sessions of the Assembly of States Parties to the Rome Statute in The Hague in 2016-2018.

⁵⁰ This GS-OL post was previously approved as GS-PL.

the Secretariat as a whole, particularly as regards the financing and administration of Major Programme IV. On the Committee's recommendation, in 2015 the Assembly approved the appointment of the Executive Secretary to the Committee as the Secretary to the Audit Committee,⁵¹ in addition to the above-mentioned duties. The Administration Officer and the Senior Administrative Assistant assist the Executive Secretary in serving the two Committees, as does the rest of the Secretariat to the extent required.

General temporary assistance

€604.0 thousand

703. The Secretariat currently has four full-time GTA positions and various other, shorter-term GTA positions serving the Assembly and its subsidiary bodies. However, the Secretariat has agreed with the Registry to transfer one GTA position (Web Developer (GS-OL)) to IMSS as of January 2018 as part of a synergy endeavour, on the understanding that the Secretariat will receive the requisite IT support for posting documents, papers and publications on the website, maintaining an extranet for the Assembly, the Bureau, the Committee on Budget and Finance and the Audit Committee, and ensuring timely posting of information regarding, *inter alia*, elections, complementarity developments and press releases.

704. One *Senior Legal Officer (P-5)* and one *Legal Officer (P-4)*, 0.55 months each. *Continued.* 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) and a Legal Officer (P-4). These additional officers supplement the two Legal Officers in the Secretariat's core staff.

705. One *Administrative Officer (P-3)*, 12 months. *Continued.* The incumbent will assist the Executive Secretary to the Committee in preparing for the two sessions of the Committee and in following up on implementation of Committee recommendations and related matters, including preparation for sessions of the Audit Committee. This position will also provide 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.

706. One *Administration Officer (P-3)*, one month. *New.* The incumbent will assist the Executive Secretary to the Committee with taking minutes and preparing reports on the two sessions of the Committee and two sessions of the Audit Committee.

707. One *Legal Officer (P-3)*, 12 months. *Continued.* The incumbent will assist the Secretariat on major issues related to budgetary, financial and administrative matters and assist the facilitator on the proposed programme budget.⁵²

708. One *Special Assistant to the President (P-2)*, 12 months. *Continued.* The Special Assistant is based in New York and supports the President during visits to New York involving United Nations-related matters concerning the International Criminal Court ("the Court"). This staff member provides substantive and technical support to the President regarding the preparation of statements, correspondence and coordination with key stakeholders. This staff member also assists with the preparation of official communications, coverage of Assembly-related issues at United Nations Headquarters, and continuous engagement with observer States to promote the universality of the Rome Statute. Furthermore, this staff member provides substantive services to the Bureau and the New York Working Group, and to sessions of the Assembly under the direction of the Secretariat of the Assembly. Technical servicing will continue to be undertaken by the New York Liaison Office.⁵³

709. One *Special Assistant to the Director (P-1)*, 12 months. *Continued.* The incumbent assists the Director of the Secretariat with preparations for the session of the Assembly,

⁵¹ *Official Records ... Fourteenth session ... 2015* (ICC-ASP/14/20), vol. II, part B.3, para. 45.

⁵² The GTA position of Associate Legal Officer (P-2) that was approved for nine months in the 2017 budget has not been requested for 2018. Having the GTA position of Legal Officer (P-3) for the full 12 months will be more efficient because it will draw better-qualified candidates, facilitate retention of GTA staff and avoid the need for biennial recruitment processes to fill the GTA position.

⁵³ A new President of the Assembly will take office in December 2017, as there will be a new Bureau for the period 2018-2020. The GTA position of Special Assistant to the President (P-2) based in Dakar, which was approved but not financed in the 2017 approved programme budget, is not requested for 2018.

including the participation of NGO representatives 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 States Parties.

710. *Registration Assistants, 12.95 months. Continued.* The Secretariat will require Registration Assistants during the months leading up to and including the annual session of the Assembly. Registration Assistants assist the Director with all the logistical aspects of meetings of the Assembly, including determining space requirements and equipment needs, registration of delegations and NGO representatives, and communicating with delegates.

711. *IT Assistant (GS-OL), six months. Recurrent, continued from 2016.*⁵⁴ GS-OL support ensures that the annual session of the Assembly is properly serviced in terms of the Court's IT equipment and software, which has to be installed at the session venue; sufficient personnel must also be on call to resolve any problems that may arise.

Temporary assistance for meetings €140.0 thousand

712. The amount requested for temporary assistance for meetings remains unchanged.

713. Temporary assistance is required, in particular, for translating the official documentation of the Assembly and its subsidiary bodies and for registering delegates, issuing passes, photocopying and distributing documents on a large scale, and generally facilitating delegates' attendance at the sessions.

Overtime €38.0 thousand

714. The amount requested for overtime remains unchanged. Overtime is paid to General Service staff hired on a short-term basis who are required to provide the assistance mentioned 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 Committee.

Non-staff resources €993.0 thousand

715. The amount requested has increased by €16.7 thousand (1.7 per cent). Non-staff resources comprise travel, hospitality, contractual services, training, general operating expenses, supplies and materials and furniture and equipment. The proposed budget for 2018 is based on actual expenditures in 2016. In the 2017 approved budget, the cut of €190,000 made to Major Programme IV, as decided by the Assembly on 24 November 2016, was mainly reflected under the heading of contractual services. Thus, the figures for contractual services in the proposed 2018 budget show an increase that does not fully reflect the actual expenditures for that item, since some of the resources allocated to it had to be reallocated to other budget items. The cost of holding an Assembly session in The Hague requires an increase in resources for Major Programme IV, as several costs which are not incurred when meeting at United Nations Headquarters in New York must be accounted for in The Hague. This increase is offset in part by the reduction in the cost of travel for Secretariat staff when the session is held in The Hague, and by the costs which the host State covers for renting conference rooms and catering at the World Forum convention centre.

Travel €432.1 thousand

716. The amount requested for travel has decreased by €96.0 thousand (18.2 per cent). The decrease in travel costs compared with the 2017 approved budget is due to the fact that there is no need to budget for the travel of Secretariat staff to provide substantive and technical services for the Assembly session in New York, since the annual session will be held in The Hague.

⁵⁴ There is a need for IT support for any annual session of the Assembly held in The Hague. There was no request for this support in the 2017 proposed budget since the session was scheduled to take place at United Nations Headquarters in New York.

717. The travel budget reflects the cost of travel for: members of the Committee to attend their sessions; the Chair of the Committee to attend meetings with The Hague Working Group, the New York Working Group and Court officials; and a few members of the Committee to visit field offices. This budget item 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. In addition, it covers the travel of five members of the Audit Committee to The Hague.

Hospitality €5.0 thousand

718. The amount requested for hospitality has remained unchanged. Hospitality is mainly used for the two sessions of the Committee and two sessions of the Audit Committee.

Contractual services €501.7 thousand

719. The amount requested for contractual services has increased by €12.7 thousand (29.0 per cent), due mainly to the cost of holding the seventeenth session of the Assembly in The Hague at the World Forum convention centre. These resources are required to cover the costs related to the seventeenth session of the Assembly (including ancillary services and facilities at the venue in The Hague, issuing badges, hiring additional security personnel, printing and equipment) and the outsourcing of translation and external printing for the sessions of the Committee.

Training €10.1 thousand

720. The amount requested for training has remained unchanged. Training is used to keep staff members updated in their specific fields of work.

General operating expenses €24.4 thousand

721. The amount requested for general operating expenses has remained unchanged. General operating expenses cover expenditure for mailing documents, notes verbales and publications to States Parties, to the members of the Committee on Budget and Finance and the Audit Committee, and occasionally for seminars to promote the universality of the Rome Statute, via regular post, registered mail or courier services.

Supplies and materials €14.7 thousand

722. The amount requested for supplies and materials has remained unchanged. It covers the cost of office supplies, including stationery used by the staff of the Secretariat (including paper, toner, pens, memo pads and folders) and stationery for the two sessions of the 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

723. The amount requested for furniture and equipment has remained unchanged. The Secretariat has managed to increase efficiency through the use of USB flash drives, which are distributed to delegates attending the Assembly session. These contain pre-session official documents in the official languages, resulting in savings on 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 40: Major Programme IV: Proposed budget for 2018

Programme IV Secretariat of the Assembly of States Parties	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				661.5	(9.3)	(1.4)	652.2
General Service staff				309.8	(18.8)	(6.1)	291.0
<i>Subtotal staff</i>	747.2	-	747.2	971.3	(28.1)	(2.9)	943.2
General temporary assistance	420.5	-	420.5	493.3	110.7	22.4	604.0
Temporary assistance for meetings	310.5	-	310.5	140.0	-	-	140.0
Overtime	32.7	-	32.7	38.0	-	-	38.0
<i>Subtotal other staff</i>	763.7	-	763.7	671.3	110.7	16.5	782.0
Travel	321.6	-	321.6	528.1	(96.0)	(18.2)	432.1
Hospitality	3.6	-	3.6	5.0	-	-	5.0
Contractual services	894.5	-	894.5	389.0	112.7	29.0	501.7
Training	-	-	-	10.1	-	-	10.1
Consultants	-	-	-	-	-	-	-
General operating expenses	7.5	-	7.5	24.4	-	-	24.4
Supplies and materials	2.4	-	2.4	14.7	-	-	14.7
Furniture and equipment	1.0	-	1.0	5.0	-	-	5.0
<i>Subtotal non-staff</i>	1,230.6	-	1,230.6	976.3	16.7	1.7	993.0
Total	2,741.5	-	2,741.5	2,618.8	99.4	3.8	2,718.2

Table 41: Major Programme IV: Proposed staffing for 2018

IV Secretariat of the Assembly of States Parties	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
<i>Established Posts</i>														
Approved 2017	-	-		1	1	1	1	1	-	5	3	2	5	10
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	(1)	1	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	1	1	1	1	1	-	5	2	3	5	10
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	0.05	0.05	0.78	1.69	1.00	3.56	-	2.08	2.08	5.64
Continued	-	-	-	-	0.05	0.05	2.00	1.00	1.00	4.09	-	1.58	1.58	5.67
New	-	-	-	-	-	-	0.08	-	-	0.08	-	-	-	0.08
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	0.05	0.05	2.08	1.00	1.00	4.18	-	1.58	1.58	5.75

Table 42: Programme 4100: Proposed budget for 2018

4100 Conference	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				-	-	-	-
General Service staff				-	-	-	-
<i>Subtotal staff</i>	<i>0.4</i>	-	<i>0.4</i>	-	-	-	-
General temporary assistance	146.5	-	146.5	236.5	114.3	48.3	350.8
Temporary assistance for meetings	225.7	-	225.7	80.0	-	-	80.0
Overtime	17.9	-	17.9	20.0	-	-	20.0
<i>Subtotal other staff</i>	<i>390.1</i>	-	<i>390.1</i>	<i>336.5</i>	<i>114.3</i>	<i>34.0</i>	<i>450.8</i>
Travel	29.8	-	29.8	63.7	(63.7)	(99.9)	-
Hospitality	-	-	-	-	-	-	-
Contractual services	813.3	-	813.3	313.0	100.0	31.9	413.0
Training	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-
General operating expenses	7.5	-	7.5	11.0	-	-	11.0
Supplies and materials	-	-	-	10.0	-	-	10.0
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>850.6</i>	-	<i>850.6</i>	<i>397.7</i>	<i>36.3</i>	<i>9.1</i>	<i>434.0</i>
Total	1,241.1	-	1,241.1	734.2	150.6	20.5	884.8

Table 43: Programme 4100: Proposed staffing for 2018

4100 Conference	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
<i>Established Posts</i>														
Approved 2017	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	0.05	0.05	0.36	-	1.00	1.46	-	1.08	1.08	2.53
Continued	-	-	-	-	0.05	0.05	1.00	-	1.00	2.09	-	1.58	1.58	3.67
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	0.05	0.05	1.00	-	1.00	2.09	-	1.58	1.58	3.67

724. Programme 4100 (Conference) shows conference costs, *inter alia*, for the Assembly, the two sessions of the Committee on Budget and Finance, three sessions of the Audit Committee (except costs reflected in its Programme 4500) and costs for the regular meetings of The Hague Working Group. Such costs also include temporary assistance for meetings and travel costs.

Table 44: Programme 4200: Proposed budget for 2018

4200 Secretariat of Assembly of States Parties	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				507.5	(4.7)	(0.9)	502.8
General Service staff				228.2	(17.1)	(7.5)	211.1
<i>Subtotal staff</i>	529.5	-	529.5	735.7	(21.8)	(3.0)	713.9
General temporary assistance	146.2	-	146.2	84.6	(84.6)	(100.0)	-
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	14.8	-	14.8	18.0	-	-	18.0
<i>Subtotal other staff</i>	161.0	-	161.0	102.6	(84.6)	(82.5)	18.0
Travel	21.3	-	21.3	59.7	(43.2)	(72.4)	16.5
Hospitality	0.3	-	0.3	1.0	-	-	1.0
Contractual services	6.4	-	6.4	-	-	-	-
Training	-	-	-	5.4	0.1	1.9	5.5
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	2.4	-	2.4	4.7	-	-	4.7
Furniture and equipment	1.0	-	1.0	5.0	-	-	5.0
<i>Subtotal non-staff</i>	31.4	-	31.4	75.8	(43.1)	(56.9)	32.7
Total	721.9	-	721.9	914.0	(149.4)	(16.3)	764.6

Table 45: Programme 4200: Proposed staffing for 2018

4200 Secretariat of ASP	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
<i>Established Posts</i>														
Approved 2017	-	-	-	1	-	1	1	1	-	4	2	2	4	8
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	(1)	1	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	1	-	1	1	1	-	4	1	3	4	8
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	-	-	-	0.69	-	0.69	-	1.00	1.00	1.69
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	-	-	-	-	-	-	-	-	-	-

725. Programme 4200 (Secretariat of the Assembly) reflects the resources for the Secretariat, including those for the Office of the President of the Assembly and costs relating to services and work on behalf of the Bureau of the Assembly, the Working Groups of the Bureau (the Hague Working Group and New York Working Group), the Committee on Budget and Finance and the Audit Committee, except those costs reflected in its Programme 4500.

Table 46: Programme 4400: Proposed budget for 2018

4400 Office of the President of the Assembly of State Parties	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				-	-	-	-
General Service staff				-	-	-	-
<i>Subtotal staff</i>	-	-	-	-	-	-	-
General temporary assistance	59.6	-	59.6	121.0	0.5	0.4	121.5
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	59.6	-	59.6	121.0	0.5	0.4	121.5
Travel	56.8	-	56.8	86.7	13.2	15.2	99.9
Hospitality	-	-	-	-	-	-	-
Contractual services	0.3	-	0.3	-	12.0	-	12.0
Training	-	-	-	-	-	-	-
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	57.1	-	57.1	86.7	25.2	29.1	111.9
Total	116.7	-	116.7	207.7	25.7	12.4	233.4

Table 47: Programme 4400: Proposed staffing for 2018

4400 Office of the President of the Assembly											Total P-staff	Total		Total staff
	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	and above	GS-PL	GS-OL	GS-staff	
<i>Established Posts</i>														
Approved 2017	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	-	-	-	1.00	-	-	1.00	-	-	1.00
Continued	-	-	-	-	-	-	-	1.00	-	-	1.00	-	-	1.00
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	-	-	-	1.00	-	-	1.00	-	-	1.00

726. 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 costs of the President's travel to The Hague, New York and Europe and within Africa, the post of the Special Assistant to the President and contractual services to cover meetings with diplomats and high-ranking officials.

Table 48: Programme 4500: Proposed budget for 2018

4500 Committee on Budget and Finance	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				154.0	(4.6)	(3.0)	149.4
General Service staff				81.6	(1.7)	(2.1)	79.9
<i>Subtotal staff</i>	<i>217.3</i>	<i>-</i>	<i>217.3</i>	<i>235.6</i>	<i>(6.3)</i>	<i>(2.7)</i>	<i>229.3</i>
General temporary assistance	68.2	-	68.2	51.2	80.5	157.2	131.7
Temporary assistance for meetings	84.8	-	84.8	60.0	-	-	60.0
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>153.0</i>	<i>-</i>	<i>153.0</i>	<i>111.2</i>	<i>80.5</i>	<i>72.4</i>	<i>191.7</i>
Travel	213.7	-	213.7	317.9	(2.2)	(0.7)	315.7
Hospitality	3.3	-	3.3	4.0	-	-	4.0
Contractual services	74.5	-	74.5	76.0	0.7	0.9	76.7
Training	-	-	-	4.7	(0.1)	(2.1)	4.6
Consultants	-	-	-	-	-	-	-
General operating expenses	-	-	-	13.4	-	-	13.4
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>291.5</i>	<i>-</i>	<i>291.5</i>	<i>416.0</i>	<i>(1.6)</i>	<i>(0.4)</i>	<i>414.4</i>
Total	661.8	-	661.8	762.8	72.6	9.5	835.4

Table 49: Programme 4500: Proposed staffing for 2018

4500 Committee on Budget and Finance											Total P-staff			Total GS-staff	Total staff
	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	P-1 and above	GS-PL	GS-OL			
<i>Established Posts</i>															
Approved 2017	-	-	-	-	1	-	-	-	-	-	1	1	-	1	2
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	1	-	-	-	-	-	1	1	-	1	2
<i>GTA Posts (FTE)</i>															
Approved 2017	-	-	-	-	-	-	0.42	-	-	-	0.42	-	-	-	0.42
Continued	-	-	-	-	-	-	1.00	-	-	-	1.00	-	-	-	1.00
New	-	-	-	-	-	-	0.08	-	-	-	0.08	-	-	-	0.08
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	-	-	1.08	-	-	-	1.08	-	-	-	1.08

727. Programme 4500 (Committee on Budget and Finance) includes direct costs relating to the Committee on Budget and Finance 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; 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 on Budget and Finance and the sessions of the Audit Committee; training; and external printing of the recommendations given by the two Committees.

E. Major Programme V: Premises

Introduction

728. This Major Programme was established to provide for the maintenance of the headquarters of the International Criminal Court (“the Court”) in The Hague. Preventive and corrective maintenance are currently contracted out to the construction company Courtys. This contract has been extended to 31 March 2018. A competitive procurement programme is currently under way for a new contract; the new contractor is expected to take over on 1 April 2018.

Budget resources **€1,498.5 thousand**

729. The requested amount has increased by €43.6 thousand (3 per cent) due to the price index for service contracts in the Netherlands.

General operating expenses *€1,498.5 thousand*

730. The increase of three per cent is an estimate using the prevailing price index increase for service contracts in the Netherlands. The costs for the last nine months of 2018 are prorated to the 2017 costs plus 3 per cent. This final price index is subject to the outcome of ongoing competitive procurement to identify a new main contractor.

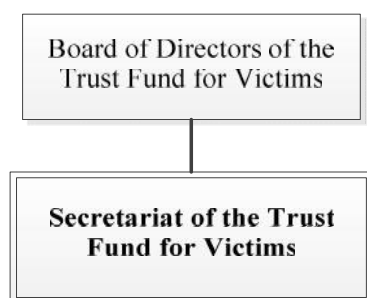
731. This Major Programme covers costs related to preventive maintenance, corrective maintenance and capital replacements for the premises. In 2018, as in the previous two years, all of the estimated expenditure is related to preventive maintenance, with no cost for corrective maintenance. No cost is anticipated for capital replacements in 2018. It is expected that, from 2019, costs for corrective maintenance will become prevalent as the new building ages.

732. While long-term capital replacements related to the permanent premises have been submitted to the premises focal point of The Hague Working Group, the capital investments costs requested by the Committee are presented in annex XI.

Table 50: Major Programme V: Proposed budget for 2018

5100 Premises	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	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	2,824.6	-	2,824.6	1,454.9	43.6	3.0	1,498.5
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	2,824.6	-	2,824.6	1,454.9	43.6	3.0	1,498.5
Total	2,824.6	-	2,824.6	1,454.9	43.6	3.0	1,498.5

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



Introduction

733. The Trust Fund for Victims (TFV) at the International Criminal Court (“the Court”) supports activities which address the harm resulting from crimes under the jurisdiction of the Court, by assisting victims to return to a dignified and contributory life within their communities. The TFV fulfils two mandates: (1) administering reparations ordered by the Court against a convicted person;⁵⁵ and (2) using other resources for the benefit of victims in accordance with the provisions of article 79 of the Rome Statute.⁵⁶ Both mandates provide support to victims of genocide, crimes against humanity and war crimes committed since 1 July 2002.⁵⁷

Strategic Goals

734. While the strategies of the Court and the TFV are related, the TFV’s strategic goals are specific to its dual mandate of delivering assistance and reparations to victims of crimes under the jurisdiction of the Court and within a particular governance framework in which the TFV Board of Directors (“the Board”) is directly accountable to the States Parties for the activities of the TFV.⁵⁸ Furthermore, the TFV’s victim assistance projects are not financed out of assessed contributions, but primarily through voluntary contributions and private donations. Reparations are financed through any awards, fines and forfeitures that may be ordered by the Court and/or payments for awards complemented by “other resources of the Trust Fund”, if so decided by the Board.⁵⁹

735. The TFV’s strategic goals are defined in the Strategic Plan for 2014-2017, as adopted by the Board in August 2014. The strategic goals of the TFV highlight the importance that the Board attaches to programme and management performance, visibility and recognition, effective and efficient organizational development and financial sustainability, in order to ensure that the TFV matures as envisaged by the States Parties.

736. At its Annual Meeting held from 16 to 18 May 2017 in The Hague, the Board decided to extend the validity of the Strategic Plan by one year to 2018. This will allow the TFV to consider the following as important building blocks for the new Strategic Plan: the initial experience with the design and implementation of Court-ordered reparations in four cases; the planned expansion of its assistance mandate programmes; the outcome of an external programme evaluation; and intensified fundraising and visibility activities. Accordingly, the goals and objectives of the 2014-2017 TFV Strategic Plan, as well as the TFV Performance Monitoring Plan (PMP) and the TFV Risk Management Framework, remain valid for the 2018 Proposed Programme budget.

737. The TFV’s mission is to respond 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.

⁵⁵ Rule 98(2), (3) and (4) of the Rules of Procedure and Evidence.

⁵⁶ Rule 98(5) of the Rules of Procedure and Evidence. For more information on the TFV’s legal basis, see <http://www.trustfundforvictims.org/legal-basis>

⁵⁷ As defined in articles 6, 7 and 8 of the Rome Statute.

⁵⁸ Regulation 76 of the Regulations of the Trust Fund for Victims (RTFV), ICC-ASP/4/Res 3.

⁵⁹ RTFV 56.

738. The TFV's results framework in Annex XIII has been incorporated into the PMP, annexed to the Strategic Plan 2014-2017. The PMP was reviewed and approved by the Board in April 2016 and will guide organizational and programme planning through to the end of 2018. Besides vision, mission, strategic goals and programming principles, the TFV results framework presents intermediate results (outcomes), which support the strategic goals, and are themselves based on results achieved in individual projects, and organizational performance results (outputs). The TFV results framework is depicted in the overview in Annex XIII. The TFV PMP defines performance indicators for all results, monitoring and evaluation roles within the TFV, and data quality assessment (DQA) procedures. The complete TFV PMP document is submitted separately.

739. At its Annual Meeting in May 2017, the Board decided to maintain the assistance mandate activities in northern Uganda and the Democratic Republic of the Congo (DRC) and to approve the initiation of a new assistance programme in Côte d'Ivoire. Assessment missions for new assistance programmes in Kenya, Central African Republic (CAR) and Mali are being conducted in 2017.

740. With regard to reparations, the workload of the TFV continues to grow significantly. The Board took note of developments in the *Lubanga* and *Katanga* cases. Reparations orders in both cases are expected to be in full implementation phase in eastern DRC from 2017 onwards. The Board also took note of proceedings in the *Bemba* and *Al Mahdi* cases, including the TFV's filings to the relevant Chambers, and is expecting to be seized by these Chambers once reparations orders are issued, to develop draft implementation plans.

741. The TFV further notes that the Board has maintained its earlier decision to outsource activities related to the conduct of situational assessments under the assistance mandate, the capacity-building of TFV implementing partners, and the design and implementation of a management information system (MIS). They will be funded using resources originating from voluntary contributions (a total of €50.0 thousand), and therefore from outside the Major Programme VI budget.

742. The Board reiterated its concern that improvements in fundraising and the related institutional visibility are of utmost priority to the TFV. This requires a solid and long-term capacity in the Secretariat to achieve meaningful results, as well as improved synergetic collaboration with the Court and recourse to innovative, (partial) in-kind partnerships that will strengthen and boost the TFV's output with modest budgetary implications.

743. Similar savings to the regular budget are envisaged in the area of monitoring, evaluation and impact measurement. For the above-mentioned independent programme evaluation, the TFV endeavours to seek alternative sources of funding at an estimated cost of €75.0 thousand. Partnerships with renowned international academic research institutions in the area of evaluation and impact measurement have an estimated value of over €50.0 thousand, resulting in corresponding savings to the regular budget.

Budget resources

€2,741.5 thousand

744. The requested amount has increased by €567.0 thousand (26.1 per cent).

745. The requested increase relates to staff costs and is attributable to the new structure of the TFV to meet its expanding assistance mandate responsibilities in Uganda, DRC, CIV, Kenya, CAR and Mali, as well as its reparation workload in the *Lubanga* and *Katanga* cases.

746. A total of €7.7 thousand in non-recurring costs under Travel were applicable in 2017 but do not apply to 2018. This is due to the fact that in 2018 the annual session of the Assembly of States Parties ("the Assembly") will be held in The Hague instead of New York.

Staff resources

€2,076.3 thousand

747. Following approval of the 2017 budget, which effectively enabled the new structure of the TFV Secretariat resulting from the TFV's *ReVision* process to be set up, the implementation of this new structure was initiated on 1 February 2017 (after a short administrative delay), with the affected staff being notified of the abolishment of their posts. Subsequently in May 2017, the TFV completed the related recruitments involving priority candidates eligible for new posts in the structure. Taking into account the

observations and recommendations of the Committee on Budget and Finance (“the Committee”) in its report on the proposed 2017 budget, the TFV prioritized the recruitment for posts essential to business continuity. They included the post of the P-2 Associate Programme Officer in The Hague, for which budget resources were reallocated to allow a Short-Term Appointment (STA) until end of 2017.

748. Further to the Committee’s recommendations on the proposed 2017 budget, the Assembly did not approve all proposed posts as established posts. The TFV reiterates that the Secretariat’s new structure remains in need of established posts. Therefore, recalling the proposed 2017 budget, the TFV stresses the need for GTA positions in the new structure to be converted into established posts.

749. Mindful of the utility of a gradual conversion process, the TFV requests the conversion of a limited number of positions in the proposed 2018 budget: the P-2 Associate Programme Officer, the two P-2 Associate Field Programme Officers based in the Bunia (DRC) Field Office, and the P-2 Associate Executive Officer in The Hague. The TFV considers that these posts will serve its essential and substantiated long-term business needs.

750. The TFV includes two new positions in the proposed budget: a G-5 Administrative Assistant, recalling the 2017 budget and the continuing exponential growth of administrative support needs to implement the TFV’s expanding assistance and reparations mandates; and a P-3 Legal Officer, in consideration of evidence of the particular and continuing growth of legal work for reparations proceedings and implementation of awards.

Established posts: Professional and General Service

€1,573.8 thousand

751. The TFV is managed by one Executive Director (D-1, recurrent).

752. One Associate Executive Officer (P-2, recurrent, converted) is responsible for ensuring the smooth functioning of the executive office, which includes providing support to the TFV’s Board, as well as to the Legal Adviser/functional deputy, the Finance Officer and the Fundraising and Visibility Officer. The Associate Executive Officer has a particular role and responsibilities with respect to external relations, communications, advocacy and fundraising: relationship management with high-level TFV stakeholders; the development and implementation of communications through the TFV website, social media and other outlets; and the organization of events serving to improve the TFV’s visibility in the public domain and to support the increased mobilization of voluntary contributions and private donations.

753. One Legal Adviser (P-4, recurrent) provides the TFV’s Board and Secretariat with expert legal advice regarding the development and implementation of the TFV’s assistance and reparations mandates. This includes the preparation of legal filings with the Court, external representation of the TFV and advice on the legal dimension of implementing Court-ordered reparations awards. This post has been revised to accommodate (i) greater integration of tasks and responsibilities of the Legal Adviser in the TFV’s programmatic work; (ii) a more substantive role for the Legal Adviser in the engagement and management of service providers, including TFV implementing partners, contractors and consultants, as well as donor agreements with both public and private donors; and (iii) the assumption of the role as the Executive Director’s functional deputy, as a result of the abolishment of the P-5 Senior Programme Officer post in 2015.

754. Three Programme Managers (P-4, recurrent) are based in the Kampala (Uganda), Bunia (DRC) and Abidjan (Côte d’Ivoire) Field Offices. These posts reflect the greater responsibilities for the design and management oversight of the TFV programmes under both mandates, as a result of the devolution of programme-related decision-making to the Programme Managers, who report directly to the Executive Director.

755. One Finance Officer (P-3, recurrent) will provide strengthened financial oversight, reporting, (internal) control and compliance within the TFV and in relation to implementing partners, as well as the management and further development of the TFV’s SAP Grants Management system.

756. One Monitoring and Evaluation Officer (P-3, recurrent) plays a central role in programme coordination and reports to the Executive Director or the Legal Adviser/functional deputy as per delegation. The Monitoring and Evaluation Officer is

responsible for supervising all of the programme monitoring, evaluation and reporting, and coordinating the technical and administrative support and processes for the TFV programmes.

757. One Associate Programme Officer (P-2, recurrent, converted), to be based in The Hague. The Associate Programme Officer reports to the Monitoring and Evaluation Officer, and is responsible for providing support in the development, oversight and results reporting of TFV programmes under the reparations and assistance mandates in a given situation country. In this key post within the TFV Secretariat, the post holder has direct working relationships with the Programme Managers and the Associate Field Programme Officers based in field offices, as well as with the Associate Executive Officer in The Hague. The Associate Programme Officer will have a functional reporting line to the Finance Officer in matters related to programme administration, and will oversee the administrative support functions at the TFV Secretariat. The post supports the development of programmatic frameworks assessments (assistance mandate) and draft implementation plans (reparations mandate) to enable the TFV to respond to the harm suffered by victims of crimes under the Court's jurisdiction. Relevant outputs include preparatory research and the engagement of experts as required. The post further facilitates the efficiency, effectiveness and transparency of the TFV's programmatic interventions; comprehensive, timely and correct reporting on programme results; and adequate reporting on these results to external stakeholders.

758. Two Associate Field Programme Officers (P-2, recurrent, converted) are based in Bunia, DRC. The long-term requirement for these posts is evidenced by the commencement of a new five-year cycle of the assistance programme in the DRC from 2017 onwards, as well as by the complex implementation of reparations awards in *Lubanga* and *Katanga*, with the possibility of further reparations in *Ntaganda* on the horizon. The objectives of these posts are as follows: to provide support for daily operations and oversight with regard to projects within the TFV's programmes under both the reparations and assistance mandates to be effective, efficient and responsive to victims' rights and needs and to situational developments; to detect underperformance of implementing partners in a timely manner; and to participate in transparent procurement procedures to select implementing partners for TFV programmes. TFV implementing partners operate in accordance with their functions and service contracts, respectively, and in line with the TFV's PMP, including reporting on appropriate monitoring and evaluation activities and on financial control. Situational stakeholders understand, recognize and value the reparations and assistance programmes of the TFV within the framework of the Rome Statute, as well as within the situational context.

759. One Programme Assistant (GS-OL, recurrent) and one Administrative Assistant (GS-OL, recurrent) in The Hague. The new Administrative Assistant is needed to carry the significant workload of the TFV's expanding mandate-related programmes and its fundraising and visibility activities.

General Temporary Assistance

€502.5 thousand

760. One *Fundraising and Visibility Officer* (P-3, recurrent). Awareness-raising and fundraising go hand-in-hand to create a stronger political and financial foundation for realizing the TFV's mandates, mission and goals. The strategic diversification of the TFV's revenue base to include private donors next to a growing number of States Party donors needs to build on the availability of in-house expertise. Both awareness-raising and resource development are interrelated core functions of the TFV and require dedicated capacity in external relations management. The recruitment process for this position has been aligned with the restructuring of the TFV.

761. One *Legal Officer*, (P-3, new). The Trust Fund's legal staff structure needs to be strengthened in the light of the major increases in legal work under the Trust Fund's reparations mandate arising from Court reparations proceedings, as well as in relation to several assistance mandate programmes. This position will provide legal advice regarding the development and implementation of both TFV mandates, including the preparation of legal filings to the Court, serving as one of the Trust Fund's liaisons with relevant Court officials in relation to legal matters, and representing the Trust Fund with external actors.

762. Two *Associate Field Programme Officers* (P-2, recurrent) based in Kampala and Abidjan. Three unfunded Associate Field Programme Officers (P-2) are in Bangui (recurrent), Nairobi (recurrent) and Bamako (new). Reference is made to the generic

description of tasks and responsibilities of these posts given above. In view of the fact that the activities related to these posts have not been fully confirmed at the time of submission of this report, the TFV has, for now, opted not to propose budget resources for the posts based in the Bangui, Nairobi and Bamako Field Offices.

763. One *Administrative Assistants (GS-OL, new)* in The Hague. The new Administrative Assistant is needed to carry the workload of the TFV's expanding programme-related and fundraising and visibility activities.

Non-staff resources **€665.2 thousand**

764. The requested amount has decreased by €6.1 thousand (2.4 per cent). Non-staff resources are required for travel, hospitality, contractual services, training, consultants, general operating expenses and supplies and materials.

Travel *€300.0 thousand*

765. The requested amount has decreased by €0.4 thousand (0.1 per cent) and will be required mainly in relation to the TFV's programme activities (assistance and reparations mandates), visibility/fundraising and Board-related initiatives.

766. The requested amount will cover meetings and field trips of the TFV Board; meetings with donors and other external TFV stakeholders (Board members, Executive Director and other staff as needed); visibility and fundraising; design and implementation of reparations programmes; programme monitoring visits and engagement with implementing partners, authorities and other programme-related stakeholders; and the TFV annual staff meeting.

Hospitality *€3.0 thousand*

767. The requested amount remains unchanged and is required for engagement with third parties in the context of the TFV's external relations management.

Contractual services *€187.0 thousand*

768. The requested amount has decreased by €3.0 thousand (1.6 per cent). Contractual services will be needed for external printing in the field and at Headquarters (€42.0 thousand), SAP GM support, including business support services (€15.0 thousand), development of fundraising events and materials (€60.0 thousand), rental of premises in the field (€15.0 thousand), the External Auditor's fee (€5.0 thousand), TFV Board meeting costs (€20.0 thousand), and external English-French translation (€30.0 thousand).

Training *€32.2 thousand*

769. The requested amount has decreased by €2.7 thousand (7.7 per cent) and is required to cater for the training needs of staff in The Hague and in the field offices within the new TFV Secretariat structure.

Consultants *€120.0 thousand*

770. The requested amount remains unchanged. Consultants are needed to assist in technical and progress reporting/proposal writing (€25.0 thousand) and in the TFV's visibility and fundraising activities (€50.0 thousand), and to provide expert advice on reparations (€45.0 thousand).

General operating expenses *€20.0 thousand*

771. The requested amount remains unchanged and is required for rental facilities for meetings and workshops in Uganda, DRC, CAR, Kenya and Côte d'Ivoire and for communication materials and mailing costs.

Supplies and materials *€3.0 thousand*

772. The requested amount remains unchanged and is required for basic office supplies and other expendable office materials.

Table 51: Major Programme VI: Proposed budget for 2018

6100 Secretariat of the Trust Fund for Victims	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				884.1	558.6	63.2	1,442.6
General Service staff				130.1	1.1	0.8	131.2
<i>Subtotal staff</i>	<i>1,048.6</i>	-	<i>1,048.6</i>	<i>1,014.1</i>	<i>559.7</i>	<i>55.2</i>	<i>1,573.8</i>
General temporary assistance	153.1	-	153.1	479.1	23.5	4.9	502.5
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	13.3	-	13.3	-	-	-	-
<i>Subtotal other staff</i>	<i>166.4</i>	-	<i>166.4</i>	<i>479.1</i>	<i>23.5</i>	<i>4.9</i>	<i>502.5</i>
Travel	163.2	-	163.2	300.4	(0.4)	(0.1)	300.0
Hospitality	1.9	-	1.9	3.0	-	-	3.0
Contractual services	185.6	-	185.6	190.0	(3.0)	(1.6)	187.0
Training	7.1	-	7.1	34.9	(2.7)	(7.7)	32.2
Consultants	65.5	-	65.5	120.0	-	-	120.0
General operating expenses	-	-	-	20.0	-	-	20.0
Supplies and materials	0.7	-	0.7	3.0	-	-	3.0
Furniture and equipment	1.7	-	1.7	10.0	(10.0)	(100.0)	-
<i>Subtotal non-staff</i>	<i>425.7</i>	-	<i>425.7</i>	<i>681.3</i>	<i>(16.1)</i>	<i>(2.4)</i>	<i>665.2</i>
Total	1,640.7	-	1,640.7	2,174.5	567.0	26.1	2,741.5

Table 52: Major Programme VI: Proposed staffing for 2018

6100 Secretariat of the Trust Fund for Victims											Total P-staff			Total staff
	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	P-1 and above	GS-PL	GS-OL	GS-staff	
<i>Established Posts</i>														
Approved 2017	-	-	-	1	-	4	2	-	-	7	-	2	2	9
New	-	-	-	-	-	-	-	4	-	4	-	-	-	4
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	1	-	4	2	4	-	11	-	2	2	13
<i>GTA Posts (FTE)</i>														
Approved 2017	-	-	-	-	-	-	0.75	3.08	-	3.83	-	-	-	3.83
Continued	-	-	-	-	-	-	1.00	8.00	-	9.00	-	-	-	9.00
New	-	-	-	-	-	-	0.75	1.00	-	1.75	-	1.00	1.00	2.75
Converted	-	-	-	-	-	-	-	(4.00)	-	(4.00)	-	-	-	(4.00)
Proposed 2018	-	-	-	-	-	-	1.75	5.00	-	6.75	-	1.00	1.00	7.75

G. Major Programme VII-2: Permanent Premises Project – Host State Loan

Introduction

773. 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.⁶⁰

774. In response to requests from the Committee on Budget and Finance (“the Committee”) and the Assembly,⁶¹ 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.

775. 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.⁶²

776. The loan agreement signed 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 attributed 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).⁶³

777. The impact over the coming years is shown in greater detail below.

Table 53: Interest and loan repayment impact over the coming years (in euros)

	2016	2017	2018	2019	2020
Interest only					
Interest payment	2,185,717	1,191,050 ^(*)		-	-
Loan repayment					
Capital and interest	-	1,796,256 ^(**)	3,585,127	3,585,127	3,585,127
Total payments	2,185,717	2,987,306	3,585,127	3,585,127	3,585,127

^(*) Interest accrued from 1 January to 30 June 2016 based on the loan expiry date of 30 June 2016.

^(**) Repayment of loan starting on 1 July 2016. Half-year repayment corresponding to the period from 1 July to 31 December 2016, and full-year repayment thereafter.

778. Repayment of the loan started after surrender of the interim premises leases on 30 June 2016. Repayment of capital and interest for the period from 1 January to 31 December 2017 will be payable on or before 1 February 2018.

⁶⁰ *Official Records ... Seventh session ... 2008* (ICC-ASP/7/20), vol. I, part III, ICC-ASP/7/Res.1, para. 2 and annex II.

⁶¹ *Official Records ... Ninth session ... 2010* (ICC/ASP/9/20), vol. II, part A, section G.

⁶² *Official Records ... Seventh session ... 2008* (ICC-ASP/7/20), vol. I, part III, ICC-ASP/7/Res.1, annex III.

⁶³ 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 54: Programme 7200: Proposed budget for 2018

7200 Host State Loan	<i>2016 Expenditures (thousands of euro)</i>			<i>2017</i> <i>Approved</i> <i>Budget</i>	<i>Resource changes</i>		<i>Proposed</i> <i>2018 Budget</i> <i>(thousands of euro)</i>
	<i>Total</i>	<i>Cont. Fund</i>	<i>Total incl. CF</i>		<i>Amount</i>	<i>%</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	-	-	-	-	-	-	-
General operating expenses	2,185.7	-	2,185.7	2,987.3	597.9	20.0	3,585.2
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	2,185.7	-	2,185.7	2,987.3	597.9	20.0	3,585.2
Total	2,185.7	-	2,185.7	2,987.3	597.9	20.0	3,585.2

H. Major Programme VII-5: Independent Oversight Mechanism

Introduction

779. Major Programme VII-5, the Independent Oversight Mechanism (IOM), was established by the Assembly of States Parties (“the Assembly”) at its eighth session⁶⁴ 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 approved the IOM’s mandate of inspections, evaluations and investigations in its resolution ICC-ASP/12/Res.6.⁶⁵ The IOM undertakes evaluation and inspection work at the direct request of the Assembly or of the Heads of Organ of the Court, and conducts investigations at its own discretion into received reports of misconduct or breaches of the Court’s rules and regulations, including the Rules of Procedure and Evidence.

Budget resources €554.5 thousand

780. The requested amount has increased by €9.7 thousand (7.7 per cent) due to full costing of the staffing complement.

781. In support of shared oversight objectives, the IOM plans to assist the Human Resources Section (HRS) of the Registry in developing a Court-wide ethics and values strategy and undertaking a Court-wide ethics and values survey during 2018, generating an estimated efficiency saving of €50,000.

Staff resources €485.4 thousand

782. The requested amount has increased by €38.7 thousand (8.7 per cent) due to revised staff cost assumptions. The IOM expects to be fully staffed throughout 2018. At its twelfth session, the Assembly approved the IOM’s permanent staffing complement of three Professional-grade posts and one General Service-grade post. The last of the vacant posts was filled during 2017. No changes to the staffing complement approved by the Assembly are proposed.

Established posts: Professional and General Service €485.4 thousand

783. The IOM comprises the Head of the IOM (P-5), one Senior Evaluation Specialist (P-4), one Associate Investigator (P-2) and one Administrative Assistant (GS-OL).

Non-staff resources €69.1 thousand

784. The requested amount has increased by €1.0 thousand (1.5 per cent). This amount is required for travel, training, consultants, general operating expenses and furniture and equipment, and reflects a small increase in travel and training costs.

Travel €10.6 thousand

785. The requested amount has increased by €0.6 thousand (6.0 per cent). The requested funds assume two field missions (directly supporting investigation-related or Assembly-instructed oversight activities), plus one support mission (providing guidance or assistance to a Head of Organ or non-Assembly managed activity).

Training €11.5 thousand

786. The requested amount has increased by €0.4 thousand (3.6 per cent) and is required for the IOM’s four staff members to participate in training to upgrade their substantive skills, to ensure that they are conversant with international best practice in their areas of

⁶⁴ *Official Records ... Eighth session ... 2009* (ICC-ASP/8/20), vol. I, part II, ICC-ASP/8/Res.1.

⁶⁵ *Official Records ... Twelfth session ... 2013* (ICC-ASP/12/20), vol. I, part III, ICC-ASP/12/Res.6, para. 5.

expertise, and to assist in maintaining their relevant professional qualifications. The requested amount is based upon taking full advantage of professional fee discounts, discounted or gratis training forums within the international community, and locally sourced training opportunities.

Consultants

€40.0 thousand

787. Consultant resources are required to provide support in cases where specific and additional expert skillsets are needed, and to provide local assistance if necessary at field office locations. The requested amount is unchanged but reflects considerable planned efficiency savings of some €50 thousand from Court budgets, as the IOM takes on additional Court-wide ethics and values responsibilities in 2018 at the request of the Court's Audit Committee. Planned work in this area in 2018 is aligned with subject-matter expertise within the IOM, thus enabling the IOM to reduce expected consultancy input in this field.

General operating expenses

€2.0 thousand

788. No change is anticipated in expenditure. The requested amount is required to purchase supplies and materials to support office activities. The efficient use of already available Court facilities continues to allow a significant cut in expected expenditure.

Furniture and equipment

€5.0 thousand

789. No change is anticipated in expenditure. The minimal requested amount is required for specialist oversight equipment procurement and maintenance.

Table 55: Major Programme VII-5: Proposed budget for 2018

7500 Independent Oversight Mechanisms	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				389.4	23.1	5.9	412.5
General Service staff				57.3	15.7	27.4	72.9
<i>Subtotal staff</i>	<i>178.4</i>	-	<i>178.4</i>	<i>446.7</i>	<i>38.7</i>	<i>8.7</i>	<i>485.4</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	3.1	-	3.1	10.0	0.6	6.0	10.6
Hospitality	-	-	-	-	-	-	-
Contractual services	-	-	-	-	-	-	-
Training	0.6	-	0.6	11.1	0.4	3.6	11.5
Consultants	-	-	-	40.0	-	-	40.0
General operating expenses	-	-	-	2.0	-	-	2.0
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	5.0	-	-	5.0
<i>Subtotal non-staff</i>	<i>3.7</i>	<i>-</i>	<i>3.7</i>	<i>68.1</i>	<i>1.0</i>	<i>1.5</i>	<i>69.1</i>
Total	182.1	-	182.1	514.8	39.7	7.7	554.5

Table 56: Major Programme VII-5: Proposed staffing for 2018

7500 Independent Oversight Mechanism											Total P-staff and above	Total GS-staff		Total staff	
	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1		GS-PL	GS-OL			
<i>Established Posts</i>															
Approved 2017	-	-	-	-	1	1	-	1	-	-	3	-	1	1	4
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Redeployed	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Reclassified	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Returned	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	1	1	-	1	-	-	3	-	1	1	4
<i>GTA Posts (FTE)</i>															
Approved 2017	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Continued	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Converted	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Proposed 2018	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

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

Introduction

790. The Office of Internal Audit (OIA) assists the International Criminal Court (“the Court”) in achieving 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 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 management of the Court. The OIA reports to the Chair of the Audit Committee. In 2018, the OIA will:

- (a) prepare audit plans (general audit plan for 2019, draft audit plan for 2020, IT audit plan for 2019-2021) based on an analysis of the risks that may affect the achievement of Court’s objectives;
- (b) perform at least six audits;
- (c) review the status of implementation of recommendations in consultation with the operational managers of the Court, and report on progress made;
- (d) prepare various reports for the Audit Committee and attend its meetings;
- (e) provide advisory services when requested by Court managers; and
- (f) implement and update the quality assurance and improvement programme, including a review of OIA audit policies, tools and methodologies. In 2018, as part of this quality assurance and improvement program, the OIA will organize an external assessment of its activities. The external assessment, performed by an independent external expert, will review conformity of OIA activities to the International Standards for the Professional Practice of Internal Auditing.

Budget resources **€707.3 thousand**

791. The requested amount has increased by €13.1 thousand (1.9 per cent).

Staff resources **€653.1 thousand**

792. The OIA comprises four established posts and one GTA position (5.0 FTE). The OIA is not requesting additional established posts but requires that the current GTA position be continued and converted when possible into an established post.

Established posts: Professional and General Service *€531.5 thousand*

793. One Director (D-1) who is responsible for administrative management of the OIA, formulation of a risk-based audit plan, supervision of the audit work of auditors and maintenance of a quality assurance and improvement programme. The Director provides assurance to the three Heads of Organ on the effectiveness and efficiency of governance, risk management and internal controls.

794. One Senior Auditor (P-4) and one Internal Auditor (P-3), who perform audits, provide advisory services, review implementation of recommendations and carry out additional tasks at the request of the Director.

795. One Audit Assistant (G-6) who contributes to audit performance, provides support to the Director for management of the quality assurance and improvement programme and provides administrative support to the OIA (two-thirds of working time is dedicated to audit assistance).

General temporary assistance *€121.6 thousand*

796. One Auditor (Information Technology), 12 months. Continued. The OIA currently has one Auditor (Information Technology) (P-3), who is an expert in ICT and auditing. The incumbent prepares and updates the three-year audit plan for ICT activities and performs ICT audits. The ICT Auditor also follows up on the implementation of ICT audit recommendations and contributes to audits performed by the other auditors when these engagements include ICT-related activities.

797. ICT audit expertise is required for the OIA to properly address all risks involved in the organization of information systems. Information and Communication Technologies, including Information Security, are increasingly part of the operations of the Court, and the risks associated with them have to be covered through the audit work plan.

798. These skills are required not only to perform ICT audits but also to follow up on the implementation of the ICT audit recommendations issued. The other auditors on established posts cannot effectively follow up on the implementation of ICT audit recommendations on account of lack of technical knowledge in this field.

Non-staff resources **€54.2 thousand**

799. The requested amount has increased by €19.3 thousand (55.2 per cent). This increase stems from the requirement for the OIA to organize a full external assessment of its activities at least once every five years. Non-staff resources are required for travel, training and consultants.

Travel *€10.2 thousand*

800. The requested amount has decreased by €1.3 thousand (11.3 per cent). The resources are required to enable the OIA to perform audits in field offices according to its 2018 work plan.

Training *€24.0 thousand*

801. The requested amount has increased by €0.6 thousand (2.6 per cent) to reflect the increase in training company prices.

802. It is a mandatory requirement for auditors to be regularly trained so as to maintain their professional competence. All five auditors of the OIA are certified in internal auditing, IT auditing or accounting. The Institute of Internal Auditors and the ISACA (Information Systems Audit and Control Association) require certified auditors to attend 40 hours (CPE) of training 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 the fields of governance, risk management, compliance, general auditing, IT auditing, internal control management or other areas of interest to OIA auditors.

803. The cost of a course that provides 25 hours of CPE is around €4.0 thousand, depending on the location in Europe. The OIA has contemplated all of the options available for efficiently meeting the requirement of 40 hours of CPE. In-house training courses at the Court, conference attendance, on-line training and courses given only in the Netherlands were considered. There are, however, limitations to these alternatives, e.g. that the staff of the OIA, with the exception of one person, does not speak Dutch. Moreover, courses offered in English in the Netherlands deal with a limited range of topics that do not address the needs of experienced auditors.

Consultants *€20.0 thousand*

804. According to the standards of the Institute of Internal Auditors (IIA) regarding the professional practice of internal auditors, the OIA must organize an external assessment of its activities at least once every five years. External assessment is a requirement of the internal audit quality assurance and improvement programme. It evaluates the conformity of OIA activities to the International Standards for the Professional Practice of Internal Auditing and the IIA Code of Ethics.

805. The assessment must be conducted by a qualified, independent outside assessor, e.g. a consultant with experience in this process and, if possible, knowledge of the professional environment of international organizations. Performance of the external assessment by an independent consultant enhances the transparency of the process.

806. The Audit Committee was given a presentation of the external assessment process by the Director of OIA during its meeting in March 2017, and has approved it. The external assessment should take place in 2018.

807. The expenditure planned for this external assessment is based on consultations with internal audit offices of similar size at other international organizations that have worked with consultants for their external assessments.

Table 57: Major Programme VII-6: Proposed budget for 2018

7600 Office Of Internal Audit	2016 Expenditures (thousands of euro)			2017 Approved Budget	Resource changes		Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF		Amount	%	
Professional staff				464.2	(5.6)	(1.2)	458.6
General Service staff				72.3	0.7	1.0	72.9
<i>Subtotal staff</i>	<i>522.1</i>	-	<i>522.1</i>	<i>536.5</i>	<i>(5.0)</i>	<i>(0.9)</i>	<i>531.5</i>
General temporary assistance	57.1	-	57.1	122.8	(1.2)	(1.0)	121.6
Temporary assistance for meetings	-	-	-	-	-	-	-
Overtime	-	-	-	-	-	-	-
<i>Subtotal other staff</i>	<i>57.1</i>	-	<i>57.1</i>	<i>122.8</i>	<i>(1.2)</i>	<i>(1.0)</i>	<i>121.6</i>
Travel	12.3	-	12.3	11.5	(1.3)	(11.3)	10.2
Hospitality	-	-	-	-	-	-	-
Contractual services	-	-	-	-	-	-	-
Training	19.7	-	19.7	23.5	0.6	2.6	24.0
Consultants	-	-	-	-	20.0	-	20.0
General operating expenses	-	-	-	-	-	-	-
Supplies and materials	-	-	-	-	-	-	-
Furniture and equipment	-	-	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>32.0</i>	-	<i>32.0</i>	<i>34.9</i>	<i>19.3</i>	<i>55.2</i>	<i>54.2</i>
Total	611.2	-	611.2	694.2	13.1	1.9	707.3

Table 58: Major Programme VII-6: Proposed staffing for 2018

7600 Office of Internal Audit										Total P-staff			Total GS-staff	Total staff	
	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	and above	GS-PL	GS-OL			
<i>Established Posts</i>															
Approved 2017	-	-		1	-	1	1	-	-		3	-	1	1	4
New	-	-		-	-	-	-	-	-		-	-	-	-	-
Redeployed	-	-		-	-	-	-	-	-		-	-	-	-	-
Reclassified	-	-		-	-	-	-	-	-		-	-	-	-	-
Returned	-	-		-	-	-	-	-	-		-	-	-	-	-
Proposed 2018	-	-		1	-	1	1	-	-		3	-	1	1	4
<i>GTA Posts (FTE)</i>															
Approved 2017	-	-		-	-	-	1.00	-	-		1.00	-	-	-	1.00
Continued	-	-		-	-	-	1.00	-	-		1.00	-	-	-	1.00
New	-	-		-	-	-	-	-	-		-	-	-	-	-
Converted	-	-		-	-	-	-	-	-		-	-	-	-	-
Proposed 2018	-	-		-	-	-	1.00	-	-		1.00	-	-	-	1.00

Annexes

Annex I

Draft Resolution of the Assembly of States Parties on the proposed programme budget for 2018, the Working Capital Fund for 2018, the scale of assessment for the apportionment of expenses of the International Criminal Court, financing appropriations for 2018 and the Contingency Fund

The Assembly of States Parties,

Having considered the 2018 proposed programme budget of the International Criminal Court (“the Court”) and the related conclusions and recommendations contained in the report of the Committee on Budget and Finance (“the Committee”) on the work of its twenty-eighth and twenty-ninth sessions,

A. Programme budget for 2018

1. *Approves* appropriations totalling €151,475,700 in the appropriation sections described in the following table:

<i>Appropriation section</i>	<i>Thousands of euros</i>
Major Programme I Judiciary	13,321.6
Major Programme II Office of the Prosecutor	47,169.8
Major Programme III Registry	79,179.1
Major Programme IV Secretariat of the Assembly of States Parties	2,718.2
Major Programme V Premises	1,498.5
Major Programme VI Secretariat of the Trust Fund for Victims	2,741.5
Major Programme VII-5 Independent Oversight Mechanism	554.5
Major Programme VII-6 Office of Internal Audit	707.3
<i>Subtotal</i>	<i>147,890.5</i>
Major Programme VII-2 Host State Loan	3,585.2
Total	151,475.7

2. *Notes* that those States Parties that have opted for the one-time payment in respect of the permanent premises, and have made such payments in full, will not be assessed for the contributions corresponding to Major Programme VII-2 Host State Loan amounting to €3,585,200;

3. *Further notes* that these contributions will bring down the level of the 2018 programme budget appropriations that need to be assessed for contributions by States Parties from €151,475,700 to €147,890,500 and that this amount will be assessed following the principles described in section E;

4. *Further approves* the following staffing tables for each of the above appropriation sections:

	Office of the Judiciary	Prosecutor	Registry	Secretariat, Assembly of States Parties	Secretariat, Trust Fund for Victims	Independent Oversight Mechanism	Office of Internal Audit	Total
USG	-	1	-	-	-	-	-	1
ASG	-	1	1	-	-	-	-	2
D-2	-	-	-	-	-	-	-	-
D-1	-	3	3	1	1	-	1	9
P-5	4	20	22	1	-	1	-	48
P-4	4	37	43	1	4	1	1	91
P-3	20	80	84	1	2	-	1	188
P-2	12	85	90	1	4	1	-	193
P-1	-	29	5	-	-	-	-	34
<i>Subtotal</i>	<i>40</i>	<i>256</i>	<i>248</i>	<i>5</i>	<i>11</i>	<i>3</i>	<i>3</i>	<i>566</i>
GS-PL	1	1	16	2	-	-	-	20
GS-OL	12	79	310	3	2	1	1	408
<i>Subtotal</i>	<i>13</i>	<i>80</i>	<i>326</i>	<i>5</i>	<i>2</i>	<i>1</i>	<i>1</i>	<i>428</i>
Total	53	336	574	10	13	4	4	994

B. Working Capital Fund for 2018

The Assembly of States Parties,

1. *Resolves* that the Working Capital Fund for 2018 shall be maintained in the amount of €1,600,000, and *authorizes* the Registrar to make advances from the Fund in accordance with the relevant provisions of the Financial Regulations and Rules of the Court.

2. *Reiterates* its decision that the Court may continue to use the surplus funds and outstanding contributions to reach the established level of the Working Capital Fund

C. Establishment of a credit line

The Assembly of States Parties,

1. *Recalls* the decision on establishment of a credit line stipulated in resolution ICC-ASP/15/Res.1;

2. *Notes* the recommendation of the Committee on Budget and Finance that the Court should be able to apply to banks for seasonal credit;¹

3. *Reiterates* its decision that the Court establish a seasonal credit line, as a last resort and in amounts strictly necessary, for the period of December 2017 to February 2018 to cover liquidity shortfalls, after the full utilization of the Working Capital Fund and temporary, exceptional utilization of the Contingency Fund, and further *decides* that any related fees shall be absorbed by the Court, taking all possible steps to minimize the cost of a credit line; and

4. *Requests* all States Parties to make timely payments of assessed contributions and *requests* the Court and States Parties to make serious efforts and take necessary steps to

¹ Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifteenth session, The Hague, 16-24 November 2016 (ICC-ASP/15/20), vol. II, part B.2, para. 151.

reduce the level of arrears and outstanding contributions as far as possible to avoid liquidity issues for the Court.

D. Contingency Fund

The Assembly of States Parties,

1. *Recalls* its resolutions ICC-ASP/3/Res.4 establishing the Contingency Fund in the amount of €10,000,000 and ICC-ASP/7/Res.4 requesting the Bureau to consider options for replenishing both the Contingency Fund and the Working Capital Fund;
2. *Takes note* of the advice of the Committee in the reports on the work of its eleventh, thirteenth, nineteenth and twenty-first sessions;
3. *Notes* that the current level of the Contingency Fund is €5.8 million;
4. *Decides to* maintain the Contingency Fund at the notional level of €7.0 million for 2018;
5. *Requests* the Bureau to keep the €7.0 million threshold under review in the light of further experience with regard to the functioning of the Contingency Fund.

E. Scale of assessment for the apportionment of expenses of the Court

The Assembly of States Parties,

1. *Decides* that, for 2018, the contributions of States Parties shall be assessed in accordance with an agreed scale of assessment based on the scale adopted by the United Nations for its regular budget, applied for 2016-2018, and adjusted in accordance with the principles on which the scale is based;² and
2. *Notes* that, in addition, any maximum assessment rate for the largest contributors and for the least developed countries applicable for the United Nations regular budget will apply to the Court's scale of assessment.

F. Financing of appropriations for 2018

The Assembly of States Parties,

1. *Notes* that the payments corresponding to Major Programme VII-2 Host State Loan will reduce the level of the budget appropriations to be assessed for contributions by States Parties to €147,890,500; and
2. *Resolves* that, for 2018, assessed contributions for the budget amounting to €147,890,500, approved by the Assembly under section A, paragraph 1 of the present resolution, will be financed in accordance with regulations 5.1 and 5.2 of the Financial Regulations and Rules of the Court.

G. Transfer of funds between major programmes under the 2017 approved programme budget

The Assembly of States Parties,

1. *Recognizing* that under Financial Regulation 4.8 no transfer between appropriation sections may be made without authorization by the Assembly,
2. *Decides* that, in line with established practice, the Court may transfer funds between major programmes at the conclusion of 2017 should costs for activities which were unforeseen or could not be accurately estimated be unable to be absorbed within one major programme, while a surplus exists in other major programmes, in order to ensure that appropriations for each major programme are exhausted prior to accessing the Contingency Fund.

² Rome Statute of the International Criminal Court, article 117.

H. Salaries of the judges of the International Criminal Court

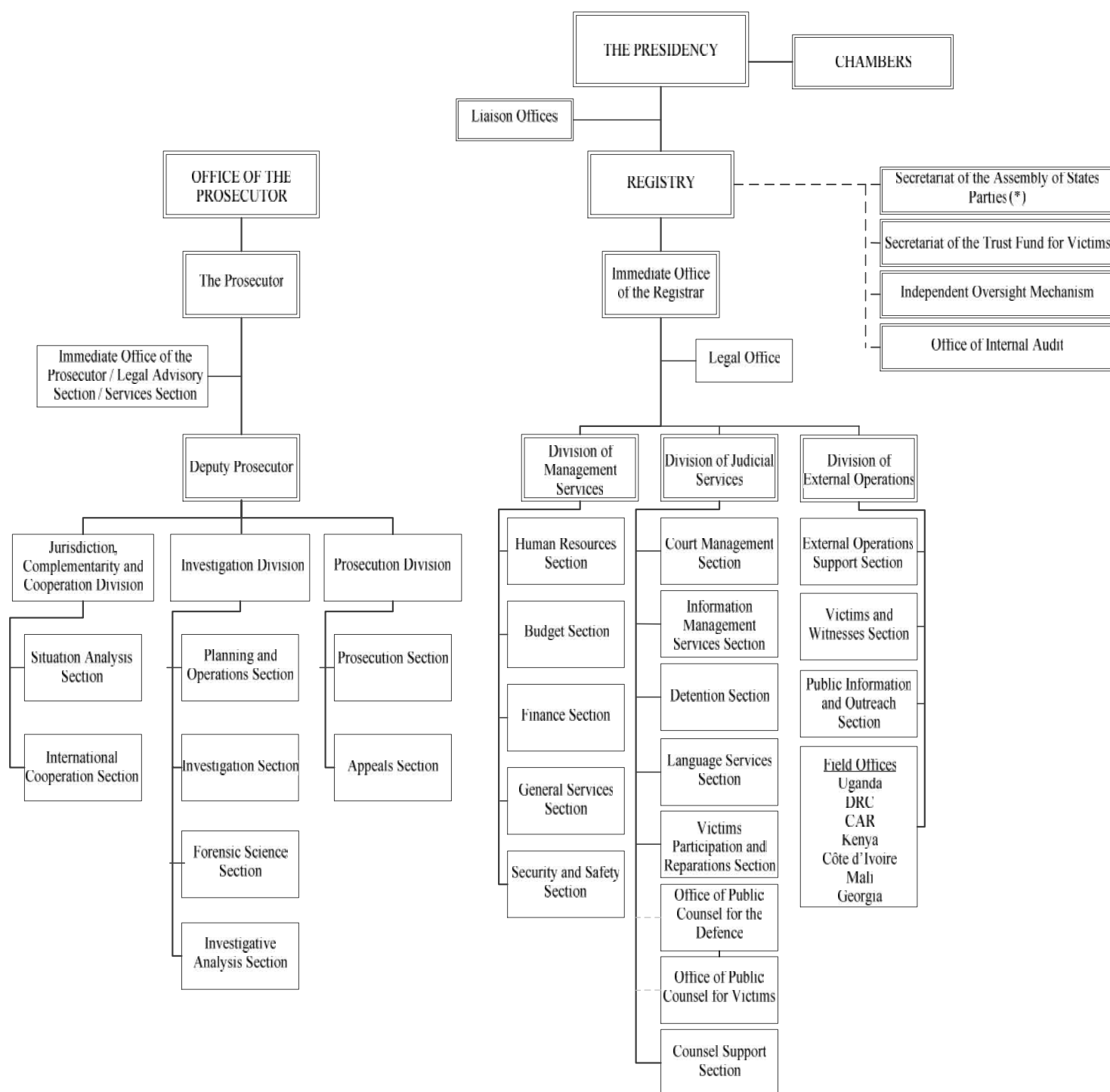
The Assembly of States Parties,

1. *Notes* the request by the Court for a revision of the judges' remuneration in implementation of resolution ICC-ASP/3/Res.3;³
2. *Further notes* the report of the Bureau on its consideration of the issue of revision of the judges' remuneration in implementation of resolution ICC-ASP/3/Res.3;
3. *Decides* [...].

³ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part A, para. 164.

Annex II

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 III

Assumptions and parameters for the 2018 proposed programme budget

Parameter	2018 Assumptions	Explanations
1 Number of Court hearing days	400	Two courtrooms: CIV - 160 days; Uganda - 160 days; and DRC - 80 days for the completion of the Defence case.
2 Number of situations under investigation	10	CAR I, CAR II, CIV, DRC, Georgia, Kenya, Libya, Mali, Sudan, Uganda.
3 Number of active investigations	6	CAR II.a (Séléka); CAR II.b (anti-Balaka); CIV II; Georgia; Libya III; Mali.
4 Unsealed warrants of arrest pending execution	13	Libya I (1); Libya II (1); Darfur I, II & IV (4); ¹ Darfur III (1); CIV <i>Ibis</i> (1); DRC III & IV (1); Kenya Art. 70 (3); Uganda (1).
5 Number of preliminary examinations	10	Afghanistan, Burundi, Colombia, Comoros, Gabon, Guinea, Iraq/UK, Nigeria, Palestine, Ukraine.
6 Number of trial teams ² (Chambers)	5	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>).
7 Number of trial teams (OTP)	3	DRC VI (<i>Ntaganda</i>); CIV I (<i>Gbagbo and Blé Goudé</i>); Uganda (<i>Ongwen</i>).
8 Number of Registry courtroom-support teams	2	Two full courtroom teams to ensure maximum use of courtroom capacity with minimum increases in required resources.
9 Number of languages supported in courtroom	7	English, French, Swahili (Congolese), Kinyarwanda, Acholi, Dioula, Lingala.
10 Number of case-related languages supported	22	English, French, Acholi, Arabic, Swahili (Congolese), Kinyarwanda, Lingala, Dioula, Bambara, Ateso, Alur, Sango, Zaghawa, Tamasheq, Georgian, Russian, Songhai, Lendu, Guéré, Lango, Ossetian, Fulfulde.
11 Number of languages supported for correspondence with States Parties	9	English, French, Arabic, Spanish, Dutch, German, Portuguese, Georgian, Russian.
12 Number of final appeals	7	<i>Bemba</i> main case; <i>Bemba et al.</i> ; <i>Ntaganda</i> (conceivable); potentially 4 reparations appeals.
13 Number of witnesses appearing for testimony	132	Average of 3 days per witness.
14 Expected maximum duration of stay per witness	14	8 preparation and/or familiarization days + 3 hearing days + 3 days (weekends/possible breaks) = 14 days average per witness.
15 Number of victims applying for participation/reparations	7,400	DRC VI (2,100); CAR II.a (1,200); CAR II.b (1,100); CIV II (3,000).
16 Number of witnesses and victims under protection	100	Witnesses/victims under VWS protection, which includes ICCPP, assisted moves assessment and other forms of protection.
17 Number of persons under protection	500	According to current numbers and assumptions, around 500 (100 witnesses/victims and 400 dependents) could be under the protection and care of the VWS in 2018.
18 Number of suspects/accused appearing before the Court (<i>The term "accused" includes persons who have been acquitted or convicted at first instance and are awaiting a final judgment.</i>) ³	9	<i>Bemba</i> , Kilolo, Arido, Mangenda, Babala, <i>Ntaganda</i> , L. <i>Gbagbo</i> , <i>Blé Goudé</i> , <i>Ongwen</i> .

¹ This is the joinder of Darfur 1 and Darfur 2 & 4.

² Trial teams are Chambers teams which may be assigned to handle preparations for upcoming trials, trial hearings, sentence hearings and reparations hearings.

³ This definition is used for the purposes of this document only. Persons appearing before the Court solely for reparations proceedings are outside the scope of this definition.

<i>Parameter</i>	<i>2018</i>	
	<i>Assumptions</i>	<i>Explanations</i>
19 Number of suspects, accused or convicted persons in detention	6	Bemba (until August 2018 inclusive); Ntaganda; L. Gbagbo; Blé Goudé; Ongwen; Al Mahdi (1st semester 2018).
20 Number of cells required	6	Renting model is either 6 or 12 cells. For six detainees: one 6-cell model.
21 Number of defence teams financed by Legal Aid	12	Trial: <i>Ntaganda, L. Gbagbo, Blé Goudé, Ongwen</i> ; Appeals: <i>Bemba</i> (Art. 5, Art. 70), <i>Kilolo, Mangenda, Babala, Arido</i> ; Reparations: <i>Bemba</i> (Art. 5), <i>Lubanga, Katanga</i> .
22 Number of victims' representatives financed by Legal Aid	5	<i>Lubanga, Katanga, Bemba, Al Mahdi, Ongwen</i> .
23 Number of field offices/presence	7	CAR (1); CIV (1); DRC (2); Georgia (1); Mali (1); and Uganda (1).

Annex IV

List of potential developments which could impact on the 2018 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 on 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) The Prosecutor opening 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 V

Annex V (a)

List of strategic goals of the International Criminal Court (2013-2018)

<i>Goal 1: Judicial and Prosecutorial</i>	<i>Goal 2: Managerial</i>	<i>Goal 3: Cooperation and Support</i>
1.1 Ensure high-quality, fair, transparent and expeditious judicial proceedings, while further refining legal standards through well-developed jurisprudence and encouraging the development of standardized processes.	2.1 Deliver coherent governance and efficient, well-planned and cost-effective administration to support the Court's judicial functions, actively managing change while retaining the ability to respond effectively to unexpected developments.	3.1 Facilitate the work of the Assembly of States Parties in exercising its management oversight while fully respecting the independence of the Court.
1.2 Perform high-quality, independent and impartial preliminary examinations.	2.2 Maintain high standards of integrity, professionalism and respect for diversity.	3.2 Further foster global support for the Court by strengthening the understanding, trust and commitment of States, international and regional organizations, non-governmental organizations and other key partners and stakeholders.
1.3 Perform impartial, in-depth, open-ended investigations and objective, efficient and well-founded prosecutions, supported by effective international cooperation.	2.3 Provide adequate human resources for the fulfilment of the Court's mandate and ensure equitable geographical representation and fair gender balance.	3.3 Encourage full and timely cooperation by States in accordance with their obligations under the Rome Statute, including compliance with Court orders such as warrants of arrest and orders for identification, tracing, and freezing of assets.
1.4 Guarantee the rights of the defence to a fair and impartial trial.	2.4 Provide and maintain a healthy, motivating, sustainable and caring environment for staff and others participating in the Court's work, and strive to offer career development and mobility opportunities.	3.4 Encourage States to conclude further voluntary agreements with the Court on enforcement of sentences, relocation of witnesses and interim and other forms of release.
1.5 Ensure adequate and meaningful participation and representation of victims.	2.5 Ensure adequate and effective technological support for judicial and administrative activities.	3.5 With States Parties, intergovernmental and non-governmental organizations, encourage and support further accessions to the Rome Statute and the Agreement on the Privileges and Immunities of the Court, with the ultimate goal of universality.
1.6 Ensure meaningful reparations and successful implementation of reparation orders, including coherent principles for victim reparations.	2.6 Further develop the Court's processes for planning and budgeting strategically, including efficient management of performance and risks.	3.6 With States Parties and other stakeholders such as intergovernmental and non-governmental organizations, encourage and facilitate the development of national capacities to achieve the goals of the Rome Statute.
1.7 Increase awareness of, communication with, and understanding among victims and affected communities, in line with the stages of the proceedings of the Court and its processes generally.	2.7 Ensure an efficient, timely and cost-effective transition to the permanent premises and make full, innovative use of their new potential.	
	2.8 Ensure adequate security and protection for staff and other persons at risk on account of their interaction with the Court, as well as for information and other assets.	

Annex V (b)

List of strategic goals of the OTP Strategic Plan (2016-2018)

1. Achieving high performance in relation to the Office's mandate:
 - (a) *Strategic goal 1:* conduct impartial, independent, high-quality preliminary examinations, investigations and prosecutions;
 - (b) *Strategic goal 2:* continue to integrate a gender perspective into all areas of the Office's work and to implement its policies on sexual and gender-based crimes (SGBC) and crimes against children;
 - (c) *Strategic goal 3:* further improve the quality and efficiency of preliminary examinations, investigations and prosecutions; and
 - (d) *Strategic goal 4:* further adapt the Office's investigative and prosecutorial capabilities and network to the complex and evolving scientific and technological environment.
2. Creating the necessary conditions to fulfil the Office's mandate:
 - (a) *Strategic goal 5:* achieve a basic size commensurate with the demands placed on the Office so that it can perform its functions with the required quality, effectiveness and efficiency;
 - (b) *Strategic goal 6:* contribute to strengthening cooperation and promoting general support for the mandate and activities of the Office;
 - (c) *Strategic goal 7:* adapt the Office's protection strategies to new security challenges; and
 - (d) *Strategic goal 8:* ensure professional, accountable, transparent and efficient management of the Office.
3. Contributing to a coordinated investigative and prosecutorial strategy to further close the impunity gap for crimes falling within the jurisdiction of the Court:
 - (a) *Strategic goal 9:* work with partners to develop a coordinated investigative and prosecutorial strategy to close the impunity gap.

Annex V(c)

Major Programme I - Judiciary

Expected results, performance indicators and targets 2018

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2018</i>
Objectives 1-3 (POs 1.1.1, 1.1.2 and 2.6.3)		
1. Provide effective Presidency planning and support for the efficient management of judicial proceedings	<ul style="list-style-type: none"> • Potential issues identified and effectively managed • Quality of preparation and support for Presidency and Judges' meetings • Efficient management of applications/filings before the Presidency • Timeliness and quality of advice to the President and Vice-Presidents on administrative and managerial issues 	<ul style="list-style-type: none"> • 100% • Fully satisfactory • All decisions issued within agreed timeline • Fully satisfactory
2. 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	<ul style="list-style-type: none"> • Timelines between phases of proceedings shortened, without prejudice to the rights of the parties, participants and victims to fairness and protection, as the case may be 	<ul style="list-style-type: none"> • Measurable improvement in comparison with earlier cases
3. Advance the "lessons learnt" review of judicial processes, consulting stakeholders as appropriate, with emphasis on changes not requiring amendments to the Rules of Procedure and Evidence	<ul style="list-style-type: none"> • Continued harmonization of Judiciary practice 	<ul style="list-style-type: none"> • By end of 2018
4. Implement and operate in line with appropriate performance indicators for judicial processes and relevant judicial support	<ul style="list-style-type: none"> • Continued collection of relevant data in key areas for performance indicator initiative concerning both Court-wide and Judiciary processes • Use of performance indicators in Court-wide and Judiciary processes 	<ul style="list-style-type: none"> • 100% • Fully satisfactory
Objective 4 (POs 2.1.2 and 2.5.1)		
1. Effective resource management including identification and implementation of possible further efficiency measures	<ul style="list-style-type: none"> • Improvements in timeliness of judicial proceedings through implementation of "lessons learnt" changes 	<ul style="list-style-type: none"> • Measurable improvements
2. Efficient use of Chambers staff resources through central management and flexible deployment to meet changing case workload needs	<ul style="list-style-type: none"> • Effective central management of staff resources by P-5 Head of Chambers 	<ul style="list-style-type: none"> • 100%
Objective 5 (PO 2.4.1)		
1. Support the arrival of incoming judges and corresponding departure of outgoing judges	<ul style="list-style-type: none"> • Organize induction of judges at the Court to introduce them to the Court's procedures, staff and facilities 	<ul style="list-style-type: none"> • Fully satisfactory
Objective 6 (PO 2.3.1)		
1. Further improve management of staff performance	<ul style="list-style-type: none"> • Full MP1 compliance with the Court's performance appraisal system, including appropriate input from line managers and judges 	<ul style="list-style-type: none"> • 100%
Objective 7 (PO 3.1.1)		
1. Transparent and effective communication and information exchange between Judiciary and Working Groups of the Assembly	<ul style="list-style-type: none"> • Number of HWG/SGG meetings attended by a Presidency/Court representative, as appropriate 	<ul style="list-style-type: none"> • Representation where appropriate

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2018</i>
	<ul style="list-style-type: none"> • Provision of requested reports and information in a timely and transparent manner 	<ul style="list-style-type: none"> • 100%
<p>Objective 8 (POs 3.1.1, 3.2.1, 3.2.2, 3.5.1, 3.5.2 and 3.6.2)</p> <p>1. 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.</p>	<ul style="list-style-type: none"> • Number of high-level meetings held with States, international organizations and civil society by the President/Presidency • Presidency participation in ASP, HWG, SGG and CBF meetings, diplomatic and NGO briefings etc. 	<ul style="list-style-type: none"> • 100+ meetings • Whenever required
2. 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	<ul style="list-style-type: none"> • Coordinate efforts with other stakeholders to draw attention to the importance of universality and the APIC and encourage States that have not ratified the Rome Statute and APIC to do so 	<ul style="list-style-type: none"> • 1 new accession to Rome Statute and 1 to APIC
3. Conclusion of further sentence enforcement agreements with States	<ul style="list-style-type: none"> • Sentence enforcement agreements concluded 	<ul style="list-style-type: none"> • 1
4. New York Liaison Office: Effective communication and cooperation with the United Nations and its agencies, with national delegations (both States Parties and non-States Parties) and civil society representatives in New York; and provision of logistical support to the Assembly and its subsidiary bodies	<ul style="list-style-type: none"> • Transmit and pursue all requests by the Court for cooperation with relevant interlocutors at the UN until completion of requests • Organize/provide briefings for States and other stakeholders in New York • Provide support to visiting Court officials • Monitor and participate in relevant UN meetings, follow up issues bilaterally and provide regular reports for the Court • Provide input for UN reports and resolutions on Court-related subjects and provide support to the facilitator of the annual ICC Resolution in the UN General Assembly • Participate and present at seminars and workshops on Court-related subjects • NY Liaison Office to provide logistical support to the Assembly, the Bureau and the New York Working Group and represent the Court at meetings of the Bureau and the New York Working Group 	<ul style="list-style-type: none"> • 100% • 3-5 • All visits • Biweekly and ad hoc reports as needed • 5-8 reports/resolutions • 5 seminars/ workshops • 10-15 meetings

Annex V (d)

Major Programme II – Office of the Prosecutor

A. Sub-Programme 2100: Expected results, performance indicators and targets 2018

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2018</i>
Judicial and Prosecutorial 1.2 OTP Strategic Goal 1 Conduct impartial, independent, high-quality preliminary examinations, investigations and prosecutions	<ul style="list-style-type: none"> • Contributions to legal research and advice to the Office as required • Increased understanding and public awareness of the activities of the Office through the provision of public information 	Performance Indicator 7: productivity of the Office <ul style="list-style-type: none"> • Milestones: planned versus actual ExCom frequency and decisions	Provide legal research and advice as requested and in accordance with expressed needs Conduct interviews and prepare opinion pieces, press releases, statements, etc.
Judicial and Prosecutorial 1.2 OTP Strategic Goal 2 Continue to integrate a gender perspective into all areas of the Office's work and to implement its policies on sexual and gender-based crimes (SGBC) and crimes against children	<ul style="list-style-type: none"> • Addressing SGBC more effectively • Addressing crimes involving children more effectively and adopting a child-sensitive approach • Increased public awareness of SGBC and crimes involving children through the provision of public information 	Performance Indicator 4: compliance with key Office policies and standards <ul style="list-style-type: none"> • Milestones: implemented versus planned 	SGBC Implementation Plan finalized for implementation by teams Policy on Children adopted Draft Implementation Plan for Policy on Children
Judicial and Prosecutorial 1.2 OTP Strategic Goal 3 Further improve the quality and efficiency of preliminary examinations, investigations and prosecutions		Performance Indicator 7: productivity of the Office <ul style="list-style-type: none"> • Milestones: planned versus actual 	Provide legal research and advice as requested <ul style="list-style-type: none"> • Introduce automated quality and target monitoring reports for core and strategic activities: 95% of planned reports implemented
Cooperation and Support 3.2, 3.3 OTP Strategic Goal 6 Contribute to strengthening cooperation and promoting general support for the mandate and activities of the Office	<ul style="list-style-type: none"> • To support OTP missions, conduct interviews and prepare opinion pieces, press releases, statements, etc. • Further development of academic network, including through the organization of Guest Lectures • Contribution to the provision of public information and external representation of the Office • Further development and management of the Legal Tools Project 	Performance Indicator 5: quality of interaction with the Office <ul style="list-style-type: none"> • Milestones: planned versus actual 	Explain, raise awareness and build support and cooperation for the activities of the Office through missions undertaken by the Prosecutor and the provision of public information Communication to stakeholders implemented as planned
Managerial Objectives 2.1, 2.2, 2.3 and 2.4 OTP Strategic Goal 8 Ensure professional, transparent, accountable and efficient management of the Office	<ul style="list-style-type: none"> • Provision of legal advice and drafting on individual administrative matters • Development of the Office's regulatory framework • Contribution to development of the Court's internal regulatory framework • Development of strategic policies for the Office • Implementation of the Lessons Learnt Project • Development of Assurance system 	Performance Indicator 14: impact of improvement projects on effectiveness, operational and management excellence Provision of legal advice and drafting on individual administrative matters Development of the Office's internal regulatory framework Contribution to development of the	Minimize litigation and ensure satisfactory outcomes whenever litigation is inevitable Operations Manual reviewed and updates prepared as and when needed Timely contributions provided Satisfactory representation of Office views and interests Implementation plan for Sexual and Gender-Based Crimes policy adopted

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2018</i>
	<p>to monitor compliance</p> <ul style="list-style-type: none"> • In liaison with HR, delivery of the annual OTP training plan for staff • Liaison with HRS; finalizing policies with respect to teleworking and other policies relating to staff • Improved gender and nationality balance in the OTP workforce • Key working climate issues within OTP's control addressed • Office's core values project finalized and implemented • OTP internal structure reviewed in order to increase its effectiveness and efficiency and ensure enhanced quality assurance 	<p>Court's internal regulatory framework</p> <p>Development of strategic policies for the Office</p> <p>Implementation of the Lessons Learnt Project</p>	<p>Policy on Crimes against Children adopted</p> <p>Project implemented, electronic system operational, and Lessons Learnt incorporated into general Office practice</p> <p>Framework for OTP Assurance system defined and being implemented</p>
<p>Managerial Objectives 2.1, 2.4 and 2.6</p> <p>OTP Strategic Goal 8</p> <p>Ensure professional, transparent, accountable and efficient management of the Office</p>	<ul style="list-style-type: none"> * Maximize efficient budget implementation rate * Maximize efficient Contingency Fund (CF) implementation rate * Maintain effective reconciliations process (percentage and time) * Update procedures/processes * Timely and efficient provision of services to the OTP (variance compared to expected time and effort foreseen in the agreed processes and procedures) * Timely completion of performance appraisal cycles * Update programme risk register 	<p>Performance Indicator 7: productivity of the Office</p> <p>Performance Indicator 8: staff development</p> <p>Performance Indicator 12: financial planning, performance and compliance</p> <ul style="list-style-type: none"> • Milestones: planned versus actual 	<ul style="list-style-type: none"> • 95% < budget impl. rate < 100% • CF impl. rate > 70% • Processing of Miscellaneous Obligor Documents (certification and posting of expenditures): operational expenditure reports; delayed settlement due to errors < 5% • Certification of expenditures under travel claim reports: delayed travel claim settlements due to incomplete information or missing certification of expenditure < 5% • Completed analysis of the Office's procedures, workflows and processes with the assistance of OIA and the Information Management Coordinator • Complete review of organization of Units to ensure structures are capable of providing services to the OTP in a timely and efficient manner (minimize variances: < 5%) • Deploy e-learning courses for delivery of internal training: 95% of planned work completed • Develop specifications (project in coordination with Registry and Chambers) to implement/configure SAP tools for proper accounting of cost per case • Develop electronic questionnaire to assess client satisfaction and identify

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2018</i>
			<p>areas for process improvement</p> <ul style="list-style-type: none"> • 100% of performance appraisal forms (PAFs) completed on time • Conduct two risk assessment exercises to update the programme risk register developed in 2017
<p>Managerial Objective 2.3 OTP Strategic Goal 3 Further improve the quality and efficiency of preliminary examinations, investigations and prosecutions</p>	<ul style="list-style-type: none"> * Provide effective and timely support for evidence registration * Provide effective and timely support for disclosure * Provide effective and timely guidance for information management projects across the Office * Provide effective and timely guidance for data management across the Office * Provide timely and accurate: <ul style="list-style-type: none"> • transcription of audio and video material in working, situation-related and cooperation languages as requested by OTP clients • translation of OTP evidence and core Office documentation in working, situation-related and cooperation languages as requested by OTP clients • interpretation of witness and insider interviews in working, situation-related and cooperation languages as requested by OTP clients • support activities such as production of summaries, redaction, language identification, document editing and audio and video subtitling for the Office * Advice and support for projects within the Office requiring language expertise 	<p>Performance Indicator 7: productivity of the Office</p> <p>Performance Indicator 14: impact of improvement projects on effectiveness, operational and management excellence</p> <ul style="list-style-type: none"> • Milestones: planned versus actual 	<ul style="list-style-type: none"> • 95% or more of evidence registered within two days (non-electronic) or three days (electronic) • Disclosure errors < 3% • Upgrade the procedures in the affected units following the replacement of obsolete equipment and quantify efficiencies achieved and achievable • Implement updates to OTP evidence review practices and systems, towards better utilization of developments and faster, higher-quality document review: 100% implementation of new systems • Language support provided as per agreed schedule 98% of time • Conduct lessons-learned and after-action review exercises following defined OTP Milestone events. 95% milestone events reviewed for lessons
<p>Managerial Objectives 2.3 and 2.6 OTP Strategic Goal 5 Achieve a basic size commensurate with the demands placed on the Office so that it can perform its functions with the required quality, effectiveness and efficiency</p>	<ul style="list-style-type: none"> * In the provision of interpretation, transcription and translation services, manage the entire recruitment, resourcing, planning, monitoring and production chain by building and maintaining effective relationships with outsourcing individuals and companies and effective deployment processes mindful of, among other things, security- and vetting-related matters, monitoring performance and workload, and properly training internal and external language personnel 	<p>Performance Indicator 7: productivity of the Office</p>	<ul style="list-style-type: none"> • In cooperation with Procurement, build an updated Vendors' List with internationally accredited language services providers • In cooperation with LSS, build a roster of candidates for interpretation, transcription and translation services • Investment in training: implement resources supporting learning on demand via standardized tools, processes and procedures

B. Programme 2200: Expected results, performance indicators and targets 2018

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2018</i>
Judicial and Prosecutorial Objective 1.2 OTP Strategic Goal 1 Conduct impartial, independent, high-quality preliminary examinations, investigations and prosecutions	Conduct 9 preliminary examinations	Performance Indicator 7: productivity of the Office <ul style="list-style-type: none"> Closure ratio (number completed vs. newly-opened preliminary examinations) 	Number of preliminary examinations: 9
Judicial and Prosecutorial Objectives 1.2, 1.3 OTP Strategic Goal 3 Further improve the quality and efficiency of preliminary examinations, investigations and prosecutions	<i>Preliminary examinations</i> <i>Cooperation</i> <ul style="list-style-type: none"> Define and conduct internal cooperation training programmes and experience-sharing exercises Ensure coordination and rolling assessment of the quality of internal cooperation and the selected improvement projects implemented 	Performance Indicator 7: productivity of the Office <ul style="list-style-type: none"> Milestones: planned versus actual Impact of improvement projects on effectiveness and operational and management excellence Rate of successful Art. 15 applications Processing rate of Art. 15 communications (including responses to senders) Compliance with transparency commitment (preliminary examination reports and other public reports in support of key decisions) 	<i>Preliminary examinations</i> Timely processing of Art. 15 communications and submission of at least one report to ExCom for approval of recommendation with regard to all pending Phase 1 reports Publication of one OTP report on preliminary examination activities prior to Assembly session and other public reports in support of key decisions <i>Cooperation</i> 90% of relevant staff trained 75% of the training programme conducted Improvement projects defined and assessment mechanism in place with regular ongoing quality review
Cooperation and Support Objectives 3.2, 3.3, 3.4, 3.6 OTP Strategic Goal 6 Contribute to strengthening cooperation and promoting general support for the mandate and activities of the Office	<ul style="list-style-type: none"> Annual cooperation and external relations strategic objective defined and implemented Cooperation plans for critical support to investigations drafted and implemented as planned Expansion of network of operational focal points for three partners Ensure relative stability or improvement of response rate to requests for assistance (RFAs), bearing in mind the relative variety/sensitivity of the requests and the weight of external factors beyond OTP control Ensure quality of judicial assistance requests to States and international organizations to enable effective investigations and prosecutions Make available relevant cooperation lines to ensure that the range of judicial assistance measures requested is in line with the diversity of evidence types Ensure proper communication to stakeholders implemented as planned 	Performance Indicator 7: productivity of the Office <ul style="list-style-type: none"> Milestones: planned versus actual 	Annual cooperation and external relations plan drafted, circulated and approved, and steps defined for the relevant period implemented 100% of cooperation plans drafted and implementation ongoing with the steps planned for the reference period implemented Network expanded to more than 3 partners More than 75% of RFAs responded to About 95% of requests drafted, reviewed and quality-controlled Support for diverse types of assistance requests implemented Communication to stakeholders implemented as planned

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2018</i>
<p>Cooperation and Support Objectives 3.2, 3.3, 3.4, 3.6 OTP Strategic Goal 9</p> <p>Work with partners to develop a coordinated investigative and prosecutorial strategy to close the impunity gap</p>	<ul style="list-style-type: none"> • Take Strategic Goal 9 into account as appropriate in cooperation plans supporting the Office's investigations • Consolidate and further expand the Office's network of general and operational focal points and judicial actors, and streamline and standardize processes and interactions with partners (States, international and regional organizations and NGOs) • Together with other divisions, contribute to implementing further consultations on the content, conditions and implications of a coordinated investigative and prosecutorial strategy; assess findings and identify the Office's contribution • Provide answers to incoming requests for assistance 	<p>Performance Indicator 14.1: evaluation of improvement projects</p> <ul style="list-style-type: none"> • Milestones: planned versus actual 	<p>Implemented as appropriate in all investigations</p> <p>General strategy developed and consultation sessions implemented</p> <p>Responses sent (positive or negative) to requests</p>

C. Programme 2300: Expected results, performance indicators and targets 2018

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2018</i>
<p>Judicial and Prosecutorial Objective 1.2 OTP Strategic Goal 1</p> <p>Conduct impartial, independent, high - quality preliminary examinations, investigations and prosecutions</p>	<p>Conduct 6 investigations, provide investigative support to 3 trials and continue 8 investigations pending an arrest</p>	<p>Performance Indicator 7: productivity of the Office</p> <ul style="list-style-type: none"> • Milestones: planned versus actual 	<p>Number of investigative activities: 6 + 3 + 8</p> <p>80% or more of the investigative steps within Investigation Division control on track</p>
<p>Judicial and Prosecutorial Objective 1.2, 1.3 OTP Strategic Goal 2</p> <p>Continue to integrate a gender perspective into all areas of the Office's work and to implement its policies on sexual and gender-based crimes (SGBC) and crimes against children</p>	<p>(Investigative) policy in relation to sexual and gender-based crimes and crimes against children implemented in all active investigations</p> <p>Roll-out of the Policy on Children</p>	<p>Performance Indicator 4: compliance with key Office policies and standards</p> <ul style="list-style-type: none"> • Milestones: implemented versus planned 	<p>80% or more of measures provided in policies implemented across all active investigations</p>
<p>Judicial and Prosecutorial Objective 1.2 OTP Strategic Goal 3</p> <p>Further improve the quality and efficiency of preliminary examinations, investigations and prosecutions</p>	<p>Training program implemented as planned</p>	<p>Performance Indicator 8: staff performance and development</p> <ul style="list-style-type: none"> • Milestones: planned versus actual 	<p>80% or more of relevant staff trained</p>
<p>Managerial Objective 2.5 OTP Strategic Goal 4</p> <p>Further adapt the Office's investigative and prosecutorial capabilities and network to the complex and evolving scientific and technological environment</p>	<p>Scientific and technological projects to increase the ability of the OTP to securely and efficiently perform its investigations implemented as planned (e.g. automated searches, internet archive)</p>	<p>Performance Indicator 14.1: evaluation of improvement projects</p> <ul style="list-style-type: none"> • Milestones: planned versus actual 	<p>80% or more implemented as planned</p>
<p>Managerial Objective 2.8 OTP Strategic Goal 7</p> <p>Adapt the Office's protection strategies to new security challenges</p>	<p>All foreseeable risks properly managed</p> <p>Yearly strategic security risk assessment and strategy update for staff, witness and information security performed as planned</p>	<p>Performance Indicator 4.1 – Individual Risk Assessment (IRA) updates and checks</p>	<p>All critical protection measures required to manage the foreseeable risks implemented as planned</p> <p>All main recommendations</p>

	Project to improve information security with Registry implemented as planned		approved by ExCom
Managerial Objectives 2.1, 2.2, 2.3 and 2.4 OTP Strategic Goal 8 Ensure professional, accountable, transparent and efficient management of the Office	Efficiency gains through process review identified and achieved	Performance Indicator 6: yearly efficiency gains • Total efficiency gains vs. total Investigation Division budget	Maintain efficiency gains achieved in 2017 and identify new areas for improvement
Cooperation and Support Objective 3.3 OTP Strategic Goal 9 Work with partners to develop a coordinated investigative and prosecutorial strategy to close the impunity gap	Priority projects implemented as planned (e.g. increased exchange of information with the War Crimes Unit (WCU); increase in the number of coordinated activities with relevant jurisdictions)	Performance Indicator 14.1: evaluation of improvement projects • Milestones: planned versus actual	80% or more

D. Programme 2400: Expected results, performance indicators and targets 2018

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2018</i>
Judicial and Prosecutorial Objective 1.3 OTP Strategic Goal 1 Conduct impartial, independent, high-quality preliminary examinations, investigations and prosecutions	Be ready to litigate three trials (actual number depending on the availability of courtrooms and judges) and two final appeals, and to conduct pre-trial activities in six investigations	Performance Indicator 1: prosecutorial results in terms of perpetrators Performance Indicator 2: prosecutorial results in terms of charges Performance Indicator 7: productivity of the Office	Activities: 3 trials, 2 final appeals and pre-trial support in 6 investigations; participate in 4 reparations proceedings as appropriate
Judicial and Prosecutorial Objectives 1.2, 1.3 OTP Strategic Goal 2 Continue to integrate a gender perspective into all areas of the Court's work and to implement its policies on sexual and gender-based crimes (SGBC) and crimes against children	Integrate SGBC and crimes against children charges into the prosecution of cases, wherever applicable, implementing the guidelines contained in the relevant OTP policies	Performance Indicator 1: prosecutorial results in terms of perpetrators Performance Indicator 2: prosecutorial results in terms of charges Performance Indicator 3: quality of mandated activities Performance Indicator 4: compliance with key Office policies and standards	80% or more of the measures provided in the policies implemented across all prosecutorial activities
Judicial and Prosecutorial Objective 1.3 OTP Strategic Goal 3 Further improve the quality and efficiency of preliminary examinations, investigations and prosecutions	<ul style="list-style-type: none"> • Maintain or improve success rate of confirmation of charges • Maintain or improve success rate of acceptance of submissions • Have independent reviews performed for each case • Have evidence reviews performed for each case 	Performance Indicator 1: prosecutorial results in terms of perpetrators Performance Indicator 2: prosecutorial results in terms of charges Performance Indicator 4: compliance with key Office policies and standards • Milestones: planned versus actual	<ul style="list-style-type: none"> • Charges confirmed vs. charges issued/granted/convicted 80% • Submissions accepted and requests granted vs. number of requests > 80% • 100% of evidence reviewed • 100% of cases reviewed by independent panel • Implement 80% of the training programme, including the fortnightly Prosecution Division legal lectures • Improvement projects in priority areas: internal processes, management capabilities, technology and disclosure • Contribute to progress in ensuring expeditious proceedings where possible • Continue to develop competencies on legal, oral and written advocacy through training

<i>Strategic Goal</i>	<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2018</i>
<p>Managerial Objective 2.5 OTP Strategic Goal 4 Further adapt the Office's investigative and prosecutorial capabilities and network to the complex and evolving scientific and technological environment</p>	<ul style="list-style-type: none"> • Revise training programme for prosecutors defined in annual Training Plan, including additional advocacy skills training sessions and training on the use of new technologies in the courtroom • Implement selected improvement projects related to priority areas: internal processes, management capabilities, case design, case review process, technology and key skills 	<p>Performance Indicator 14.1: evaluation of improvement projects</p> <p>Performance Indicator 8.2: implementation of annual training plan/ number of training days per staff member per year</p>	<ul style="list-style-type: none"> • 80% or more of training programme implemented as planned • Conduct training on new tools and strengthen the Division's capabilities in existing tools (such as Trial Director and Ringtail)
<p>Managerial Objectives 2.1, 2.2, 2.3 and 2.4 OTP Strategic Goal 8 Ensure professional, accountable, transparent and efficient management of the Office</p>	<p>Priority areas for efficiency gains identified; potential gains identified; contribution to office-wide efficiency improvement initiatives</p>	<p>Performance Indicator 6: yearly efficiency gains</p> <ul style="list-style-type: none"> • Total potential efficiency gains vs. total Prosecution Division budget 	<ul style="list-style-type: none"> • Priority areas and potential for efficiency gains identified; potential gains identified • Contribute to office- and court-wide efficiency improvement initiatives • Continuously improve the level of management in the Division • Continue the risk management process • Actively contribute to the further development of performance indicators • Contribute to the Lessons Learnt programme • Develop and implement actions to improve the working climate in the Division • Actively contribute to the review of information management and structure within the Office • Improve internal communications with the implementation of a SharePoint site and regular dissemination of information

Annex V (e)

Major Programme III – Registry

A. Office of the Registrar

- 2.1.2 Manage resources effectively; identify and implement any further efficiency measures.
- 2.4.1 Further improve the management of staff performance.
- 2.6.3 Improve performance measurement and evaluation, including through performance indicators.
- 3.1.1 Further improve the effectiveness and efficiency of dialogue between the Court and the Assembly and its subsidiary bodies.

OTR: Expected results, performance indicators and targets 2018

<i>Expected results</i>	<i>Performance indicators</i>	<i>Targets (2018)</i>
Priority Objective 2.1.2		
<ul style="list-style-type: none"> Finalization of the new Court-wide and organ-specific Registry Strategic Plan Implementation of Organizational Development (OD) plans across identified Registry Sections 	<ul style="list-style-type: none"> Development of the Registry Strategic Plan OD plan implementation rate 	<ul style="list-style-type: none"> Registry Strategic Plan adopted 95% or higher OD plan implementation rate
Priority Objective 2.3.1		
<ul style="list-style-type: none"> Improved Court-wide human resources performance management system 	<ul style="list-style-type: none"> Performance management compliance rate 	<ul style="list-style-type: none"> 100% compliance rate Registry-wide
Priority Objective 2.6.3		
<ul style="list-style-type: none"> Integrated work planning with clear links to the Strategic Plan of the Court and to the Registry 	<ul style="list-style-type: none"> % of Registry Sections monitoring and measuring performance according to the Strategic Plan 	<ul style="list-style-type: none"> 100%
Priority Objective 3.1.1		
<ul style="list-style-type: none"> Efficient dialogue between the Court and the Assembly and its subsidiary bodies 	<ul style="list-style-type: none"> Satisfaction of relevant actors/bodies 	<ul style="list-style-type: none"> NA

B. Division of Management Services (DMS)

- 2.3.1 Further improve the management of staff performance.
- 2.3.2 Further improve gender balance and geographical representation across different levels of the Court's structure.
- 2.4.1 Improve working environments.
- 2.4.2 Develop a strategic approach to staff development (including staff mobility).
- 2.5.3 Improve efficiency through technological developments.
- 2.6.1 Improve and streamline the budget process, including further dialogue with States Parties on the budget process and document.
- 2.6.2 Fully implement the Court's risk management framework.
- 2.7.1 Make best use of the new premises to provide for the business needs of the Court. Maximize design flexibility to allow for expansion and/or temporary modification with minimum disruption and cost.
- 2.8.3 Apply a risk management process to security and safety risks.

DMS: Expected results, performance indicators and targets 2018

<i>Expected results</i>	<i>Performance indicators</i>	<i>Targets (2018)</i>
<p>Priority Objective 2.3.1</p> <ul style="list-style-type: none"> Improved Court-wide human resources performance management 	<ul style="list-style-type: none"> Performance management compliance rate 	<ul style="list-style-type: none"> More than 95% compliance Court-wide
<p>Priority Objective 2.3.2</p> <ul style="list-style-type: none"> Increased representation of women in recruitment through gender-neutral vacancy announcements and increased inclusion in selection rounds Improved awareness of recruitment opportunities in under-represented countries 	<ul style="list-style-type: none"> Gender balance across all established posts, excluding elected officials per organ Number of targeted recruitment outreach initiatives in under-represented countries 	<ul style="list-style-type: none"> 50/50 gender balance Court-wide 2 targeted recruitment outreach initiatives
<p>Priority Objective 2.4.1</p> <ul style="list-style-type: none"> Adoption of priority policies on key HR issues 	<ul style="list-style-type: none"> Number of key policies promulgated 	<ul style="list-style-type: none"> 3 priority policies promulgated
<p>Priority Objective 2.4.2</p> <ul style="list-style-type: none"> Efficient and transparent management of staff expectations with regard to career development Structured dialogue and coordination with the Staff Union on all staff welfare and related matters, via a relationship agreement 	<ul style="list-style-type: none"> Survey score Relationship agreement signed and number of coordination meetings on staff well-being 	<ul style="list-style-type: none"> 10% increase in staff satisfaction with mobility opportunities Agreement signed, ICC staff well-being model adopted, 3 welfare committee meetings held
<p>Priority Objective 2.5.3</p> <ul style="list-style-type: none"> Improved SAP capability to deal with increased workloads related to business processes, especially in human resources and budget Operationalization of IPSAS-compliant policies 	<ul style="list-style-type: none"> Number of business processes reviewed and improved through increased SAP capability Number of IPSAS-compliant financial process improvements 	<ul style="list-style-type: none"> 5 business processes streamlined and implemented 3 IPSAS-compliant financial process improvements
<p>Priority Objective 2.6.1</p> <ul style="list-style-type: none"> Improved and streamlined budget process 	<ul style="list-style-type: none"> % increase in time available to analyse data: budget process improvements will decrease data processing time for staff % of automation of budget data creation process 	<ul style="list-style-type: none"> 20% for 2 GS-OL 100% automation of budget data creation process
<p>Priority Objective 2.6.2</p> <ul style="list-style-type: none"> Full implementation of the risk management framework across the Court 	<ul style="list-style-type: none"> Updated risk register 	<ul style="list-style-type: none"> 1 update per year
<p>Priority Objective 2.7.1</p> <ul style="list-style-type: none"> Use premises flexibly within technical capacities 	<ul style="list-style-type: none"> All new requests for office space fulfilled in a timely manner using the flexibility of closed versus open-plan office spaces Use of conference facilities to save costs of holding meetings off-premises 	<ul style="list-style-type: none"> 100% of office space requests fulfilled 75% conference facility occupancy rate achieved
<p>Priority Objective 2.8.3</p> <ul style="list-style-type: none"> Security risk assessment updated and required measures reviewed 	<ul style="list-style-type: none"> Number of security risk assessments (SRAs) completed % of required measures implemented 	<ul style="list-style-type: none"> 1 strategic SRA and 1 SRA for each Court location (Headquarters and field offices): total 8 90% of required measures implemented

C. Division of Judicial Services (DJS)

- 1.4.1 Implement the revised legal aid system and continuously monitor its adequacy and cost-effectiveness in a manner consistent with judicial decisions and the rights of the defence.
- 1.4.3 Engage and consult with the International Criminal Court Bar Association (ICCBA) as appropriate.
- 1.6.1 Ensure meaningful reparations and successful implementation of reparation orders, including the application of coherent principles for victim reparations.
- 1.6.2 Develop coordination mechanisms with the TFV and legal representatives of victims as appropriate for the implementation of judicial decisions in relation to reparations.
- 2.1.5 Improve the performance of judicial services; develop and refine appropriate performance indicators.
- 2.5.1 Review and update the eCourt system to increase the efficiency and productivity of eCourt processes.
- 2.5.2 Review the use of standard processes, methods and technologies.

DJS: Expected results, performance indicators and targets 2018

<i>Expected results</i>	<i>Performance indicators</i>	<i>Targets (2018)</i>
Priority Objective 1.4.1		
<ul style="list-style-type: none"> Adequate and sustainable representation of indigent defendants in a manner that is economically efficient for the Court 	<ul style="list-style-type: none"> Number of defence teams on legal aid Number of requests for review of legal aid decisions granted by Chambers 	<ul style="list-style-type: none"> Number of teams for indigent defendants > 6
Priority Objective 1.4.3		
<ul style="list-style-type: none"> ICCBA engaged and consulted on counsel-related matters 	<ul style="list-style-type: none"> Number of CSS/ICCBA meetings Number of CSS/ICCBA written consultations 	<ul style="list-style-type: none"> 6-12 CSS/ICCBA meetings 3-6 CSS/ICCBA written consultations
Priority Objective 1.6.1		
<ul style="list-style-type: none"> Compliance with article 75(1) of the Statute through continued judicial clarification of principles relating to reparations 	<ul style="list-style-type: none"> Follow all reparations-related decisions and orders to the respective Chamber's satisfaction Respond to all reparations-related decisions and orders within the allotted deadline Respond effectively and adequately to all requests by the parties and participants in reparations proceedings 	<ul style="list-style-type: none"> 100% Chambers satisfaction rate 100% deadline compliance 100% request satisfaction rate
Priority Objective 1.6.2		
<ul style="list-style-type: none"> Coordination and communication between the Court and the TFV with regard to the implementation of reparations In the light of relevant judicial decisions, establish a framework for the Registry's support tasks on reparations, taking account of the separate roles and responsibilities of the TFV and Registry 	<ul style="list-style-type: none"> Respond effectively and adequately within capacity to all requests by the TFV Effective communication structure with thematic focal points: initial response time per request within one working day "Lessons Learnt" catalogue on expert assignments in reparations issues Registry support task list on reparations pre-implementation and during implementation 	<ul style="list-style-type: none"> 100% response implementation rate 100% effective communication compliance Finalize "Lessons Learnt" catalogue on reparations expert assignments for use in 2018 Finalize Registry support task list for use in 2018
Priority Objective 2.1.5		
<ul style="list-style-type: none"> Appropriate performance indicators for judicial processes and relevant 	<ul style="list-style-type: none"> No hearings delayed or cancelled due to CMS lack of service Translation: number of translations delivered in the 	<ul style="list-style-type: none"> Support provided for 100% of scheduled hearings 100% satisfaction rate

<i>Expected results</i>	<i>Performance indicators</i>	<i>Targets (2018)</i>
judicial support developed, monitored and reported	<p>context of specific judicial proceedings such as reparations, issues on appeal and important milestones in a given case (decision on confirmation of charges, judgment, sentencing decision, etc.)</p> <ul style="list-style-type: none"> • Interpretation: number of interpreted hearings; number of interpreter days for judicial proceedings; number of freelance interpreters recruited for judicial proceedings • Field and operational interpretation: number of field and operational interpretation assignments linked to judicial proceedings; number of (situation) languages provided; number of field interpreters accredited with a view to servicing judicial proceedings • Client survey 	<ul style="list-style-type: none"> • No delay to judicial proceedings due to language services provision
<p>Priority Objective 2.5.1</p> <ul style="list-style-type: none"> • Increase efficiency and productivity of eCourt processes via eCourt system update 	<ul style="list-style-type: none"> • CMS: automated integration of three applications for updating access groups to stop triplication of same task • CMS: systematic automated verification of OCR for filings upon submission 	<ul style="list-style-type: none"> • CMS: 70% reduction in time required to update access management groups in ECOS application
<p>Priority Objective 2.5.2</p> <ul style="list-style-type: none"> • Prevent, and mitigate risks related to, unauthorized data disclosure • Improve all Court processes to make them more suitable, efficient, secure and transparent 	<ul style="list-style-type: none"> • CMS: secure timely processing of all filings while preventing oversights by implementing application enhancements to alert staff of the risk of an overdue notification • % decrease in victim application processing time • Resource needs reduced by digitizing victim applications • Application forms following uniform standard • % Court staff who have completed mandatory information security training • Rate of implementation of available software updates • Response times to reported information security incidents • Rate of implementation of lessons learned from incidents • % of courtroom availability • % of system availability for applications and infrastructure that support Court activities • % of planned projects that have been delivered by IMSS to support Court efficiencies 	<ul style="list-style-type: none"> • No filing oversights • 20% decrease in victim application processing time by the end of 2018 • 15% reduction in resource needs by the end of 2018 • Standard application forms for participation and reparations at beginning of 2018 • 95% of Court staff having completed mandatory training • 100% implementation of software updates • Information Security response times within 2 hours • 100% of lessons learned from incidents • 99.2% courtroom availability • 99.2% system availability • 90% of planned projects delivered

D. Division of External Operations (DEO)

- 1.7.1 Conduct effective outreach to and communication with victims and affected communities in accordance with the Court's relevant strategic documents.
- 1.7.2 Assess the Court's effectiveness and impact in collaboration with external stakeholders.
- 2.1.2 Manages resources effectively; identify and implement any further efficiency measures. Focus on field activities with a view to promoting better coordination and enhancing the impact of the Court's work in situation countries.
- 2.8.3 Apply a risk management process to security and safety risks.
- 3.3.1 Engage in constructive discussions with States to overcome obstacles and to promote best practices, such as adopting national procedures for cooperation, designating national focal points and consulting promptly with the Court in order to resolve any matter that has impeded or prevented the execution of requests.

- 3.3.2 Organize seminars on cooperation in different regions to enable dialogue between key representatives of States and the Court.
- 3.4.3 Increase external and internal levels of cooperation in relation to witness protection.
- 3.5.1 Coordinate efforts with other stakeholders such as States, international and regional organizations, NGOs and other key partners working actively on universality.

DEO: Expected results, performance indicators and targets 2018

<i>Expected results</i>	<i>Performance indicators</i>	<i>Targets (2018)</i>
Priority Objective 1.7.1		
<ul style="list-style-type: none"> Increased understanding of the Court's mandate and proceedings among victims and affected communities Increased ability of local populations to follow judicial developments 	<ul style="list-style-type: none"> Number of tailor-made radio and television outreach programmes produced and distributed Increase in percentage of questions showing that the understanding of participants in outreach sessions has become more concrete than in 2017 Increase in the Court's media presence in situation countries Structured interviews with stakeholders working with victims and affected communities in situation countries Increase in number of outreach activities organized in situation countries with field presence Increase in number of participants in outreach activities in situation countries Estimated population reached through radio and television (in all situation countries) 	<ul style="list-style-type: none"> 60 programmes 50% increase in database Increase in number of interviews and media events in the situation countries Increased level of satisfaction of stakeholders in situation countries 20% increase in number of outreach activities 20% increase in number of participants 35 million people reached
Priority Objective 1.7.2		
<ul style="list-style-type: none"> Targeted approach to outreach based on consultation with external and internal stakeholders and the "Lessons Learnt" exercise Appropriate performance indicators established to measure the Court's outreach and impact 	<ul style="list-style-type: none"> New projects resulting from consultation with the external and internal stakeholders Level of awareness and satisfaction of local partners according to surveys monitoring perceptions of the Court Stakeholder comments: comments from external and internal stakeholders Lessons-learned process for situation countries with field presence Individual indicators set up for outreach objectives in consultation with relevant internal and external stakeholders 	<ul style="list-style-type: none"> Consultation with stakeholders resulting in new projects implemented in the field Interviews with representative samples of target groups Interviews with stakeholders Regular internal consultation with outreach officers in situation countries and sharing of lessons learned through outreach staff at HQ Indicators established
Priority Objective 2.1.2		
<ul style="list-style-type: none"> Full operationalization of field offices Full implementation of updated mission planning processes, exit strategy, field capacity model and standardized template for setting up new field offices 	<ul style="list-style-type: none"> Field staffing: number of approved versus filled posts % of integration and application of mission-planning software capabilities Drafting and implementation of the protocol on the set-up, functioning and closure of field offices 	<ul style="list-style-type: none"> 90% of approved posts filled 100% integration Established and approved formal AI(s), SOPs and/or protocols
Priority Objective 2.5		
<ul style="list-style-type: none"> Enhance the Court's online presence and corporate image, including a new website and strategic framework for the use of social networks and an improved visual identity 	<ul style="list-style-type: none"> Twitter: <ul style="list-style-type: none"> number of followers/page likes number of impressions/views of the Court number of retweets/shares number of likes 	<ul style="list-style-type: none"> Twitter <ul style="list-style-type: none"> 254K followers/page likes (15% increase) 22K impressions (4.2K increase) 33K retweets (10K increase) 8K likes (2K increase)

<i>Expected results</i>	<i>Performance indicators</i>	<i>Targets (2018)</i>
	<ul style="list-style-type: none"> - survey: analysis of content quality • Facebook: - number of page likes - analysis focusing on shareability 	<ul style="list-style-type: none"> - Initial survey advice 100% implemented, final survey conveying increased satisfaction • Facebook: - 80K page likes (25% increase)
<p>Priority Objective 2.8.2</p> <ul style="list-style-type: none"> • Implementation of systematic security risk management process for all of the Court's activities in the field 	<ul style="list-style-type: none"> • % implementation of systematic security risk management process for all of the Court's activities in the field 	<ul style="list-style-type: none"> • 100% implementation of systematic security risk management process for all of the Court's activities in the field
<p>Priority Objective 2.8.3</p> <ul style="list-style-type: none"> • Completion of UN Minimum Operating Security Standards (MOSS) self-assessment for all field offices and update of Court-specific SRA 	<ul style="list-style-type: none"> • % of UN MOSS self-assessments carried out for field offices • % implementation of field training 	<ul style="list-style-type: none"> • At least one UN MOSS self-assessment carried out for each field office once a year • 80% compliance with UN MOSS in situation countries where the Court has field offices • At least 80% implementation of field training
<p>Priority Objective 3.3.1</p> <ul style="list-style-type: none"> • Enhanced communication channels with key States and regional bodies for more efficient and effective cooperation 	<ul style="list-style-type: none"> • % increase in effective interactions with key States Parties leading to concrete results • % increase in action plans, events and seminars and % increase in interactions aimed at enhancing cooperation with regional organizations 	<ul style="list-style-type: none"> • Monitor tracking system in place • 30% increase in effective interactions with key States Parties leading to concrete results • 30% increase in action plans, events and seminars and 20% increase in interactions aimed at enhancing cooperation with regional organizations • Full implementation of cooperation-related activities under the European Community grant
<p>Priority Objective 3.3.2</p> <ul style="list-style-type: none"> • Increased level of general support and cooperation from States 	<ul style="list-style-type: none"> • % of activities involving States resulting in concrete pledges and/or expressions of interest to assist the Court • % increase in regular targeted démarches 	<ul style="list-style-type: none"> • 25% increase in successful activities involving States • 20% increase in pledges and/or positive expressions of interest to assist the Court by States • 30% increase in démarches leading to positive engagements
<p>Priority Objective 3.4.3</p> <ul style="list-style-type: none"> • Strengthened support to and protection of witnesses 	<ul style="list-style-type: none"> • 80% of ICCPP referrals to be managed by resettlement within three years (through improved case management processes) • Three new witness relocation agreements per year 	<ul style="list-style-type: none"> • 100% compliance with scheduling of the calling party and the respective Chamber • 100% preparation of victims and witnesses for transport to the Court or video-link; management of appearance and safe return following testimony
<p>Priority Objective 3.5.1</p> <ul style="list-style-type: none"> • Further accessions to / ratifications of the Rome Statute and enhanced communication and cooperation of non-States Parties with the Court • Increased clarity and awareness of the Court's functions and mandate among non-State Parties 	<ul style="list-style-type: none"> • % increase in activities and actions with key stakeholders designed to foster understanding and appetite for ratification and/or accession • % increase in regular involvement of non-States Parties in events, activities and seminars designed to promote the Court, and démarches aimed at fostering understanding by non-States Parties 	<ul style="list-style-type: none"> • 30% increase in interactions with non-States Parties and/or stakeholders who can assist and facilitate these interactions • 20% increase in non-State Parties participating in events • 25% increase in direct bilateral démarches and identification of new opportunities for engagement aimed at fostering understanding by non-States Parties

Annex V (f)

Major Programme IV – Secretariat of the Assembly of States Parties Expected results, performance indicators and targets 2018

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2018</i>
Objective 1 Conference held as planned	<ul style="list-style-type: none"> • Meetings run smoothly and end on time, and reports are adopted. • All agenda items are considered. • Participants are supported substantively and logistically at meetings, including with registration, provision of documentation and language services. • Session participants are satisfied with the arrangements and information provided. 	n/a
Objective 2 Quality edited and translated documents released for processing, production and distribution in a timely manner	<ul style="list-style-type: none"> • States are provided and satisfied with quality conference services and with the editing, translation and timely issuance of documents, in four official languages,¹ which fully support them in their functions. • States are assisted as required, in particular with the provision of information and documentation regarding the Assembly and the Court. 	n/a
Objective 3 Quality legal advice provided to the Assembly and its subsidiary bodies	<ul style="list-style-type: none"> • States are provided with substantive legal services, especially in the form 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 via, <i>inter alia</i> , the internet	<ul style="list-style-type: none"> • Website and extranets of the Assembly, Bureau, Committee on Budget and Finance, and Audit Committee are used frequently. 	n/a

Annex V (g)

Major Programme VII-5 – Independent Oversight Mechanism Expected results, performance indicators and targets 2018

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2018</i>
Objective 1 Contribute to effective Court oversight through the timely and professional investigation of reports of non-compliance with Court regulations.	<ul style="list-style-type: none"> • Percentage of reports responded to within 20 working days 	95%
Objective 2 Assist the Assembly and Heads of Organs in ensuring the efficiency and effectiveness of Court operations by completing the requested inspections and evaluations.	<ul style="list-style-type: none"> • Percentage of agreed oversight activities completed on schedule 	95%

Annex V(h)

Major Programme VII-6 – Office of Internal Audit Expected results, performance indicators and targets 2018

<i>Expected results</i>	<i>Performance indicators</i>	<i>Target 2018</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 performed against the validated audit work plan	A minimum of 5 audits

¹As of 2009, official documents for the Assembly are issued in four official languages only: Arabic, English, French and Spanish.

Annex VI**Staffing information****Annex VI (a)****Proposed Court staffing in 2018 by Major Programme**

<i>Total Court</i>	<i>USG</i>	<i>ASG</i>	<i>D-2</i>	<i>D-1</i>	<i>P-5</i>	<i>P-4</i>	<i>P-3</i>	<i>P-2</i>	<i>P-1</i>	<i>Total P-staff and above</i>	<i>GS-PL</i>	<i>GS-OL</i>	<i>Total GS-staff</i>	<i>Total Staff</i>
Major Programme I					4	4	20	12		40	1	12	13	53
Major Programme II	1	1		3	20	37	80	85	29	256	1	79	80	336
Major Programme III		1		3	22	43	84	90	5	248	16	310	326	574
Major Programme IV				1	1	1	1	1		5	2	3	5	10
Major Programme VI				1		4	2	4		11		2	2	13
Major Programme VII-5					1	1		1		3		1	1	4
Major Programme VII-6				1		1	1			3		1	1	4
Grand Total	1	2		9	48	91	188	193	34	566	20	408	428	994

Annex VI (b)**List of reclassifications 2018**

<i>Number of Posts</i>	<i>Level</i>		<i>Organ/Section</i>	<i>Functional Title</i>	
	<i>Current</i>	<i>New/Requested</i>		<i>From</i>	<i>To</i>
1	P-3	P-4	Judiciary/Presidency	External Relations Adviser	Senior Special Assistant to the President
<i>Total Judiciary Reclassification:</i>			<i>1</i>		
1	P-4	P-5	OTP/The Prosecutor	Senior Special Assistant to the Prosecutor	Chef de Cabinet
1	P-4	P-5	OTP/JCCD	International Cooperation Adviser	Senior Legal Adviser
1	P-3	P-4	OTP/Investigation Division	Forensic Officer	Senior Forensic Officer
8	P-1	P-2	OTP/Prosecution Section	Assistant Trial Lawyer	Associate Trial Lawyer
<i>Total OTP Reclassification:</i>			<i>11</i>		
1	GS-OL	GS-PL	Registry/PIOS	Online Communications Assistant	Senior Online Platforms Manager
<i>Total Registry Reclassification:</i>			<i>1</i>		
1	GS-PL	GS-OL	SASP	Meetings and Administrative Assistant	Meetings and Administrative Assistant
<i>Total SASP Reclassification:</i>			<i>1</i>		
Total Reclassifications:			14		

Annex VI (c)**List of conversions 2018 (GTA to Established posts)**

<i>Number of Posts</i>	<i>Level</i>	<i>From 2017</i>	<i>To 2018</i>	<i>Programme / Section</i>	<i>Functional Title</i>
1	P-3	GTA	Established posts	Presidency	Legal Officer
<i>Total Judiciary Conversions:</i>		<i>1</i>			
1	P-5	GTA	Established posts	The Prosecutor	Information Management Coordinator
1	P-2	GTA	Established posts	Services Section	Associate Administration Officer
1	P-3	GTA	Established posts	JCCD	International Cooperation Adviser
1	GS-OL	GTA	Established posts	JCCD	Legal Assistant
3	P-3	GTA	Established posts	Investigation Division	Analyst
5	P-2	GTA	Established posts	Investigation Division	Associate Investigator
1	GS-OL	GTA	Established posts	Investigation Division	Witness Management Assistant
1	P-1	GTA	Established posts	Prosecution Division	Case Manager
2	P-4	GTA	Established posts	Prosecution Division	Trial Lawyer
<i>Total OTP Conversions:</i>		<i>16</i>			
1	P-2	GTA	Established posts	STFV	Associate Executive Officer
2	P-2	GTA	Established posts	STFV (DRC / Bunia)	Associate Field Programme Officer
1	P-2	GTA	Established posts	STFV	Associate Programme Officer
<i>Total STFV Conversions:</i>		<i>4</i>			
Total Conversions:		21			

Annex VI (d)**List of conversions/reclassifications 2018 (GTA to established Posts)**

<i>Number of Posts</i>	<i>Level</i>		<i>Current</i>		<i>Programme / Section</i>	<i>Functional Title</i>	
	<i>From 2017</i>	<i>To 2018</i>	<i>Current</i>	<i>New / Requested</i>		<i>From</i>	<i>To</i>
3	GTA	Established post	P-1	P-2	Prosecution Division	Assistant Trial Lawyer	Associate Trial Lawyer
Total conversions/reclassifications:		3					

Annex VI (e)**Changes to the Staffing Table**

<i>Number of Posts</i>	<i>Level</i>	<i>Functional Title</i>	<i>2017 Approved Budget</i>	<i>2018 Proposed Budget</i>
1	P-4	Financial Investigator	Counsel Support Section	External Operations Support Section
Total Registry Redeployments:		1		

Annex VI (f)

Judges' salary and entitlements for 2018

<i>Presidency:</i>	<i>Costs (thousands of euro)</i>
Special allowance for President and Vice-Presidents	28.0
<i>Subtotal Presidency</i>	28.0
Chambers: 18 Judges	
Standard salary costs - 18 Judges	3,240.0
Judges' pensions ¹	1,396.0
<i>Subtotal Chambers</i>	4,636.0
Accruals for annual leave	106.2
Accruals for relocation	189.6
Estimates of home leave and education grant expenses	215.3
Service incurred injury insurance - Court requirement	36.0
Estimated costs of appointment for newly elected Judges	310.0
<i>Subtotal Additional requirements</i>	857.1
Total Judges' salary and entitlements for 2018	5,521.1
Requested increase to Judges' salaries (subject to approval)	580.9
Total increased Judges' salary and entitlements for 2018	6,102.0

¹ Estimate by Allianz based on notional assumptions about the ages and family circumstances of judges due to be elected by the Assembly of States Parties. This estimate will need to be updated once details of the elected judges are available.

Annex VI (g)

2017 Proposed Programme Budget on Judges' Costs

Judges' costs

€5,922.0 thousand

1. The amount requested has increased by €580.9 (10.9 per cent). In terms of staff resources, the 2017 Judiciary budget represents a straightforward continuation of what the Assembly had approved for 2016, with a full complement of 18 judges for the whole of 2017, all on the revised pension scheme, with no further changes in the composition of the bench expected before March 2018.

2. For the first time in the 14 years of the Court's existence, the Judiciary budget includes a revision of the judges' remuneration in implementation of Resolution ICC-ASP/3/Res.3. The present "Conditions of service and compensation of judges of the International Criminal Court" ("Conditions of service") were adopted by the Assembly at its third session by Resolution ICC-ASP/3/Res.3 of 10 September 2004.¹ The Conditions of service entered into force upon adoption of Resolution ICC-ASP/3/Res.3² and stipulate that "[t]he annual remuneration of a judge shall be €180,000 net."³

3. As regards potential review or amendment, the Conditions of service set out that they "shall be reviewed by the Assembly as soon as practicable following the review of the conditions of service of the judges of the International Court of Justice by the General Assembly of the United Nations."⁴

4. To date, there has been no such review by the Assembly of the judges' Conditions of service in accordance with Section XIII of the Conditions of service, notwithstanding the repeated reviews of the conditions of service of the judges of the International Court of Justice ("ICJ") since 2004. The United Nations General Assembly reviewed the conditions of service and compensation for Judges of the ICJ in September 2004, July 2010 and again in July 2013.⁵ Annual remuneration for judges of the International Criminal Tribunal for the former Yugoslavia ("ICTY"), the International Criminal Tribunal for Rwanda ("ICTR") and the Special Tribunal for Lebanon ("STL") has also increased over the past years in accordance with their respective compensation schemes, which follow the ICJ model.⁶ The salaries of other elected officials at the ICC have also been regularly increased over the years (see annex VI(f)). However, the salaries of the Court's judges have remained unchanged since 2002.

5. As a result, as of 2009 the Court's judges remuneration began to fall behind those of other international judges, despite there being no qualitative difference between their respective tasks. This difference in 2016 has accumulated to more than €26,000 per year (€180,000 for a judge of the International Criminal Court, compared to €206,270 for a judge at other international courts/tribunals (see annex VI (f)).

6. The requested adjusted annual remuneration of the Court's judges in implementation of Resolution ICC-ASP/3/Res.3, and the consequent salary alignment of the judges of the Court with the remuneration scheme of the judges of the ICJ and other international courts and tribunals, will amount to an increase in judges' costs of €580.9 thousand (10.9 per cent).⁷

¹ Resolution ICC-ASP/3/Res.3, para. 22 and annex.

² The Conditions of service supersede the conditions of service and compensation of full-time judges set forth in Part III.A of document ICC-ASP/2/10, see Resolution ICC-ASP/3/Res.3, annex, Section XII.

³ Resolution ICC-ASP/3/Res.3, annex, Section III. (Emoluments), para. 1. Paragraph 2 stipulates that "[t]he President shall receive a special allowance paid at the rate of ten (10) per cent of the President's annual remuneration. Based on the remuneration above of €180,000 net, the special annual allowance shall be €18,000 net."

⁴ Resolution ICC-ASP/3/Res.3, annex, Section XIII. (Revisions). The Conditions of service also provide that "[p]ensions in payment shall be automatically revised by the same percentage and at the same date as remuneration adjustments.", *ibid.*, Section V. (Pension scheme), para. 2.

⁵ See *Conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice and judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda*, A/65/134, Report of the Secretary-General of 15 July 2010; *ibid.*, A/68/188, Report of the Secretary-General of 25 July 2013.

⁶ Article 13(3) of the ICTY statute provides that the terms and conditions of service of its judges shall be the same as those for the judges of the ICJ. Article 12bis(3) of the ICTR statute links the terms and conditions of service of its judges to those of the ICTY. The STL follows a comparable regime leading to similar salaries.

⁷ This amount is constituted by an approximate amount of €472.9 thousand following the alignment of the salaries of the Court's judges with the remuneration scheme of the judges of the ICJ; an additional estimated

Annex VI (h)

Standard salary costs for 2018 - Professional and General Service staff at Headquarters (thousands of euro)

<i>Post level</i>	<i>Net salary</i>	<i>Common staff costs</i>	<i>Representation allowance</i>	<i>Total</i>
	<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(1)+(2)+(3)=(4)</i>
USG	173.8	68.6	4	246.4
ASG	159.0	63.4	3	222.4
D-1	134.3	56.2		190.5
P-5	117.1	48.9		166.0
P-4	103.3	43.2		146.5
P-3	85.8	35.8		121.6
P-2	70.5	29.5		100.0
P-1	70.5	29.5		100.0
GS-PL	62.6	26.2		88.8
GS-OL	51.4	21.5		72.9

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>			
	<i>(0%)</i>	<i>(5%)</i>	<i>(8%)</i>	<i>(10%)</i>
USG	246.4	234.1	226.7	221.8
ASG	222.4	214.4	207.4	202.9
D-1	190.5	181.0	175.3	171.5
P-5	166.0	157.7	152.7	149.4
P-4	146.5	139.2	134.8	131.9
P-3	121.6	115.5	111.9	109.4
P-2	100.0	95.0	92.0	90.0
P-1	100.0	95.0	92.0	90.0
GS-PL	88.8	84.4	81.7	79.9
GS-OL	72.9	69.3	67.1	65.6

€72.5 thousand for necessary pension alignments as per Resolution ICC-ASP/3/Res.3, annex, Section V, para. 2; and other relevant cost items regarding judges' entitlements.

Annex VII

Proposed budget for 2018 for the African Union Liaison Office (AULO)

In line with resolution ICC-ASP/9/Res.4, IX of the Assembly of States Parties,¹ no resources have been allocated to the African Union Liaison Office in the proposed programme budget for 2018. Should the African Union agree to the Court's request to open a Liaison Office in Addis Ababa, the Court will notify the Committee of the need to access the Contingency Fund up to the amount in the Court's proposed budget for 2018 of €376,500 in order to proceed with the establishment of the said Liaison Office.

1320 African Union Liaison Office	2016 Expenditures (thousands of euro)			2017 Resource changes			Proposed 2018 Budget (thousands of euro)
	Total	Cont. Fund	Total incl. CF	Approved Budget	Amount	%	
<i>Judges</i>							
Professional staff							171.5
General Service staff							65.6
<i>Subtotal staff</i>							237.1
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							371.2

Annex VIII

2018 estimated income statements

Least-Developed Countries Trust Fund

Item	Euro
Estimated income 2018	
Donor contributions	25,000
<i>Subtotal income</i>	25,000
Estimated expenditure 2018	
Travel	21,100
Administration costs	3,900
<i>Subtotal expenditure</i>	25,000
Net income 2018	0

¹ Official Records... Ninth Session ... 2010 (ICC-ASP/9/20), vol. I, part III, ICC-ASP/9/Res.4.

Annex IX

IT-IM strategy annex

Information Technology and Information Management at the International Criminal Court: Five-Year Strategy (2017-2021)

A. Introduction

1. The International Criminal Court (“the Court”) has undertaken a thorough analysis of its existing Information Technology and Information Management (IT/IM) infrastructure across different organs and the associated immediate and long-term requirements. Since the Court was established, 15 years ago, a number of important IT/IM investments have been made to support its judicial, investigative and administrative operations. Specific investments in these areas include Ringtail, the software implemented in 2004 to support the registration, disclosure and presentation of evidence. SAP and TRIM/HP Records Manager, also introduced in 2004, have supported administrative and judicial operations, respectively. The ECOS platform, developed in 2006, has been used to manage Court activities ranging from courtroom sessions to detention visits and scheduling.

2. A number of these systems have become obsolete – or are expected to become obsolete in the near future – as they reach their end of life or become out-dated. Ringtail, which cannot process electronic evidence, is already outdated. Similarly, SAP will need to be upgraded to a new version in 2021, as the current version will no longer be supported by the vendor.

3. Moreover, the Court has grown significantly since it was established, and this has had an impact on its IT requirements as well as the volume of data generated. Specifically, there are requirements in areas such as digital evidence collection, information security and information management that are only partially met by the existing systems.

4. To address these challenges, the new Court-wide approach to IT/IM has led to a new governance structure and the establishment of the Information Management Governance Board (IMGB) as part of the synergies exercise, resulting in the present Five-Year IT/IM Strategy. This strategy offers comprehensive solutions that maximize the reusability of systems and are, overall, less costly than continuing with the current IT/IM infrastructure. They also lead to more efficient internal processes.

5. Having IT/IM requirements governed by a strategy will cost the Court €1.23 million less over the relevant five-year period than continuing without a strategy in place. Savings will be generated mainly by using systems that can be mainstreamed across organs and removing duplicate systems where possible. Savings will also result from cheaper storage solutions that have recently become available. Further details of the total cost savings to be achieved through the Five-Year IT/IM Strategy are described below.

B. Court-wide IT/IM requirements

6. The Court’s detailed Five-Year IT/IM Strategy for 2017-2021 (“the Strategy”) is the result of extensive cross-organ consultation to address persistent inefficiencies and operational silos. The purpose of the Strategy is to utilize IT/IM to: (a) implement a more centralized approach while replacing major systems that are becoming obsolete; (b) use new, cheaper technologies, where applicable, to minimize cost increases in IT/IM infrastructure maintenance; (c) address information management and security issues; and (d) help the Court operate more efficiently, for instance by reducing the time required to conduct investigations and judicial proceedings, from pre-trial through to reparations.

7. The centrepiece of the Strategy is the Judicial Workflow Platform. At present, the technologies that support the phases of judicial proceedings are not integrated; information is stored in many locations and is duplicated. As a result, Chambers, Prosecution, Defence and Victim Representatives rely heavily on manual effort to review, collate and manage information relevant to their cases. The Strategy provides a blueprint of the means required

to enable the Court, as a whole, to operate efficiently and transparently in a sustainable and secure environment.

8. An overview of the goals of the Strategy is shown below. The essential requirements are divided into two major categories: “functional” and “foundational”. The “functional” category refers to a high-level grouping of Court processes, broken down into investigative, judicial and administrative requirements. The “foundational” category refers to activities that form the basis for the Court’s functioning as a whole, specifically information management, information security and IT optimization. The Strategy is meant to achieve each of the points enumerated in the functional and foundational categories below by 2021.

<i>Functional</i>		
<i>Investigative</i>	<i>Judicial</i>	<i>Administrative</i>
<ul style="list-style-type: none"> • Efficient data capture and analysis leading to design and implementation of investigative strategies • Case information and evidence captured, managed and presented in the courtroom in original digital format • Consolidated case and witness management from initial situation stages through to litigation 	<ul style="list-style-type: none"> • Simplified and more efficient processes for disclosures, filing and transcript management • Consolidated access to case information for all participants via the litigation platform • Efficient and scalable courtroom management to accommodate simultaneous trials 	<ul style="list-style-type: none"> • Administrative processes standardized and automated to maximize efficiency • Management solution in place to plan, track and report on progress • Availability and accessibility of data to support monitoring of and reporting on the Court’s Key Performance Indicators
<i>Foundational</i>		
<i>Information Management</i>	<i>Information Security</i>	<i>Optimising IT</i>
<ul style="list-style-type: none"> • Information captured once for multiple re use by authorized staff and external parties • Information governed and managed systematically throughout its life cycle, from creation to archiving • Access provided to evidential and Court records to enhance knowledge and practice of international criminal justice 	<ul style="list-style-type: none"> • Development of a strong security culture, with staff and parties aware of their information protection responsibilities • Visibility of internal and external threats and capacity to respond to reduce or negate impact on the Court • Risk based security assurance for processes and technology 	<ul style="list-style-type: none"> • IT systems built to last, based on open-standard technologies and architectures • Resources maximized through consistent governance and standardized processes to plan, deliver and support IT services • Reduction of at least 5% in ongoing non-staff operational costs by 2021

9. In 2017, the Coordination Council (“CoCo”) agreed to proceed with IT/IM as a strategic priority. This allowed the initial strategic work to begin in year one. Among the requirements put forward for IT/IM, the emphasis has been on initiatives that will generate efficiencies as soon as possible and deliver the most benefit to the Court in line with the Strategy. The following priority initiatives were agreed for 2017:

(a) Investigative: test a new system to make electronic evidence registration more efficient and thereby reduce the bottleneck in evidence processing;

(b) Judicial: continue work on the Case Law Database to increase productivity in legal research and case preparation. Assess and compile high-level requirements for redesign of the judicial workflow process to enhance the efficiency of proceedings;

(c) Administrative: streamline and automate administrative processes such as leave management, performance management, financial and budget forecasting and mission planning;

(d) Information Security: implement a Threat Intelligence Platform for automated monitoring and detection of suspicious activity on the Court’s network (crucial given the global increase in viruses and malware); and

(e) **IT Optimization:** reduce the cost of IT maintenance by investing in more sustainable and longer-lasting solutions, and by consolidating the management of network and storage solutions to reduce overheads.

10. Initiatives for 2018 have been prioritized on the basis of the same considerations. The proposed 2018 budget for the Strategy includes €1,409.9 thousand in non-staff costs and €246.5 thousand in staff costs, mostly funded by the Registry, with a portion covered by the Office of the Prosecutor (OTP) (€180 thousand). The proposed budget incorporates the strategic initiatives for year two of the Strategy and builds on the work completed in 2017:

(a) **Investigative:** €50 thousand (non-staff costs), co-funded by the Registry (€670 thousand) and the OTP (€180 thousand). The largest component of funding requested in 2018 is for investigative requirements. In recent years, the proportion of digital evidence collection by the Court has increased from nought to more than 80 per cent. It is expected to rise to 100 per cent by 2020. Existing systems, and Ringtail in particular, were not designed to deal with digital evidence. This has led to a significant bottleneck in evidence processing. The following initiatives have therefore been prioritized as a package to shorten the time required for the acquisition, analysis and processing of evidence.

(i) *Automated Evidence Extraction Implementation* – Replacing the manual extraction of evidentiary information, which can be both time-consuming and error-prone, with a solution that automates the extraction of information based on certain criteria will reduce the effort needed to prepare evidence. It will also help generate more investigative leads.

(ii) *Remote Witness Recording* – This will allow the remote recording and processing of witness statements in the field from Headquarters, thus saving on travel expenses by reducing the need to travel to the field. This will also simplify the handling of audio-visual witness testimony.

(iii) *Forensics Tool Improvements* – This refers to the implementation of anonymous browsing (WASP), forensics capture (SCREEN) and automatic collection of information from the Internet (OSINT). These solutions will provide the forensic capability to capture evidence from open sources and contribute to the efficient collection of digital evidence while simultaneously increasing the number of investigative leads.

(iv) *Evidence Management Implementation* – This relates to the deployment of the OTP's evidence management system in a way that supports the process of the entire evidence lifecycle and aims to significantly reduce the effort required to process digital evidence. It will also reduce "time-to-court" by speeding up the delivery of cases and lightening the legal review workload.

(b) **Judicial:** €226.5 thousand (€80 thousand in non-staff costs; €146.5 thousand in staff costs). The initiatives planned for 2018 will focus on the collection of detailed requirements for the new Judicial Workflow Platform and the victim application process, in addition to implementing workflows to improve core judicial processes. The amount under staff costs reflects the post of eCourt Project Manager (P-4), which was approved by the Committee on Budget and Finance for 2017 but left unfunded.

(i) *Electronic Collection of Victim Applications* – This will allow victims' applications to be collected in electronic format via mobile devices, reducing the time and effort needed to process them. It will also reduce the costs of managing applications, as electronic records are easier and cheaper to handle than paper-based ones.

(ii) *Judicial Workflow Platform (JWP)* – This refers to the work of the eCourt Project Manager specific to the JWP project, which is an essential element of the Strategy. The JWP aims to provide end-to-end support for the work of Chambers and litigating parties, from pre-trial to reparations, using advanced processes and technology to make the proceedings more efficient and transparent. For 2018, the focus of the JWP will be to verify, in consultation with the Judiciary and all parties and participants in proceedings, the detailed requirements that will be used as basis to design the new workflows. Specifically, information that is used by different

parties will be entered once and stored in a unified system, enabling faster information retrieval and reducing the workload on staff.

(c) **Administrative:** €399.9 thousand (€299.9 thousand in non-staff costs; €100 thousand in staff costs to continue funding one GTA position in the Registry's Division of Management Services to assist the SAP team in implementing the relevant projects).

(i) *Implement General Ledger* – This refers to the implementation of the new functionalities of the SAP General Ledger, which allows for automatic bookkeeping and reporting in compliance with International Public Sector Accounting Standards (IPSAS), minimizing the need for manual accounting adjustments.

(ii) *Web-based approval of administrative processes* – This is the ability to approve staff leave requests through a web-based interface or from a mobile device, for faster and easier recording of administrative data. The web-based interface will also improve user-friendliness.

(iii) *Payroll process improvements* – The implementation of automatic instead of manual checks for payroll activities will contribute to more accurate results, with fewer errors and salary recalculations.

(iv) *Mission planning implementation* – The aim of this initiative is to integrate mission planning activities and controls within SAP to eliminate the duplication of effort required to enter travel information into multiple systems. This will reduce the time and effort needed for mission management across all organs of the Court. For staff members, it will simplify the travel plan they are required to submit. This is a time-saver for staff, and particularly for those who travel frequently, such as investigators.

(v) *Court-wide resource planning and reporting* – This refers to the tracking of activities, resources assigned and progress reports to provide management with a better overview and to facilitate decision-making. It will enable real-time reporting on activities and foster improved staff performance through planning and monitoring.

(d) **Information Security:** total of €180 thousand (non-staff costs). Although the “foundational” category, as explained above, covers the areas of Information Management, Information Security and IT Optimization, the projects envisaged for 2018 are all focused on Information Security.

(i) *Vulnerability and Patch Management extension* – The early identification and removal of technical vulnerabilities in the Court's systems and networks is a highly effective way to reduce the likelihood of cyberattacks and other security breaches. This tool will be extended to include computers and mobile devices not directly connected to the Court network (e.g. field office hardware and Court-issued mobile devices/smartphones).

(ii) *Network access control and access management* – This is the ability to ensure that computers meet minimum criteria (such as using up-to-date anti-virus scanners and security patches) to prevent weaknesses being introduced into the network. Additionally, a centralized tool to manage user access to information is particularly important to prevent any unauthorized use, and likewise any misuse, of information. Because of the multiple systems and devices involved, an automated tool is required. Undertaking this initiative manually would greatly increase the risk of error.

(iii) *Separation of business-critical networks from the Internet* – Having the Court's networks connected directly to the Internet brings disadvantages as well as benefits. One disadvantage is that the Court's networks are directly exposed to cyberattacks. The careful separation of the Court's most sensitive data systems from the Internet will help to reduce exposure to cyber threats.

(iv) *Cloud security broker* – The Court sees the benefits in making use of cloud services, which are more cost-effective, for data and services that have a lower confidentiality requirement. An essential part of using the cloud is protecting data

against unauthorized access. A cloud security broker is a system that mediates between cloud users and cloud applications to monitor all activity and enforce security policies, thereby ensuring that the Court's data remains secure.

(v) *Secure mobile communications (Court-wide roll-out)* – The Court needs to be able to communicate effectively via telephone and email. Specific low-cost commercial applications will be deployed on all Court-issued mobile devices to enable a variety of secure intra-device communications channels, including voice, video and text.

(vi) *Expansion of the Threat Intelligence Platform* – This platform, implemented in 2017, will be expanded to increase its ability to detect and predict behavioural anomalies within and beyond the Court's computer systems and networks, thereby enhancing the value of the intelligence provided by the system. This increased capability will also greatly boost the Court's ability to detect and respond to security risks caused by human behaviour.

(vii) *Penetration testing* – A trusted third-party provider will conduct a series of tests on the defensive and responsive security controls applied to the Court's information systems, networks and processes. The third party will identify and communicate any weaknesses, and these will form the basis for subsequent improvements.

(viii) *Automated information security classification* – The effective categorization and security classification of information is key to implementing cost-effective and efficient controls to protect information. An automated process to assist with the security classification of routine information (e.g. emails) reduces the costs involved with overprotecting non-sensitive information and improves the accuracy of information classification.

(ix) *Migration of Court staff workstations and laptops to Windows 10* – This is required to keep the Court's email, office applications and databases compatible with the latest security patches, and provides the latest possible protection for the Court's systems and devices.

11. Below is a table detailing the Strategy-related costs for each initiative described in paragraph 10 above.

<i>IT/IM Strategy related resources - 2018 (in thousands)</i>	<i>Staff costs</i>	<i>Supplies and Contractual</i>		<i>Total</i>	
		<i>Equipment</i>	<i>materials</i>		<i>services</i>
Non-staff Costs					
<i>Investigative specific requirements</i>		570.0	180.0	100.0	850.0
Evidence Extraction Implementation			50.0		50.0
Remote Witness Recording		20.0	100.0		120.0
Forensics Tool Improvements		150.0			150.0
Evidence Management Implementation		400.0	30.0	100.0	530.0
<i>Judicial requirements</i>		20.0		60.0	80.0
Electronic Victims Application Collection		20.0		60.0	80.0
<i>Administrative requirements</i>				299.9	299.9
Implement General Ledger				100.0	100.0
Web based approval of admin processes				20.0	20.0
Payroll process improvements				25.0	25.0
Mission planning implementation				104.9	104.9
Court-wide resource planning and reporting				50.0	50.0
<i>Information security requirements</i>		140.0		40.0	180.0

<i>IT/IM Strategy related resources - 2018 (in thousands)</i>	<i>Staff costs</i>	<i>Supplies and Contractual</i>		<i>Total</i>
		<i>Equipment materials</i>	<i>services</i>	
Vulnerability and patch management		8.0		8.0
Network access control and access management		30.0		30.0
Separation of Internet			10.0	10.0
Implementation of cloud security broker		30.0		30.0
Secure mobile communications		27.0		27.0
Threat intelligence platform extension		25.0		25.0
Penetration testing			20.0	20.0
Automated information security classification		20.0		20.0
Migration to Windows 10			10.0	10.0
<i>Total Non-staff Costs</i>		<i>730.0</i>	<i>180.0</i>	<i>499.9</i>
Staff Costs				
<i>Judicial requirement</i>				
GTA Ecourt JWP Project Manager	146.5			
<i>Administrative requirement</i>				
GTA SAP Team	100.0			
<i>Total Staff Costs</i>	<i>246.5</i>			<i>246.5</i>
Total 2018 IT/IM Strategy related resources	246.5	730.0	180.0	499.9
				1,656.4

12. It should be mentioned that the Strategy also includes a number of initiatives that will be undertaken through in-house solutions and hence require no additional funds. For instance, in the area of information management, the work planned for 2018 utilizes only existing staff resources. The key outcomes for 2018 in this area are expected improvements in organizing, sharing and preserving information: specifically, identifying duplicate records and eliminating redundant versions of documents. This will minimize the possibility of using or sharing the wrong information and will contribute to more efficient data retrieval across investigative, judicial and administrative processes. It will also reduce data storage (and possibly archiving) costs by freeing up space.

C. Benefits of the Strategy over the five-year period

13. The Strategy is a concrete value-for-money approach to allocating the Court's staff and non-staff resources in a way that will improve the efficiency of investigations, judicial proceedings and administrative support activities. The initiatives that have been agreed on Court-wide are specifically designed as a coherent package to address bottlenecks and achieve further efficiencies across the Court. They are expected to speed up execution, eliminate duplicate systems and contribute to a more effective allocation of resources to focus on the Court's core mandate.

14. Were the Court not to follow a strategic approach to planning, delivering and supporting IT/IM services, it would expend more resources without addressing the requirements for improving the Court's operations. It is estimated that – in the absence of the Strategy – the Court would spend €1.23 million more over the same five-year period. The composition of this amount is explained in the following paragraphs.

15. By building on changes made in the data storage model in 2017, the Court will save €1.5 million over the next five years on capital investments required to maintain its storage capacity. These savings will be made possible by the use of different types of storage such as on-site and vendor-managed storage (cloud storage). The latter costs less but can only be used for non-sensitive information. The Court previously stored all information on-site,

which was more expensive. With the availability of cloud storage and the correct classification of information, the Court can distinguish between different information needs and save on costs by using a cheaper storage solution.

16. Introducing strategic governance into the way the Court runs its IT/IM resources will contribute another €1.4 million in operational savings over the next five years. These savings will result from the use of centralized information systems that can be accessed across organs, and from the removal of duplicate systems where possible.

17. The approach introduced by the Strategy does have some extra costs associated with it. The Court will spend €0.7 million to replace obsolete systems to accommodate new solutions addressing the functional and foundational goals described in paragraph 8 above. Additional funds are required to approach replacements in a holistic way, introducing new systems that can be reused in other processes to maximize efficiencies.

18. The Strategy also requires €0.99 million in staff costs to implement it over the next four years. A total of €0.59 million is required for the remaining period covered by the Strategy, until 2021, to finance a new project manager post to supervise the deployment of the cornerstone of the Strategy: the new JWP described above. The remaining €0.40 million will be required to continue funding a post on the SAP team to manage process and technology improvements in the Court's administrative operations until the end of 2021.

D. Conclusion

19. The Court's IT environment and the data it contains are key assets, like the Court's staff or premises, without which the Court cannot function. Indeed, *all* Court activities rely on IT/IM systems. But the Court's IT/IM environment is not static; it must accommodate both the volume of users and the volume of data. Furthermore, as technology advances, systems in use at the Court become obsolete over time or incompatible with other important systems. In addition, all types of hardware relied upon as a platform for Court applications have finite lifespans. When the lifespan of a piece of hardware expires, the reliability of the systems running on it is compromised, leading to process interruptions and data loss. These scenarios are costly for the Court from an operational, financial and reputational perspective. A healthy IT/IM environment demands both regular maintenance and periodic major investment.

20. The Strategy described in this document is based on a more effective use of budgetary resources. The initiatives proposed over this five-year period will produce tangible outcomes and enhance the Court's operations. The OTP will see a reduction in the time and effort required to conduct investigations. 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 defence and victims' counsel, to support victim participation, and to serve the other organs of the Court by contributing directly to the fairness and effectiveness of proceedings. 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.

Annex X

Savings and efficiencies achieved in 2017 and estimations for 2018

1. The following information was requested by the Committee on Budget and Finance (“the Committee”) at its twenty-eighth session¹. This annex details the work carried out by the International Criminal Court (“the Court”) in its efforts to find efficiencies and savings to finance unavoidable increases in resource requirements without increasing the programme budget. Unfortunately, with staff accounting for about 70 per cent of costs in most areas, efficiency improvements are often only achieved by improving the use of staff time within the same staff cost budget envelope. For example, reducing the number of meetings allows people to spend more time on other mandated activities and increases productivity. Such efficiencies are linked to percentages of staff time, which improves resource utilization but does not reduce the budget baseline or create savings. Where possible, savings (actual budget reductions) have also been identified and are proposed to reduce the Court’s budget baseline. All of the activities described below were considered in drafting the 2018 proposed programme budget and are included, to the extent possible, to compensate for increases.

2. For ease of presentation, this annex is split into sections addressing four types of efficiencies and savings initiatives:

(a) *Process improvements*, for when the Court has made changes to existing processes that have resulted in cheaper or more efficient solutions;

(b) *Technology*: better process support, for when the Court makes use of new technologies to improve the efficiency of its operations;

(c) *Staff time*, for changes that allow the Court to make better use of its current staff by, for example, reallocating them to more relevant activities; and

(d) *Training resources*, for changes to the way training is provided, limiting the need for additional resources.

A. Process improvements

<i>MP</i>	<i>Programme</i>	<i>Section</i>	<i>Description</i>	<i>Achieved Output</i>	<i>2017</i>	<i>2018</i>
I	1100	1100 - Presidency	Careful planning of a trip to Asia incorporated stops in several countries to maximize efficiency and reduce the need for separate trips.	Reduced travel and DSA costs by replacing three separate trips with one combined trip to the region.	5.3	
			The Judiciary has established a practice of requesting that any party inviting a judge to attend an event on behalf of the Court cover the costs of the trip, including travel, accommodation, catering and other related costs.	Partial or total coverage of travel, accommodation, local transportation and catering costs associated with trips to represent the Court.	8.0	8.0
<i>I Total</i>					<i>13.3</i>	<i>8.0</i>
II	2100	2120 - Services Section	Digital Disclosure. Files used for disclosure were previously copied onto physical disks. A new procedure now in place no longer requires burning the information onto CDs. This has decreased the quality issues previously experienced and saved the time of the staff involved in the review process.	CDs no longer used.	0.4	0.4

¹ CBF 28, para. 16.

<i>MP</i>	<i>Programme</i>	<i>Section</i>	<i>Description</i>	<i>Achieved Output</i>	<i>2017</i>	<i>2018</i>
				One day per month of P-1 staff spread across different units.	5.4	5.4
	2300	2310 - Deputy Prosecutor for Investigations	Accommodation for investigators and field operations: Identify most economical solution for staff accommodation and places to conduct operations. For CAR, move from Ledger hotel to the JM Residence. Limitations: Security and protection requirements; availability of suitable locations.	Difference in costs between hotel and more economical accommodation for four Investigators and two interpreters, with occupancy of 30 nights per month.	81.9	140.4
<i>II Total</i>					<i>87.7</i>	<i>146.2</i>
III	3200	3210 - Office of the Director, DMS	Currently, the Court uses the services of one external Field Paramedic. The Field Paramedic contract with an external company costs €187,821 per year. This contract can be terminated and the resources used internally to recruit an additional nurse (GS-PL) and an in-house Field Paramedic (GS-OL) to provide the same services as the external contractor while adding capacity to the Court's medical services.	The difference between the yearly cost of the external contract and the budgeted cost of internal resources replacing the company represents a saving. In addition, the increase in OHU internal resources provides additional flexibility for all other medical-related services to the Court.		22.2
		3240 - Finance Section	Efficiency in bank charges achieved by negotiating preferential rates (compared to standard bank rate) with the partner bank for the Court's international transfers.	Price reduction negotiated with the partner bank. The Court was able to negotiate a reduced rate of €4 per international transfer compared to the standard bank rate of €12.50. This avoided a cost increase of €27,000.	27.0	27.0
			Inviting trainer to provide specialized financial training at the Court's premises instead of sending individual staff for training.	Savings achieved by spending less on staff travel for training. Additionally, more staff are trained when training is conducted at the Court's premises.	2.0	2.0
		3250 - General Services Section	Close monitoring of all facilities management contracts, as well as rigorous procurement processes, led to a reduction in some contract costs compared to estimates by a Dutch government agency and the Permanent Premises Project building contractor.	In particular, it was possible to achieve lower-cost contracts for utilities, cleaning, garbage removal, pest control, plumbing services and indoor plant maintenance.	235.6	235.6
		3290 - Security and Safety Section	New approach for the vetting of staff members, interns, visiting professionals and contractors, including outsourcing options (i.e. employment and education verification) for candidates for established posts or GTA positions. It is estimated that there will be approximately 200-250 fewer outsourced checks per annum. Further cost savings will also be made by limiting the number of components required for checking and thereby reducing time spent on each vetting process.	It is expected that the implementation of the new approach to vetting will result in savings of 25%.	11.5	11.5

<i>MP</i>	<i>Programme</i>	<i>Section</i>	<i>Description</i>	<i>Achieved Output</i>	<i>2017</i>	<i>2018</i>
3300		3325 - Information Management Services Section	Decrease desk phone consumption costs by providing advice on use of messaging services and email (over Wi-Fi).	Decrease in desk phone consumption costs.	70.0	70.0
			Decrease mobile costs by providing advice on proper usage and encouraging the use of secure VPN. Review the current allocation of mobile devices to ensure it is still fit for purpose. Report on usage of mobile devices at Section level.	Lower mobile phone costs both at HQ and in the field.	100.0	100.0
			Decrease equipment rental expenditures at Nairobi Field Office because of proposed office closure.	No equipment rental expenditures for Nairobi Field Office.	22.4	22.4
			Decrease reliance on external consultants for maintaining and supporting the Court's public website. Achieved by standardizing technology and transferring knowledge in-house.	Decreased use of consultancy to maintain and support the Court's public website.	28.0	28.0
			Decreased reliance on external consultants to support courtroom audio-visual technology. Achieved through staff training and knowledge transfer.	Decreased use of consultancy to maintain courtroom technology.	8.0	8.0
			Enable staff members to use their personal devices securely for receiving work email and calendar notifications ("Bring Your Own Device").	Decreased annual hardware maintenance costs.	10.0	10.0
			IMSS has re-assessed satellite communication needs in the field. On the basis of this analysis, a decision was made to standardize mobile communications on a single provider (Thuraya) and to decrease the number of stationary satellite internet terminals.	Contracts consolidated with single vendor and decreased number of satellite terminals, leading to lower communications costs in IMSS budget.	21.0	21.0
			Staff payslip page to be decommissioned; information will be available from SAP.	Time and materials used to maintain the payslip page can be eliminated.	-	-
			Together with two other Sections, IMSS has conducted an analysis of the number of licences being used for witness and investigation management processes. On the basis of the analysis, procurement and IMSS were able to negotiate a new contract with the vendor, enabling savings by reducing the number of licences.	Fewer licences led to decreased annual software maintenance and support costs in the IMSS budget. Consolidating two contracts for two different business units led to decreased overheads in comparison to managing two separate contracts for IMSS and procurement.	30.0	30.0
		3360 - Victims Participation and Reparations Section	VPRS and field offices have been streamlining communication and improving shared planning for VPRS-related activities in the field. Travel costs that were reduced by 50% in the 2017 approved programme budget will remain at zero growth despite a projected increase in relevant victim-oriented field activity.	Higher efficiency in VPRS field work at same travel budget as approved for 2017.	40.0	40.0

<i>MP</i>	<i>Programme</i>	<i>Section</i>	<i>Description</i>	<i>Achieved Output</i>	<i>2017</i>	<i>2018</i>
3800		3810 - Office of the Director, DEO	Strategic mission planning and systematic review of travel plans enabled exact travelling dates to be identified at least 30 days in advance. As a result, combined airfare was booked with a later return date for missions to field offices at a much lower rate, and mission plans were submitted in a timely manner.	Lower-than-average airfare was obtained for four missions to Africa, resulting in 20% savings on budgeted costs, while combining missions allowed for savings on four additional air travel tickets to Africa.	12.0	12.0
		3820 - External Operations Support Section	Improved inter-organ analyst coordination and consultation with the library has significantly reduced duplicate subscriptions and spending across organs.	More efficient information collection and cost-sharing on fees.	57.5	57.5
		3830 - Victims and Witnesses Section	A more flexible approach to relocation (ad hoc agreements instead of framework agreements) doubled the number of countries actively cooperating with relocations. Four new relocation agreements were signed in 2017 and one agreement is in the final stage of negotiation. Each acceptance implies a reduction in case management and ICCPP costs.	Cases for relocation are those that have been identified as having the highest associated risks; therefore, the cost of managing them day-to-day is constantly at the higher end of the scale. There have been additional relocations, leading to a reduction in general operating expenses as well as staff travel and general staff expenses.	200.0	200.0
			By enhancing the capabilities of staff in the field and recruiting qualified practitioners who are trained and supervised through clear governance structures, the management of most cases has been shortened from up to ten years to three years.	Reduction in the number of cases in ICCPP for over 3 years: this can already be seen in the exit of 22 cases so far in 2017; a total of 35 is expected by year-end. Time needed for the Registry to leave a field office will be reduced, enabling staff savings/redeployment (demonstrated in Kenya: two-year reduction in time for VWS to depart field office reduced by approximately two years (Sept 2017) and staff redeployed for efficiencies). In the future, case management costs over the life of existing cases will be halved (with due impact on time spent by staff).	550.0	550.0
			Less travel from HQ to the field as more staff have been committed to the field and empowered/trained as a result of the new structure. At the same time, a new standard procedure for missions was put in place, including a review of necessity and alternatives and centralization of scheduling.	The new structure generates fewer travel requirements for the Section, limiting the need for travel funds: 25% less is requested in the budget for travel in 2018.		266.0
			VWS staff trained by DRC IT assistant to use video-link equipment for witness familiarization. IT support no longer required during familiarization phase.	No requirement for IT assistant to travel to Bunia FO during witness familiarization phase. IT assistant provides technical support only on hearing days.	2.8	2.8

<i>MP</i>	<i>Programme</i>	<i>Section</i>	<i>Description</i>	<i>Achieved Output</i>	<i>2017</i>	<i>2018</i>
		3851 - FO - UGA	To reduce the number of missions undertaken by drivers, and related overtime, the following measure was put in place for in-situation missions: office drivers transport staff members to a hub, where SSA drivers pick them up and transport them to the mission location. They are supported there for the remainder of the mission. This efficiency measure saves funds that would otherwise have been paid as DSA to staff members.	To date, since January 2017, 47 missions have been conducted using the new methodology, saving on DSA costs.	8.9	8.9
		3852 - FO - DRC	Extrabudgetary funding opportunities have been identified in the DRC through regular contacts with the diplomatic community. A one-week training session for the DRC National Commission for Human Rights was financed outside of the regular budget, with OTP providing in-house technical expertise (OTP investigators facilitated the training).	The total cost of the project was €68,000, entirely supported by the French Embassy and international NGOs. This was a high-profile project for the OTP and the FO. It was conducted at no expense to the Court.	68.0	68.0
			In the past, persons travelling on Court business could decide to visit Ituri Province, DRC, using a Court vehicle from Kampala FO. Through synergies between the field offices in the DRC and in Kampala, travellers are now strongly advised to use the MONUSCO flight (free of charge) to visit Ituri from Kampala.	Average costs of vehicle use (fuel, maintenance) and DSA for Kampala drivers: approximately €600 per trip (€1,200 for a two-way trip). On the basis of past practice and predicted workload for 2017, the new policy will lead to a reduction of vehicle use in 2017 of approximately four missions (one per quarter), enabling a saving/synergy of €1,800 (4 x €1,200).	4.8	4.8
			In the past, video-links were facilitated by headquarters staff travelling to the DRC to support activities (one IT assistant and one court officer). Multidisciplinary staff members from the new field office structure are now able to cover the duties of the court officer, thereby limiting the need for travel.	No requirement for IT assistant to travel to Bunia FO during the witness familiarization phase. IT assistant provides technical support only on hearing days. DSA savings.	33.7	33.7
			Support provided to OPCV in Bunia to organize face-to-face meetings with 25 victims via video-links from Bunia FO. OPCV assistant and IT assistant present in Bunia. Chief of OPCV attended the meetings from The Hague.	Improved time management for OPCV, with less time spent on travel. Additional travel costs savings.	2.5	
		3857 - FO - CIV	With the closure of ONUCI operations in Côte d'Ivoire, cooperation between UNDP and the Court to procure goods and services will provide an economy of scale. The Court will piggyback on UNDP services contracts or use UNDP to procure goods and services.	Less time will be required to set up the contracts, as UNDP contracts are already pre-negotiated. The size of UNDP contracts (larger than the Court contracts) is also likely to generate economies of scales in negotiations.		
<i>III Total</i>					<i>1,545.7</i>	<i>1,831.4</i>
Total – Process Improvements					1,646.7	1,985.6

B. Technology

<i>MP</i>	<i>Programme</i>	<i>Section</i>	<i>Description</i>	<i>Achieved Output</i>	<i>2017</i>	<i>2018</i>
I	1200	1200 - Chambers	The creation of a Chambers-wide Case Law Database will increase efficiency when researching and analysing case law, streamlining the process of drafting decisions and judgments.	Removing the need for an outside consultant to build and maintain the database; increase in productivity of Chambers staff.	10.0	10.0
<i>I Total</i>					<i>10.0</i>	<i>10.0</i>
II	2100	2120 - Services Section	Acquisition and digitalization of evidence in IEU. Documents that were not previously properly captured by the old OCR system will be digitalized correctly and available for further processing and extraction. The obsolete equipment also required more frequent maintenance. The new application will reduce the time necessary to perform acquisition of paper documents.	Lower maintenance costs. More integrated systems. Reduction in staff time. Increased accuracy and reliability of document content.	8.6	8.6
			FPCU Portal-Online Request System. A new workflow to submit procurement or other requests (not including travel approvals) has been devised. The new online request system streamlines the entire process by collecting all the information in one depository system and eliminating the need for numerous emails requesting forms, additional information and documentation. The FPCU portal provides up-to-date information to requesters on the status of a request, reduces the need to print and facilitates access to statistical information. The site was launched on 7 April; 80 requests have been submitted as of today, 19 May 2017(five weeks).	Reduction in paper-based information plus reduction in number of emails. FPCU can now track requests from the origin and coordinate efforts with Registry/Procurement to ensure timely finalization of procurement of goods and services. Considering an average of 16 requests per week and, prior the launching of the system, the time it took to respond to queries via email, the time saved will be a minimum of one hour per request to capture all information required to enable FPCU to create a request in the system.	27.6	27.6
<i>II Total</i>					<i>36.3</i>	<i>36.3</i>
III	3200	3210 - Office of the Director, DMS	Currently, sick leave certification is a manual process. Filing of each sick leave certification takes approximately 15 minutes. 1,500 forms were processed manually in 2016 (approximately 50 working days per year). Automation of sick leave certification will enable staff to complete the certification process more quickly and efficiently.	Simplify and speed up the process for all staff, freeing up additional resources. The implementation of automated sick leave certification will also reduce the time spent by OHU on certification of sick leave.		15.8
		3230 - Budget Section	A new staff forecasting tool that allows better control of the forecasting process and generates more useful results was created at the end of 2016. It is now used by all organs of the Court.	Previously operated by the P-4 in the Section, requiring about five days of work per month, the new tool can now be operated by a G-5 three days a month. The efficiency achieved gives the P-4 more time to analyse data variation and take remedial action.	24.0	24.0

<i>MP</i>	<i>Programme</i>	<i>Section</i>	<i>Description</i>	<i>Achieved Output</i>	<i>2017</i>	<i>2018</i>
3300		3360 - Victims Participation and Reparations Section	The Victims Application Management System (VAMS) was integrated into the Court's new database, yielding better accessibility for field staff and easier information extraction for relevant stakeholders.	Enhanced functionality with the same resources as in previous years; synergies with IMSS. VAMS is used by two staff members at P-2 and GS-OL level.	4.4	4.4
3800		3810 - Office of the Director, DEO	Extensive use of video-links to conduct regular communications with the field offices, resulting in less travel to the field by the Director of the Division of External Operations and lower telephone communication costs.	The Director of the Division of External Operations reduced his travel to field offices by 40% and telephone communications between HQ and field offices by 50%.	7.8	7.8
		3851 - FO - UGA	Put in place a free interactive text-messaging platform designed to give victims, the communities affected by the crimes alleged in the case of Mr Dominic Ongwen, and the general population of Uganda the opportunity to follow the proceedings before the Court.	More than 1,000 text-message requests have been received since the launch of the platform; improved timing of responses to reach communities.	-	-
<i>III Total</i>					<i>36.1</i>	<i>52.0</i>
Total - Technology					82.4	98.2

C. Staff time

<i>MP</i>	<i>Programme</i>	<i>Section</i>	<i>Description</i>	<i>Achieved Output</i>	<i>2017</i>	<i>2018</i>
I	1100	1100 - Presidency	The Presidency is developing a guide to its administrative procedures in order to streamline its administrative work processes. This living document will allow its staff to devote more of their time to the core work of the Presidency.	Reduced time spent on administration and more time on the Presidency's core work.		
		1100 - The Presidency	Through efficient coordination within the Presidency, the External Relations Adviser (P-3) (instead of the Chef de Cabinet (P-5)) accompanied the President on a trip to Japan, Korea and Malaysia.	Working capacity of Chef de Cabinet (P-5) as compared with her substitute (P-3) on a 10-day trip.	2.1	
			Thanks to careful inter-organ cooperation between the Presidency (Judiciary) and the Victims Participation and Reparations Section (Registry), the Chief of VPRS (instead of the Presidency's External Relations Adviser (P-3)) accompanied the President on a trip to Uganda.	Travel and DSA costs for one External Relations Adviser for a trip to Uganda.	3.2	
	1200	1200 - Chambers	Chambers is implementing a policy of flexible assignment of staff resources to allow for staff to be moved to where they are most needed and thus reduce the need for additional staff.	Significant reduction in the number of additional staff required for Chambers to meet operational requirements.	-	-
			Chambers is developing a guide to its administrative procedures in order to streamline its administrative work processes. This living document will allow its legal staff to devote more of	Reduced time spent on administration and more time on Chambers' core work.		

<i>MP</i>	<i>Programme</i>	<i>Section</i>	<i>Description</i>	<i>Achieved Output</i>	<i>2017</i>	<i>2018</i>
			their time to the core work of the Chambers.			
			The Divisions within Chambers are working towards better identifying and collecting useful materials to assist staff in their development, and improved curation of research materials to avoid unnecessary duplication. The Trial Division is developing a document on working methods to identify best practices and give guidance on useful approaches from experience. The collection of existing and development of new materials, which will become more abundant as the body of work of Chambers grows, will help to familiarize staff with essential aspects of working in Chambers, decrease the necessary induction period for new staff and serve as a crucial guide to all staff serving in the Division.	Greater efficiency from an earlier date and streamlining work to avoid duplication.		
<i>I Total</i>					<i>5.3</i>	<i>-</i>
II	2100	2120 - Services Section	Contract preparation for field interpreters. Contracts for field interpreters were previously prepared on a mission basis, which entailed preparing one contract per mission per individual. FPCU has implemented a new format for these contracts that provides for engaging interpreters for a maximum number of days during the year. Fees are paid on the basis of actual utilization. With the new procedure, only one contract per interpreter is needed.	On average, 80 contracts were previously needed each year. An estimated 20% fewer contracts will be required and, in turn, less time will be spent in finalizing them.	47.1	47.1
			Field offices' accounts reconciliation. The number of account holders has increased by 50%. The same number of staff are used to reconcile the accounts.	More accounts reconciled with the same number of staff.	21.5	21.5
	2300	2310 - Deputy Prosecutor for Investigations	Reduce frequency of operations briefings from twice per week to once per week. Twice-weekly 45-minute ops briefing now held only once a week (for one hour). Meeting attended by D-1, P-5s, P-4s and P-3s (or their deputies). Approximately 45 meetings per year. Meetings now entirely focused on imparting and sharing key information required by Section heads and team leaders.	Efficiency gain measured by the time saved by all staff involved, with a 50% reduction in the number of meetings.	34.3	34.3
			Revised BSQ procedure and template to reduce the time required with witnesses during initial screening by removing the need for an IRA at the screening phase and replacing it with protection advice. Collection of information for BSQ spread over three phases corresponding to the	Changing the process leads to a two-hour reduction in collection time in the field for a pair of investigators. Changing the process leads to a reduction of one and a half hours per screened	81.4	81.4

<i>MP</i>	<i>Programme</i>	<i>Section</i>	<i>Description</i>	<i>Achieved Output</i>	<i>2017</i>	<i>2018</i>
			development from a person of interest to a trial witness. Review and revision of the BSQ content per phase will correspond with risk and protection associated with the different phases. Phase 1 (screened individual) requires less information than phase 2 (screened witness) which will require less information than phase 3 (witness).	witness for Protection Strategies Unit staff.		
<i>II Total</i>					<i>184.3</i>	<i>184.3</i>
III	3200	3220 - Human Resources Section	Based on benchmarking of similar organizations and current system resources, the ratio of HR operations staff members to fixed-term staff is 0.0225, which means that there should be 17 staff working in HR operations (including one P-4). With HR Renewal, the ratio can be seen to be reduced to 0.02. At the time of the report, there were only around 768 staff at the Court. Currently, there are around 1,000 staff, which means that there should be 22 staff working in HR operations (20 staff once HR Renewal is implemented).	Automating HR processes (through HR Renewal) will generate efficiencies.	-	127.2
	3300	3340 - Language Services Section	Internal staff are given monthly half-day workshops on language-related issues instead of using external trainers.	Prevent the need for 12 days of work by a consultant/trainer.	36.0	
			Internal translators are able to work in several languages, in addition to the specific language they were recruited for. This includes the case of an English Associate Translator with Acholi translation and interpretation skills who was moved to translation and interpretation for the Ongwen trial. This additional capacity cuts down on outsourcing urgent translations when additional requirements occur. The same principle also applies to freelance translators, who are selected when possible with additional language combinations. This obviates the need to outsource translations from those languages while they are working for us at Headquarters.	Based on the number of languages translators can work from, the level of efficiencies could vary. On average an assumed 350 pages per annum will be produced with multi-language skills.	22.9	22.9
			Kinyarwanda staff interpreters assigned to special confidential monitoring services in addition to their official assignment for judicial proceedings.	The additional capacity represents ten days of interpretation resources.	10.8	
			One Arabic Reviser and one French Translator trained in interpretation (by in-house resources) to provide Arabic interpretation for internal meetings and confidential events	Provision of in-house interpretation services for two non-judicial events, reducing need for external resources.	5.0	5.0
			The establishment of a network in The Hague, HaagNDAS (The Hague Network for Developing Action in	Interpreters provided on loan for six days free of charge, instead of the	15.0	

<i>MP</i>	<i>Programme</i>	<i>Section</i>	<i>Description</i>	<i>Achieved Output</i>	<i>2017</i>	<i>2018</i>
			Synergy) allowed for identification of free resources and flexible exchange of staff. In 2017, interpreters were provided on loan for six days to the Court to support a non-judicial event.	expected cost of €15,000.		
		3360 - Victims Participation and Reparations Section	Handling of victim application documents, policies and operational procedures were optimized. Multiple VPRS processes run more effectively in parallel and interdependent production steps are optimized: one unit does not have to “wait” for the other in any of the multi-faceted workflows.	An estimated average of six to eight hours work time per week could be gained by introducing the streamlined workflow, affecting two staff members at P-2 and GS-OL level.	28.1	28.1
3800		3830 - Victims and Witnesses Section	Multifunctional teams at HQ and in the field: training and tasking to increase ability of staff to perform multiple functions (at P and G levels) to service trial appearances, protection, support and operations. Versatility of staff ensures that resources can be directed to the most critical functions on a day-to-day basis.	In order to achieve the current level of output in relation to trial appearances (increased by 43% from 2017 to 2018), additional staffing at HQ will be required, as would an increased number of missions to the field to prepare witnesses for trial. This requirement will be absorbed into the new structure.	-	-
<i>III Total</i>					<i>117.8</i>	<i>183.2</i>
IV	4200	4200 - Secretariat of the Assembly of States Parties	The Language Services Section in the Registry provided interpretation services to the Audit Committee for two days, and hopefully will provide this service in September for three days.	Avoid requesting additional funds for interpretation for the sessions of the Audit Committee.	4.7	4.7
			The Secretariat of the Assembly will transfer one of its GTA positions (GS-OL) to the Information Management Services Section under the assumption that the latter will provide the Secretariat, as a priority, with the required IT services such as uploading to and maintaining its website page.	Synergy will be achieved between the Secretariat of the Assembly and the IMSS of the Registry, which will result in reducing the number of GTA positions (GS-OL) in the Secretariat by one (amounting to €72,300) and increasing the Registry budget by the same amount. By transferring this post to IMSS, the Court increases its IT team capacity, allowing more services to be provided to all Major Programmes of the Court at no additional cost. This SASP initiative will benefit the Court as a whole.	-	-
<i>IV Total</i>					<i>4.7</i>	<i>4.7</i>
Total – Staff Time					312.1	372.2

D. Training resources

<i>MP</i>	<i>Programme</i>	<i>Section</i>	<i>Description</i>	<i>Achieved Output</i>	<i>2017</i>	<i>2018</i>	
I	1200	1200 - Chambers	Chambers is seeking to coordinate its training programmes and reduce the use of paid external consultants by instead relying on the existing connections and networks of Chambers staff. In one instance, it is estimated that training previously arranged through an external consultant at a cost of €3,000 could be obtained for a nominal amount. Chambers is also working cooperatively within the Court to identify internal training providers. This is expected to produce savings.	Reduced training costs.			
<i>I Total</i>							
II	2100	2120 - Services Section	Code of Conduct Training. The OTP developed specific training for the Code of Conduct in 2013. Trainers from the UN were engaged to conduct the first sessions and prepare the material. OTP staff were specifically trained to become trainers for future sessions (train-the-trainer).	Two UN trainers were engaged to provide the initial training. Since internal trainers have been trained, the sessions are now conducted by internal staff. Therefore, the two external consultants are no longer needed.	7.3	7.3	
	2400	2410 - Deputy Prosecutor for Prosecutions	Use of internal trainers instead of external experts. PD organizes a PD Legal Meeting approximately once every two weeks except during Court recess. The PD Legal Meetings are used to discuss legal or procedural developments relevant to the Division. In 2016, 50% of these meetings were facilitated by an internal subject-matter expert, instead of inviting an external expert. This saves around 32 hours of expert time each year and travel and DSA for around eight speakers. In addition, in 2017, the Deputy Prosecutor, together with senior lawyers, organized a two-day written advocacy training course for 24 PD staff members. This allowed the Division to provide this training without having to hire an external expert.	Reduce the need for external training expertise.	32.1	32.1	
			Use of pro bono facilitators for specialized training and organizing training jointly with third parties.	For 2017, the expectation is that approximately five trainers will come to the OTP to train the lawyers on a pro bono basis. This saves travel, DSA and speaking fees five times over. In addition, each year the Appeals Section organizes Appeals Advocacy Training jointly with the ICTY. This saves the Court 50% of the training costs, approximately €2,000 per year.	20.0	20.0	
<i>II Total</i>						<i>59.4</i>	<i>59.4</i>
III	3200	3220 - Human Resources Section	By using in-house expertise and a train-the-trainer approach, training costs can be reduced. In 2017 and 2018, in-house capacity will be used in the area of performance management.	Reduce the need for external training expertise.	25.0	25.0	
<i>III Total</i>						<i>25.0</i>	<i>25.0</i>
VII	7500	7500 - Independent Oversight Mechanism	Together with the Registry HRS: in-house development and implementation of a Court-wide ethics and values survey in order to underpin the development of an ethics and values strategy.	Reduce the need for external consultancy expertise.		50.0	
<i>VII Total</i>							<i>50.0</i>
Total – Training Resources					84.4	134.4	
Grand Total - Efficiencies and Savings					2,125.6	2,590.5	

Annex XI

Impact on the Court of constant budget size or “zero nominal growth” (ZNG)

A. Introduction

1. The Assembly of States Parties (“the Assembly”) has asked the International Criminal Court (“the Court”) to present a sustainable budget for 2018. Any request for an increase over the 2017 approved budget must be for mandated activities, provided that the Court has made every effort to finance the increase through savings and efficiencies. The Assembly’s Committee on Budget and Finance (“the Committee”) is accordingly of the view that any budgetary increase should be considered only if the Court makes a compelling case that it cannot find the necessary funding by adjusting priorities, redeploying resources and achieving additional savings. Should the Court request a budget increase, the Committee asks that it present an alternative scenario using a constant budget size, or zero nominal growth (ZNG), showing how a ZNG budget would affect the Court’s mandated activities.

2. As a matter of practice and principle, the Court strives to achieve its goals, as prescribed by the Rome Statute, through the most efficient use of the means available to it. Nevertheless, while the Court has been constantly growing, it has never had the proper budget size to enable it to fully discharge its mandate of trying perpetrators of the most serious crimes of concern to the international community as a whole, and contributing to prevention through effective investigations and prosecutions.

3. Through coordinated inter-organ projects, the Court has actively sought to find ways to maximize its use of resources and benefit from synergies in its operations. Under the leadership of the Coordination Council (CoCo), the Court has implemented savings and efficiencies that have enabled it to present a lean, well-justified conservative budget proposal for 2018. The budget increase requested has been minimized through these savings and efficiencies, which form part of the main budget narrative and are detailed in the Annex X.

4. Thus, in line with the above approach, and mindful of the financial constraints of States Parties, the Court proposes a budget increase of €6,290,500, or 4.4 per cent, to meet its operating needs. In 2017, many budget lines exhibited very limited increases or none at all. Increases requested for 2018, where they occur, are fully justified in their respective budget lines.

5. A ZNG budget will cause the Office of the Prosecutor (“the Office” or OTP) to lose staff and operational capability. The detrimental effect of this – in particular, delays in investigations and prosecutions – will ultimately hamper the ability of the Court to deliver on core mandates. A ZNG budget will undercut the Registry’s capacity to provide vital services to the OTP and the Court as a whole, including in the key area of victim and witness support, and its ability to implement the Court-wide IT strategy which is critically needed. The Judiciary will be negatively affected by these constraints on OTP and the Registry, not least in terms of delay and inefficiencies in proceedings, and will also be unable to meet the obligations which will arise from the election of new judges under the Rome Statute (“the Statute”). It will also have significant consequences for other major programmes. In sum, a ZNG budget is not commensurate with the reality of the Court’s operations, and will severely undermine the effective discharge of its mandate as set by the Rome Statute.

B. Impact on the OTP

6. The implications for the OTP of a ZNG budget for 2018 will be examined first, since the OTP serves in many ways as the “engine” of the Court.

7. From the perspective of the OTP, a ZNG budget does not represent “zero nominal growth” at all; instead, it means the loss of staff and capabilities, which will undermine its operations and compromise its ability to deliver on its mandate under the Statute. This will occur just as the OTP is beginning to achieve consistently positive outcomes, thanks to the effective and efficient implementation of its strategic plans. Moreover, such repercussions completely contradict the policy adopted by the States Parties when they acknowledged that the OTP – while suited to its purpose – was seriously under resourced.

8. To assess the implications of a ZNG budget for the OTP, two questions must be answered:
- (a) What will a ZNG budget for 2018 require the OTP to “absorb”?
 - (b) With no capacity to absorb, what will the consequences be for the OTP?

1. What will the OTP have to absorb?

9. The budget increase for operating needs that the OTP is requesting as part of the Court’s proposed budget for 2018 is €2,195,600, or 4.9 per cent. The breakdown of this increase, of which each component is essential to support OTP core activities, is justified in detail in the budget proposal for Major Programme II.

10. If, however, a ZNG budget were imposed on the Court, the OTP would have to “absorb” the amount of the requested increase with only the resources available to it at the 2017 level, with a serious debilitating impact on its operations and ability to effectively execute its mandate.

11. This means, essentially, that the OTP would have to reduce its staffing complement, cut planned missions and delay in some instances drastically investigative activities. The OTP would also suffer operational bottlenecks in forensic science work, witness interview transcriptions and translations of key material, thereby having a detrimental effect on case preparation.

12. Delays will limit the OTP’s ability to redeploy resources to other situations, slow the delivery of justice to victims and affected communities, and introduce additional costs over time. It must also be emphasized that such an outcome will carry serious reputational risks for the OTP and the Court as a whole.

2. With no capacity to absorb, what consequences will result for the OTP?

13. Without the capacity to absorb the requested budget increase, the OTP will be forced to reduce both capacity and capability, with negative consequences for its operations and core activities.

14. Staff reductions resulting from a ZNG budget will cause the OTP to lose:

- (a) Resources equivalent to five new FTE posts not granted;
- (b) Resources equivalent to eight existing FTE posts not funded (these posts represent the total of the 20 positions not fully budgeted for the whole of 2017, but to be budgeted for the whole of 2018); and
- (c) Resources equivalent to eight additional FTE posts discontinued, if capacity is not restored through the application of the standard vacancy rate and full costing for GTA.

15. In sum, in addition to denying the OTP the five new necessary staff members, a ZNG budget will also deny full-year funding for 20 posts, equivalent to eight FTE, that were approved in the 2017 budget, but which were required to be filled on a staggered basis. By the end of 2017, these posts will all be filled and the denial of funding for 2018 will oblige the OTP to dismiss staff working in crucial areas of operations, such as investigations, forensics, translation, transcription and trials. This will represent not only a loss of capacity through the reduction of the workforce, but the loss of capability, since these staff members will take with them the skills, experience and institutional knowledge they have gained. The investment made in their recruitment and training will also be forfeited.

16. The OTP also accepted a temporary higher vacancy rate for 2017 and applied a deduction to GTA funds. However, failure to restore the normal OTP vacancy rate and GTA capacity in 2018 will generate a further staffing loss equivalent to seven or eight FTE posts.

17. Furthermore, a ZNG budget, which will deprive the OTP of sufficient funding for travel and general operating expenses, will reduce the OTP’s ability to send investigative missions into the field. Should the situation have to be maintained, compounded by other delays due to insufficient staffing, this will add approximately 4.5 months per investigation to the normal three-year life cycle of an investigation in the challenging and complex environment in which the OTP operates.

18. Past experience has demonstrated that travel and general operating expenses are constantly over implemented because of unavoidable operational requirements. This trend is bound to continue in 2018. Denying the requested increase in these budget lines will translate into approximately 70 fewer investigative missions, which will set back the OTP's ability to collect evidence to support its cases, and scarcer funds for field operations essential to completing investigations.

19. Reductions in staffing, mission capacity and funds for general operating expenses will debilitate the conduct of OTP's core mandated activities.

20. Moreover, the resulting delays will only exacerbate the negative situation in which the OTP already finds itself. Thus, delays that have already occurred in existing investigations because of understaffed teams will now be prolonged. For example, as a consequence of a ZNG budget, the Côte d'Ivoire II investigation may take two additional years to complete; the Georgia investigation may take four or more years to complete. The reputational damage ensuing from such delays risks eroding public confidence in the ability of the Court to deliver timely and effective justice.

21. A backlog of cases requiring investigation will also accumulate, and such backlog of pending activities creates the risk of losing investigative opportunities, evidence and cooperation.

22. Essentially, if a ZNG budget is imposed on the Court, the OTP will lose capacity and capability, and will be compelled to defer planned core activities and the redeployment of staff to other operations. This will inevitably have an adverse effect on the OTP's ability to work effectively to investigate and prosecute crimes. Such a consequence is harmful to the interests of victims and affected communities, and ultimately to the reputation of the Court itself and its ability to contribute to prevention.

23. A number of compelling reasons militate against dismissing staff to absorb the impact of a ZNG budget, including the need to avoid:

- (a) greater delay in OTP investigations;
- (b) the negative impact on the OTP's ability to prosecute cases effectively in court;
- (c) a decision that is contrary to the strategy of the OTP and States Parties to staff the Office properly, so that it fulfils its mandated purpose;
- (d) the loss of investment in skill, experience and institutional knowledge, due to departure of staff; and
- (e) a decrease in staff well-being and motivation, impacting the working climate of the Office and resulting in efficiency and performance deficits.

24. In conclusion, the strategy of the OTP and that of the Court is to achieve the desired goals through the most efficient use of available means. The desired goals are the objectives arising from the imperatives of the Statute and the situations the Court confronts. This means that the resources that States Parties make available to the Court must therefore be sufficient to sustain its statutory mandated operations, while the Court does its part to make the most efficient use of those means.

25. Failure to provide sufficient means will noticeably undermine the Court's ability to deliver on its mandate in a timely, effective and efficient manner to the detriment of victims and communities affected by atrocity crimes and public confidence in the institution.

C. Impact of ZNG on the Registry

26. With the proposed increase of €2.5 million, or 3.3 per cent, the Registry would have to make cuts corresponding to an equivalent amount should a ZNG be imposed on the Court.

1. Reductions in victims and witness support (€0.2 million)

27. A reduced level of support required by the OTP due to budget cuts would translate into additional cuts in the Victims and Witnesses Section (VWS) in the amount of approximately €200 thousand. The areas that would be affected include support in the field, travel to and from the Headquarters for testimony, and relocation of witnesses.

28. It should, however, be immediately highlighted that the protraction of the OTP's investigative activities will likely increase the costs for the VWS/Registry in the long run, as the amount of time that witnesses would spend in the care of the VWS would be extended. Furthermore, the additional time spent in the care of the VWS will inherently increase the risk of witnesses becoming more exposed over time. To care for witnesses effectively and minimize risks and disruption to their lives, OTP investigations are required to be as swift as possible.

29. Should OTP investigations nevertheless slow down because of its own budgetary restrictions, the Registry would have to follow the pace set by the OTP.

30. A reduction in the VWS/Registry budget would also have ramifications on the provision of Initial Response Systems (IRS), which are needed to ensure a first-line response to an incident or an increased threat to a witness. Additional IRSs would have to be diminished in 2018 in order to accommodate a reduction in the budget.

31. Witnesses and their families will suffer greatly if the Registry staff are unable to provide regular and consistent contact. Consequently, risks will mount while the welfare of the family deteriorates. The risk of harm during such periods, when witnesses become disillusioned, is heightened and the ability of the Registry to react is weakened. This triggers a downward spiral which creates distrust between the witness and the Court, a propensity on the part of the witness to "go it alone" and high-risk situations with significant operational and reputational damage to the Court.

2. Reduced support to OTP investigations in the field and negative impact on field activities (€0.9 million)

32. A ZNG budget will require Registry to cut the requested increase in both staff and non-staff costs for the Field Offices. Some of these reductions may arise naturally from the slowing down of OTP activities decreasing the need for Registry support. However, a proportion would be unrelated cuts which would directly hamper the Registry's capacity to support OTP investigations, as well as have a negative impact on the Court's field operations generally.

33. In particular, the security of the Court's staff and operations in the field would be jeopardised if security support in Mali cannot be strengthened with an additional staff member, as proposed, in light of the increased threat against international staff in the country. Similarly, the security in the Cote d'Ivoire would also not be possible to be adequately addressed if the Court cannot resort to contractual services, necessary in light of the withdrawal of UN Operation in Cote d'Ivoire on whom the Court has relied thus far.

34. The envisaged and required establishment of a small satellite office in Gulu to support missions and activities, in particular outreach activities, in the northern region of Uganda, would not be possible should ZNG be imposed. Nor would it be possible to provide the necessary maintenance to the field offices, notably Kampala Field Office in light of the move to the new premises, and Cote d'Ivoire Field Office for higher vehicle maintenance in light of increased volume of missions.

3. Postponement of the Five-Year IT/IM strategy (€1.4 million)

35. Lastly, the Court-wide information technology and information management strategy, in the amount of €1.6 million, of which €1.4 million is funded by the Registry will have to be put on hold, jeopardizing the progress already made and severely destabilizing the most efficient use of Court's resources. As outlined in detail in the annex on IT/IM Strategy, the strategy is a means of controlling costs, through detailed analysis of the Court's needs, centralizing services and maximizing the impact of the invested resources.

36. As the majority of the amount requested for the IT/IM strategy in 2018 is linked to investigative activities, this will again have a negative impact on the OTP in that:

(a) The OTP would face delays in processing and reviewing electronic evidence, which would, in turn, delay trials;

(b) The OTP would keep accumulating a backlog of unprocessed investigative leads resulting in slower identification of new investigative avenues; and

(c) The OTP would not be able to benefit from the improved processing of audio/video interviews, with the current approach being both costly and time-consuming.

37. For the Court as a whole, postponing the IT/IM strategy for one year would:

(a) Greatly increase exposure to cyberattacks for the entire Court in a wide range of areas, including for the OTP when conducting online investigative activities and for the Registry in protecting strictly confidential data, such as those pertaining to witnesses;

(b) The Court would be unable to improve its measures to prevent security attacks from the inside;

(c) The Court would not benefit from streamlined and more efficient ways of dealing with State cooperation through the new RFA/RFI/Note Verbale Action tracking system;

(d) Work on the design of the new Judicial Workflow Platform would be put on hold; this would pose a serious risk to the operations of the Court in that the new system may not be ready by the time that the current one, based on Ringtail, becomes obsolete;

(e) The prompt processing of victim applications in the field would be endangered if the electronic data collection application is not developed, which would lead to the continuation of inefficient working methods and delays in proceedings or difficulties for the victims concerned in being able to participate;

(f) the Court would not benefit from streamlined mission planning, and hence from better mission management and savings in travel, and improved support for missions in the field; and

(g) No improvements in business processes regarding payroll, and finance management would be possible; currently inefficient – and mostly manual – workflows and methods would not be addressed, posing a constant risk of error.

38. In other words, by postponing the implementation of the IT/IM strategy, not only would the Court's activities be undermined in a number of areas, but there would also be no progress in making the Court's operations more cost-efficient and effective in the priority areas mentioned above.

D. Impact on the Presidency and Chambers

39. The slowing down of OTP investigations and preparation of cases to be presented to the judges would evidently impair the ability of the Judiciary to deliver on its core mandate. Reduced Registry capacity – particularly in IT support – will hamper ongoing efforts to increase the efficiency of Court proceedings.

40. Moreover, a ZNG budget would present a difficult challenge for the Judiciary given the specific cost drivers for the programme in this budget year. The total requested increase for MP I is entirely attributable to the proposed adjustment to the judges' salaries, which is under consideration by the Bureau of the Assembly, and the mandatory costs associated with the induction and installation of newly elected judges.

41. The judges' salaries were fixed at €180 thousand in 2004 under resolution ICC-ASP/3/Res.3, with the provision that this amount would be reviewed by the Assembly, as soon as practicable, after the General Assembly of the United Nations reviewed the conditions of service of the judges at the International Court of Justice (ICJ).¹ Despite increases in the salaries of the ICJ's judges resulting from incremental reviews, a similar review of the salaries of the Court's judges has never been undertaken in the 14 following years; as a result, the judges now earn considerably less than those at the other international courts and tribunals. In addition, the judges are the only elected officials of the Court who do not benefit from incremental increases, clearly a source of inequality. A request was made in the Proposed Programme Budget for 2017 for an increase in judges' remuneration to align it with that of the judges of the ICJ and other international courts and tribunals. 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".² The Bureau subsequently decided that discussions on this issue would be led by the budget facilitator. That process is ongoing with a view to consideration of the matter

¹ *Official Records ... Third session ... 2004* (ICC-ASP/3/25), part III, ICC-ASP/3/Res.3, annex, section XIII (Revisions).

² *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), Volume I, part III, ICC-ASP/Res1, section O.

at the session of the Assembly in December, but a ZNG budget would preclude any meaningful debate because the option of an increase would not be available.

42. There are mandatory costs associated with the election of six new judges at the session of the Assembly in December. All six judges will need to come to The Hague in March for the solemn undertaking ceremony and for induction. Further costs will be generated by their installation when they commence full-time service at the Court. These costs mandated by a process which is necessary to implement requirements of the Statute are estimated at a total of €364.7 thousand.

43. Efforts have been made within MP I to offset some of these mandatory costs and minimize the increase in judges' costs in its proposed budget for 2018. It is estimated, on the basis of the projected workload, that some of the mandated increase can be lessened by delaying the commencement of service of some of the newly elected judges. Further savings are anticipated in the MP I Proposed Programme Budget for 2018 as a result of lower amounts estimated for home leave, education grants and accruals for annual leave. As a result, the total expected costs associated with the incoming judges have been offset by €160 thousand.

44. The budget of MP I consists almost entirely of the cost for Judiciary and Chambers staff who are essential to deliver the core mandate of the Court. A flexible approach is employed to allow Chambers staff to be deployed across the three divisions depending on the workload. As a result, Chambers staff are fully engaged with the current trials, appeals and reparations proceedings and there is no flexibility to address these additional costs from staff cost. The minimal amount accorded to non-staff items in the MP I budget prevents the remaining increase of €204.7 thousand from being absorbed through non-staff savings or efficiencies. Even if the entire travel budget for Presidency and Chambers were used to offset these mandatory costs – thus precluding all travel for the judiciary in 2018, including for the incoming President – there would still be a shortfall of €109 thousand.

45. As a result, a ZNG budget would impede the effective consideration of the issues related to the judges' salaries and prevent full implementation of the requirements of the Assembly resolution on the installation of newly elected judges.

E. Impact on the Trust Fund for Victims

46. The increase in the proposed programme budget of Major Programme VI for 2018 relates exclusively to staff costs. Non-staff costs are projected to stay unchanged, in spite of a significant surge in workload and activities.

47. Staff costs in the 2017 approved budget for the STFV did not cover full-time employment. A significant number of posts were budgeted partially because of staggered recruitment (proposed by TFV) or reductions recommended by the Committee.

48. This means that remaining at constant budget size will have a crippling effect on the existing capacity of the TFV Secretariat. In particular, ongoing employment contracts for staff in established posts would be jeopardized in a way that contradicts good employment practice.

49. The TFV also recalls that the proposed budget for 2017 indicated all posts in the restructured TFV Secretariat to be established posts. The Committee's recommendations, however, indicated a significant number of new posts as GTA positions.

50. As described in the narrative accompanying the Proposed Programme Budget 2018 for MP VI, the Trust Fund (i) maintains that all posts in the new TFV Secretariat's structure should indeed eventually be qualified as established posts; and (ii) in the interest of a gradual evolution, a limited number of posts are proposed for conversion in 2018, with conversion of the remaining posts to be addressed at a later stage.

51. The business impact of a constant budget size on the TFV will be as follows:

(a) Reduced capacity of the TFV to implement Court-ordered reparations in the *Lubanga* and *Katanga* cases, and consequently, operational delays and the risk of not meeting the rightful expectations of victims;

(b) Significantly reduced capacity, if not inability, of the TFV to engage in the design and implementation of Court-ordered reparations in the *Al Mahdi* and *Bemba* cases, with a highly damaging impact on victims' rights-based expectations;

(c) Inability to effectively pursue the expansion of the assistance mandate in Côte d'Ivoire, Kenya, Mali and the Central African Republic; and

(d) Reduced effectiveness of fundraising, which is primarily driven by donor interest in the assistance mandate, resulting in depressed annual revenue from voluntary contributions. According to available information, a lack of evolution in the TFV's assistance mandate towards including more situation countries will erode donor interest and faith in the TFV. This will also have a negative impact on the its ability to complement the payment of reparations awards from its "other resources", as provided for in regulation 56 of the TFV's Regulations.

52. The four examples above of the impact on business will cause significant harm to the effectiveness and reputation of the TFV, as well as that of the Court by association, and will therefore negatively affect public trust in the reparative justice ambitions that are central to the Statute. Business continuity with regard to existing operations will be jeopardized by an effective reduction of the TFV's core capacities in programme management, which ensures internal control, administration, fundraising and advocacy all elements central to the TFV's Regulations adopted by the States Parties.

53. A constant budget size will have a debilitating impact on the TFV's already delayed maturation as an effective, efficient and relevant institution accompanying the Court, as a subsidiary organ of the Assembly created specifically to fulfil and deliver meaningfully on the promise of international justice to victims of the most serious crimes that is central to the Statute.

F. Impact of ZNG on Other Major Programmes

1. MP IV: SASP

54. The proposed budget for major programme IV for 2018 reflects the level of resources required to service the Assembly and its subsidiary bodies. It thus includes the costs which are inherent to holding an Assembly session in The Hague, largely reflected in the budget line for contractual services. The overall budget level is consistent with what is the standard budget or "constant budget size" for Major Programme IV. This standard budget is different from those years when the Assembly session is held in New York, and where consequently there is an exceptional decrease in the request for resources because several services do not have to be paid for when the Assembly meets at United Nations Headquarters (such as security, badges, facilities and other services).

55. The effect of a reduction in the proposed programme budget for MP IV would diminish the substantive and technical support which the Assembly and its subsidiary bodies may receive from the Court.

2. MP V: Premises

56. The proposed amount of €1,498.5 is for maintenance of the Court premises in The Hague. It represents an increase of 3 per cent based on the estimated price index for such services in the Netherlands. As the actual cost will be known only after the completion of the procurement process currently under way to identify a long-term maintenance contractor, the effect of the application of ZNG is unknown.

3. MP VII-5: IOM

57. The budgetary increase is entirely due to the four Assembly-approved posts for the Internal Oversight Mechanism (IOM) being filled for the complete 2018 budgetary year, while prior year budgets had been calculated to account for a delay in recruitment for these posts. Were the IOM to be restricted to an overall constant budget size, this would necessitate a balancing reduction in its already minimal non-staff costs and a consequent inability to effectively achieve its mandate.

4. MP VII-6: OIA

58. The ZNG approach would prevent the Office of Internal Audit (OIA) from being evaluated by an external consultant, as well as from attending enough hours of training to meet professional requirements (40 hours per year).

Annex XII

Capital Investments (2018-2021)

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 years 2018-2021. In line with past practice, the amounts required for capital investment under the Court’s 2018 Proposed Programme Budget have been organized by priority and reduced to a minimum.

2. Long-term capital replacements related to the Court’s premises are not included in these estimates; they have been identified and submitted in a paper² to the premises focal point of The Hague Working Group. In that paper, the Court provides a five-year plan showing the projected costs of capital replacements for the permanent premises.

Table 1: Four-Year Capital investment Plan (2018-2021)

<i>Capital investment</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>
Vehicles	301,000	386,000	300,500	279,000
Investments related to the Court’s Five-Year IT/IM Strategy	-	50,000	500,000	50,000
Total capital investment	301,000	436,000	800,500	329,000

A. Vehicles

3. The costs indicated in the table above are based on the replacement plan for vehicles in the field for the years 2018-2021. Vehicles distributed and transferred among field offices according to operational needs range in age from 8 to 15 years old.

B. Investments related to the Court’s Five-Year IT/IM Strategy

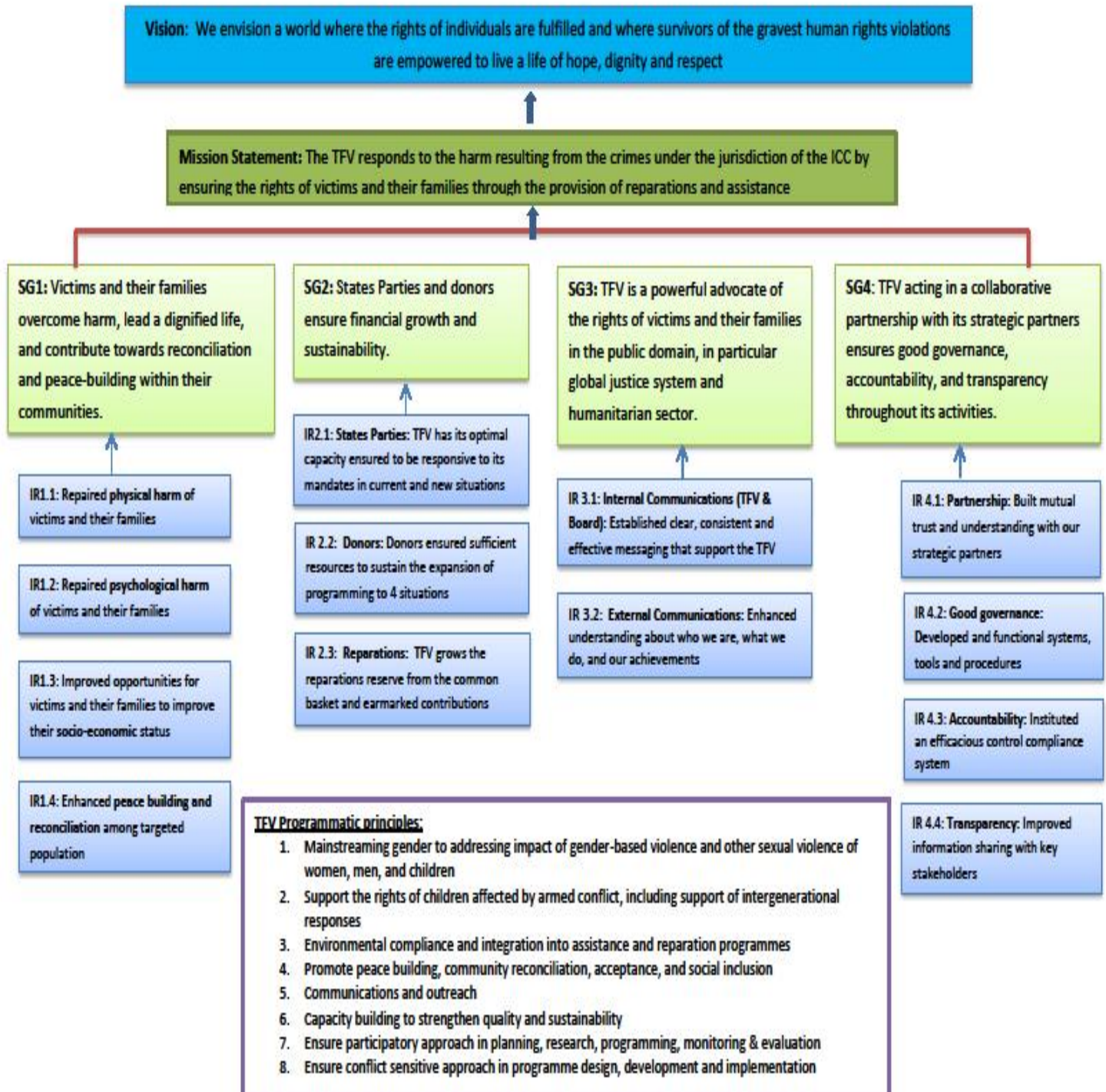
4. On the basis of industry standards, storage and virtual infrastructure components have a lifespan of three to five years and need to be replaced within that period. In accordance with Court’s Five-Year IT/IM Strategy, a capital investment amount of €100 thousand split between years 2019 and 2021 is required to renew the Court’s virtual infrastructure. A larger investment of €500 thousand is required for SAN (Storage Area Network) storage replacement in the datacentre to maintain the Court’s storage capacity.

¹ *Official Records ... Tenth session ... 2011* (ICC-ASP/10/20), vol. II, part B.II, para. 22.

² Paper submitted by the Court: “Capital replacements at the International Criminal Court’s Permanent Premises”.

Annex XIII

Major Programme VI: The TFV results framework



Part B Reports of the Committee on Budget and Finance

1. Report of the Committee on Budget and Finance on the work of its twenty-eighth session*

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Previously issued as ICC-ASP/16/5.

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Executive Summary

1. At its twenty-eighth session, which was held from 1-5 May 2017 in The Hague, the Committee on Budget and Finance considered a vast number of substantive issues, *inter alia*, budgetary governance aspects, financial and budgetary matters, institutional and administrative questions, synergies, questions related to human resources, legal aid, reparations, matters related to the cooperation with States Parties, as well as amendments to the Charter of the Audit Committee.
2. The Committee looked forward to considering the new version of the 2018 proposed budget document at its twenty-ninth session in September 2017. The Committee welcomed the constructive approach of the Court, who sought the Committee's feedback and suggestions on how to improve the presentation of the budget document, including context setting.
3. During its twenty-eight session, the Committee heard from all organs of the Court how they are seeking to identify efficiencies and savings, including that the implementation of ReVision is only the beginning of a search for savings and efficiencies, whereby this search would allow the Court to absorb increases in activities. The Committee looks forward to scrutinizing the 2018 proposed programme budget, which according to Court representatives would only request an increase of a "bare minimum".
4. The Committee showed great interest in the proposed annex to the 2018 proposed programme budget, which would show in a comprehensive way, where savings and efficiencies had been identified during the year and are predicted for the proposed budget for next year. An annex, which transparently reflects the Court's efforts towards savings and efficiencies, as well as the Court's ability to absorb future increases, will facilitate a better understanding of the budget document.
5. The Committee observed that there was an overspend on eight out of 15 Court budget line items, whereby some were substantially overspent, and other items were used to compensate. While acknowledging that this practice complies with the Financial Regulations and Rules to provide flexibility and prioritisation within budgets, such practice, if overused or practiced in an extensive way, threatens to undermine the budgetary process. The Committee further noted that 2016 saw a high level of human resources activity, which makes it an exceptional year. However, the Committee decided to scrutinize the situation further within the 2018 proposed programme budget.
6. The Committee welcomed the presentation and discussion about capital and information technology investments. It was highlighted that this field may have multi-annual spending implications. The Committee upheld that, while the discussion of such projects provided a picture of commitment that is useful for budget comprehension, the Court should make restrictive use of multi-annual funds administered outside the annual budget cycle in line with the Resolution ICC-ASP/15/Res.1.
7. The Committee noted that its work was difficult, given the fact that a few reports were presented late, one of which with errors that were corrected through a corrigendum during the last days of the meeting, and would appreciate improvement during the twenty-ninth session in September 2017. To play its part, the Committee is undertaking a review of working practices in order to assess the Court's reporting burden and to analyze where improvements can be made. It will be undertaking a revised trial approach at its twenty-ninth session in September 2017 to assess whether this contributes to improving the working methodology of the Committee and alleviating the reporting burden for the Court.

I. Introduction

A. Opening of the session

1. The twenty-eighth session of the Committee on Budget and Finance (“the Committee”) comprised ten meetings and was held at the seat of the International Criminal Court (“the Court”) in The Hague from 1-5 May 2017.
2. The twenty-eighth session of the Committee was convened in accordance with the decision of the Assembly of States Parties (“the Assembly”) taken at its fifteenth session during its eleventh meeting on 24 November 2016.
3. The President of the Court, Judge Silvia Fernández de Gurmendi, delivered the welcoming remarks at the opening of the session.

B. Election of officers

4. At the twenty-eighth session, the Committee elected Mr. Hitoshi Kozaki (Japan) as Chairperson in accordance with Rule 10 of its Rules of Procedure. The Committee also elected Ms. Monica Sanchez (Ecuador) as the Vice-Chairperson in accordance with Rule 10 of the Committee’s Rules of Procedure and following the practice of geographical rotation. The Committee extended its great appreciation and thanks to the outgoing Chair Ms. Carolina Maria Fernandez Opazo (Mexico) for her dedicated work during the previous three years.
5. The Committee appointed Mr. Hugh Adsett (Canada) as Rapporteur in accordance with Rule 13 of the Rules of Procedure.
6. The Executive Secretary to the Committee on Budget and Finance (“the Executive Secretary”), Mr. Fakhri Dajani, acted as Secretary of the Committee and the Secretariat of the Assembly (“the Secretariat”) assisted in providing the services to the Committee.

C. Adoption of the agenda and organization of work

7. At its first meeting, the Committee adopted the following agenda (CBF/28/1/Rev.4):
 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
 - (e) Briefing on the fifteenth session of the Assembly
 2. Work methodology of the Committee on Budget and Finance
 3. Budgetary governance
 - (a) Budget process reform (workshop)
 - (b) Presentation of the Court’s five-year information technology/information management strategy
 4. Outlook on the 2018 proposed programme budget – savings and efficiencies
 5. Other financial and budgetary matters
 - (a) Status of contributions and States in arrears
 - (b) Programme performance of the 2016 budget, and 2017 budget first quarter
 - (c) Assessment on the establishment of a reserve for ASHI liabilities
 - (d) Report on a full evaluation of the current cash flow management

- (e) Policy on replacement for capital investment
 - (f) Final analysis on analytical accountability, including cost drivers and costs per activity
6. Institutional reform and administrative matters
- (a) Judiciary
 - (i) Update on lessons learnt / Chambers Practice Manual
 - (ii) Allocation of staff for the courtroom usage and hearings
 - (b) Impact of Registry reform
 - (i) External Auditor's Report on the full implications of the ReVision process, including its financial implications in the short and long-term
 - (ii) Break-down of additional reductions of increased costs as a result of delays in recruitment and the delayed filling of staggered positions
 - (c) Synergies among the organs of the Court
 - (i) Interim progress report on the implementation of the OTP 2016-2018 Strategic Plan, including efficiency gains and synergies
 - (ii) Report on synergies and efficiencies achieved by the STFV in cooperation with the Court
 - (iii) Final report on inter-organ synergies and on the identification of further efficiency gains in the Court's operations
 - (d) Administrative delegation of authority from the Registrar to the STFV
 - (e) Information on the NYLO's rental plan for 2018
7. Human resources
- (a) Human resources management annual report
 - (i) Implementation of performance management
 - (ii) Report on the vacancy rate in the Registry
 - (iii) Report on the field office closure strategy and on decreases in field offices activities
 - (iv) Geographical representation and gender balance – progress report and analysis of the impact of ReVision and the conversions in OTP
 - (v) GTAs and the duration of contracts for GTA positions
 - (vi) Update on the implementation of short-term appointments
 - (b) AI on consultants and individual contractors, including pro-bono contracts
 - (c) Update on vacant posts in the Secretariat
8. Legal aid
- (a) Annual report on legal aid for the year 2016
9. Reparations
10. Cooperation with States Parties, including freezing of assets
11. Other matters
- (a) Contributions of States Parties withdrawing from the Rome Statute
 - (b) Amendments to the Charter of the Audit Committee

8. The Executive Secretary, in consultation with the Chairperson, prepared a work programme for the twenty-eighth session of the Committee.
9. The Committee extended its great appreciation and thanks to the outgoing member, Mr. David Banyanka (Burundi), for his work during previous years, and it welcomed the new member, Mr. François Zoundi (Burkina Faso) who was elected at the fifteenth session of the Assembly.
10. The following members attended the twenty-eighth session of the Committee:
- (a) Hugh Adsett (Canada);
 - (b) Carolina María Fernández Opazo (Mexico);
 - (c) Fawzi A. Gharaibeh (Jordan);
 - (d) Hitoshi Kozaki (Japan);
 - (e) Urmet Lee (Estonia);
 - (f) Rivomanantsoa Orlando Robimanana (Madagascar);
 - (g) Mónica Sánchez Izquierdo (Ecuador);
 - (h) Gerd Saupe (Germany);
 - (i) Elena Sopková (Slovakia);
 - (j) Richard Veneau (France);
 - (k) Helen Warren (United Kingdom); and
 - (l) François Marie Didier Zoundi (Burkina Faso).

D. Participation of observers

11. Representatives from the Presidency, the Office of the Prosecutor (“the OTP”) and the Registry were invited to address the Committee and to participate in the session including the outlook on the 2018 proposed programme budget – savings and efficiencies, as well as in the budget process reform workshop. The Committee expressed its appreciation for the presentations and for the interaction with the Court officials.

II. Consideration of issues on the agenda of the Committee at its twenty-eighth session

A. Budgetary governance

1. Budget process reform

12. At its twenty-fifth session in September 2015, the Committee had suggested a number of ways in which the Court could improve its budgetary process and documents to ensure clear, consistent and transparent information,¹ including a better and more efficient use of the Coordination Council, the submission, in principle, of documentation in English and French 45 days before the session, and a different presentation of costs in the budget document. These suggestions were endorsed by the Assembly at its fourteenth session.²

13. At its twenty-seventh session in September 2016, the Committee acknowledged the improvements that had been made by the Court in relation to the budgetary process, in particular, the Court’s commitment to the application of the “One-Court” principle through the Coordination Council. However, in terms of format, the Committee noted that splitting

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, paras. 23 et seq.

² At its fourteenth session, the Assembly invited the Court to ensure a stringent internal budgetary process and made several suggestions on how to improve the budgetary process. The Assembly invited the Committee in this regard to provide advice to the Court, as required, to ensure these processes are continuously reviewed and improved. Cf. ICC-ASP/14/Res.1, section J, para. 6.

the presentation of the sub-programmes from major programme titles made the budget document difficult to compare with previous years, and that there was not a consistent approach to the presentation of each programme budget. The Committee recommended that the format for the introduction of each major programme budget, including the use of organigrammes, length and the level of detail should be similar, with cross-Court issues dealt with at the beginning of the budget document.³

14. At its twenty-seventh session in September 2016, the Committee invited the Court to discuss the process and document further at its twenty-eighth session with a view to building on the progress made and to improving the budget process and document. The Committee recommended a focus on the following elements: improved context setting; better planning and presentation of cross-Court expenditures; assessing delivery and efficiency; establishing fundamental principles; and synergies.⁴

15. In a letter by the former Chairperson of the Committee addressed to the President of the Court, dated 14 November 2016, the Court was invited to discuss the above identified topics further with the Committee at its twenty-eighth session with a view to further strengthening the budget process and the budget document. In this regard, the Committee attended a workshop organized by the Court to present its work on the budget process reform. Following the “One-Court” principle, representatives from the three organs of the Court presented a summary of the overall approach and internal governance of the revised process, as well as the proposed outline for the budget document.

16. The Committee thanked the Court for its preparatory work and for consulting the Committee at this stage of the preparation for the 2018 proposed programme budget. **In order to ensure a clear understanding of the Court-wide implications and the cost of capital investments, as well as efficiencies and savings achieved, the Committee recommended that two annexes be included in the 2018 proposed programme budget. One annex shall describe Court-wide capital investment plans, such as ICT and others, including projected costs. The other annex shall focus on efficiencies and savings achieved and the projected savings for the Court.**

17. The Committee welcomed the fact that the Court made an effort to take into account the guidelines of the Assembly, as included in Resolution ICC-ASP/15/Res.1, as well as the indication that the Court intends to present the 2018 proposed programme budget by focusing in particular on efficiencies and savings before requesting additional resources and by including a Court-wide presentation thereof in the above mentioned annex to the budget document.

18. Although the Committee welcomed the discussion of the 2018 proposed programme budget, it noted that it had not yet received any figures for the expected budget. **The Committee encouraged the Court to provide, to the extent possible, preliminary figures to the Committee at its spring sessions. The Committee also recommended that the budget include five-year time series showing trends of relevant budgetary assumptions in order to improve the ability of the Court and States Parties to analyze budget trends.**

19. **Mindful that there are activities that take place over several years, requiring the Court to better predict its budgetary requirements through multi-year plans, the Committee recommended that the Court commits itself to financial practices, which give utmost priority to the annual budget cycle and makes restrictive use of multi-annual funds, if any, administered outside the cycle, in line with the Resolution ICC-ASP/15/Res.1.**⁵

2. Outlook on the 2018 proposed programme budget – savings and efficiencies

20. The Court gave the Committee an outlook on the Court’s activities in 2018. The Court anticipates that the currently on-going three trials will continue in 2018, with the trial hearings in one case expected to finish in the first half of the year. Appeals activity is expected to continue at high levels next year. There also could be further reparations

³ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.2, para. 10.

⁴ *Ibid.*, para. 11.

⁵ ICC-ASP/15/Res.1, section M, para. 10.

proceedings from the ongoing trials. At this juncture, the OTP anticipated that it will continue to conduct six active investigations throughout 2018. Overall, the Court's level of activity in 2018 is projected to be similar to that in the current year.

21. While the Court does not have any concrete figures at this point, it underlined its strong commitment to keeping the overall increase of its budget to the "bare minimum", taking into consideration the expected workload ahead, as well as the financial constraints of States Parties. Over the last years, the Court has launched broad-based initiatives aimed at reforming its organisation, streamlining workflows and becoming more efficient. Suffice it to mention the Basic-Size concept of the OTP, the Lessons-Learnt initiative of the Judiciary, the reform of the Registry, the quest for synergies within and across the three organs of the Court, as well as the on-going budget process reform guided by the "One-Court" principle. These reforms, the Court argues, have made it more flexible and efficient.

22. The Committee welcomed the information provided by the Court about its progress in streamlining judicial proceedings. In particular, by shortening the time needed after the confirmation of charges until the opening of the trial, as well as the progress made in interviewing witnesses. **The Court expressed its view that further positive results would materialize and that the search for efficiencies and savings had just begun.**⁶ **The Committee requested the Court to reflect these achievements in the 2018 proposed programme budget.**

23. The "Report on the implementation of the OTP Strategic Plan"⁷ also provided information on the OTP's exercise to identify efficiency gains and savings, which had been ongoing since 2013. As for 2016, the OTP identified efficiency gains equivalent to 0.9 per cent of its yearly budget. Each division and section is now in the process of setting efficiency targets in coordination with the Registry and the Presidency.

24. As a result, **the Committee was of the view that any budgetary increases should only be considered when a compelling case is made that funding cannot be freed up by adjusting priorities, redeploying resources and achieving additional savings. The burden of proof will rest with the Court. In case the Court considers presenting a budget increase, it should also present an alternative scenario based on a constant budget size, showing how this would affect its activity.**

25. In this context, the Committee would also like to note the spare capacity apparently emerging at the Registry, which should help offset the budget impact of additional activities. In fact, the Registry, in the wake of the reform, ranked its capacity to absorb future workload increases as "high" for 13 sections and offices, representing no less than 231 staff members or 42 per cent of the final staffing. **The Committee noted with appreciation the organizational development plans established by the Registry for its sections and offices, which will help realizing its full efficiency potential, and recommended that the Registry present a progress update thereon in the context of the 2018 proposed programme budget.**

26. The Committee took note of the work done to date on analytical accountability. The Committee noted the Court's conclusion that the exercise had been useful in calculating the average costs for specific activities and identifying the relevant cost factors. **The Committee recommended that this deepened knowledge would be reflected in future budget proposals submitted by the Court, in particular by including medium-term cost projections and by better anticipating future resource requirements and trends, thus contributing to a more predictable and sustainable budget.**

3. Presentation of the Court's five-year information technology/information management strategy

27. The Court submitted the report entitled "Information technology at the International Criminal Court: Five-year IT/IM strategy for the Court (2017-2021)."⁸ The Committee noted and welcomed the application of the "One-Court" principle in the planning of the

⁶ CBF/28/19, para. 35.

⁷ CBF/28/11.

⁸ CBF/28/20.

recent ICT development projects and the fact that a cross organ coordinating body - the Information Management Governance Board - had become operational.

28. The Committee took note of the presentation by the Court, wherein the main aspects of the five-year information technology strategy, which have been approved by the Coordination Council, were presented. The document gave an overview of numerous IT projects that would need to be implemented until 2021 under the umbrella project "eCourt Judicial Workflow Platform" (JWP) in order to achieve the goals of the strategy.

29. The Committee noted that the Court was only able to present a draft of a proper project and of the financial plans of the IT/IM projects and the JWP. Therefore, the Committee concluded that, at this point, it was not in a position to form an opinion on the financial soundness of this initiative and to assess the validity of the contention that these strategic ICT projects could be implemented within the Court's existing budget.

30. **At the same time, the Committee encouraged the Court to further enhance inter-organ cooperation in the field of IM/IT management since possible savings could be achieved⁹ by first eliminating unnecessary duplications in systems development and the purchase of equipment. The projects,¹⁰ where the Court organs are rethinking and streamlining their operating procedures, should be continued and prudently aligned with the ICT developments. If properly managed, this would lead to significant improvements to the functioning of the Court, as well as to clear savings and efficiencies.**

31. **Prior to considering any changes in the IT budget, the Committee recommended the Court to submit no later than at its thirtieth session in April 2018 a fully developed project plan that encompasses measurable goals, a financial plan with an indication of the types of costs, as well as the allocation of those costs within the Court's budget, including those that produce savings or efficiency gains for the JWP and other strategic projects identified in the IT/IM strategy.**

32. **In order to improve transparency and financial decision-making within the budget process, the Court should include in the structure of the 2018 proposed programme budget a separate annex detailing the allocation of ICT related costs within the budget, by separating recurring standard operating costs from those related to strategic development projects and those related to non-recurring investments.**

B. Work methodology of the Committee on Budget and Finance

33. During its twenty-sixth session in April 2016, the Committee had a preliminary discussion on ways to improve its work methodology and set up an internal working group to report to the Committee at its twenty-eighth session.¹¹

34. The Committee noted that the working methods of the Committee are captured in two documents: the Rules of Procedure of the Committee on Budget and Finance of the International Criminal Court,¹² which have been created at the Committee's establishment in 2002; and the Committee's Policy and Procedure Manual,¹³ which was issued at the Committee's tenth anniversary in 2012.

35. The Committee was updated by the internal working group on the progress to date, including on the objectives of the review, suggested areas for amendment of the Rules of Procedure and the outline of a revised trial approach at its twenty-ninth session in September 2017.

36. The review seeks to:

⁹ CBF/28/12.

¹⁰ For example, for the Judiciary: the Chambers Practice Manual amendments (cf. CBF/28/2); for the Registry: finalisation of procedures not fully developed during the ReVision (cf. CBF/28/19), legal aid policy development (cf. CBF/28/4) and Human Resources policies formulation (cf. CBF/28/18); for the OTP: efficiency increasing objectives for 2017 (cf. Approved Programme Budget for 2017 of the International Criminal Court).

¹¹ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.1, paras. 14 and 15.

¹² Cf. *Official Records ... Second Session ... 2003* (ICC-ASP/2/10), annex III.

¹³ https://asp.icc-epi.int/iccdocs/asp_docs/CBF/CBF-manual-ENG.pdf.

(a) Ensure production of a high quality report of the Committee in both working languages, as soon as possible at each session;

(b) Optimize time within the session's agenda to collectively discuss and agree on recommendations of the Committee; and

(c) Work with the Court in order to decrease the volume and length of reports required on budgetary issues.

37. In this regard, the Committee decided that it would consider possible amendments to its Rules of Procedure at its thirtieth session in April 2018.

38. **The Committee further decided to test a new approach to preparing for the twenty-ninth session in September 2017, including the consideration of the agenda for the twenty-ninth session at its twenty-eighth session. In addition, the Committee will collectively take account of time available, the reporting burden for the Court, and whether the Committee's reporting requests to the Court, as far as complied with, will provide a complete picture to comprehensively consider the 2018 proposed programme budget at the twenty-ninth session in September 2017.**

C. Other financial and budgetary matters

1. Status of contributions

39. The Committee reviewed the status of contributions as at 15 April 2017 (annex I):

(a) The assessed contribution for the approved budget for 2017 of €41.60 million;¹⁴ and

(b) Contributions corresponding to Major Programme VII-2 host State loan interest amounting to €987,300 for the permanent premises.

40. The Committee noted that, as at 15 April 2017, regular contributions of €63.41 million (44.78 per cent) were outstanding for the 2017 approved budget of €41.60 million. At the same date, the outstanding contributions for the replenishment of the Contingency Fund were €5,738.

41. The Committee noted that the outstanding contributions from previous years stood at €14.56 million at the end of 2016, compared to €16.9 million at the end of 2015, and expressed its deep concern about the outstanding contributions.

42. States Parties that had not opted to make a one-time payment¹⁵ were required to cover the interest payments due on the loan from the host State. The outstanding loan interest, as at 15 April 2017, stood at €89,722 (€100,805 from the previous year and €488,917 for 2017), making a total of €78,573,531 in outstanding contributions including the interest.

43. The Committee noted that, as at 15 April 2017, 55.2 per cent of the contributions due in 2017 had been paid compared to 52.9 per cent in 2016. The Committee expressed its concern that only 49 States Parties of 124 had fully paid their contributions as at 15 April 2017.

44. The Committee observed that the Court regularly, i.e. on a quarterly basis, sends official reminders and communicates through various diplomatic channels with States that have outstanding contributions. Given the legal obligation of the Court to pay interest and also to repay the loan for the permanent premises, the Committee recalled that it was imperative for States Parties to provide their timely contributions. Failure to do so may result in decreasing available cash flow to the Court for its essential operating activities. **The Committee urged all States Parties to make their payment 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.**

¹⁴ ICC-ASP/15/Res.1, section A, para 3.

¹⁵ 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.

45. **The Committee requested the Court to continue reminding States Parties that had not paid their contributions in full of their obligation to do so as soon as possible. Furthermore, the Committee recalled its previous recommendation that the President of the Assembly and Court officials take up this issue in bilateral meetings with States that have outstanding obligations to the Court.**

2. States in arrears

46. 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.”

47. The Committee observed that, as at 15 April 2017, 15 States Parties were in arrears and would therefore not be able to vote in accordance with article 112, paragraph 8 of the Rome Statute. Based on the recommendations of the Committee, the Secretariat had informed States Parties in arrears twice in 2016, i.e. on 4 April 2016 and on 21 October 2016. The Secretariat sent notifications to all States in arrears of the minimum payment required to avoid application of article 112, paragraph 8 of the Rome Statute, and of the procedure for requesting an exemption from the loss of voting rights.

48. **The Committee requested the Secretariat to again notify States Parties in arrears later in the year, highlighting their commitment to contributing to the budget. The Committee recommended that all States Parties in arrears settle their accounts with the Court as soon as possible.**

3. Contributions of States Parties withdrawing from the Rome Statute

49. The Court submitted a report entitled “Contributions of States Parties withdrawing from the Rome Statute”¹⁶ to the Committee. This report presents possible options to deal with the financial obligations of States Parties that withdraw from the Rome Statute, in the absence of clear provisions contained in the Rome Statute or the FRR.

50. The following items were identified by the Court: financial obligations of States Parties withdrawing from the Rome Statute; budget assessments, questions related to precautionary reserves (Working Capital Fund, Contingency Fund and Employees Benefit Liability), budget surplus, and instalment payments for the host State Loan.

51. At the time of the twenty-eighth session of the Committee, one State Party, unless it reverts its decision, would withdraw pursuant to Article 127 of the Rome Statute, whereby the withdrawal would become effective as at 27 October 2017.

52. The Committee took note of the report, and also noted that the effective date of withdrawal of any State Party had not yet arrived. Thus, the Committee considered that it was not in a position to provide advice at this moment in time.

4. Programme performance of the 2016 approved budget

53. The Committee considered the “Report on activities and programme performance of the International Criminal Court for the year 2016.”¹⁷ Based on preliminary and unaudited numbers, the overall implementation rate of the regular budget was 96.1 per cent or a total of €34.21 million against an approved budget of €39.59 million.

54. The overall actual implementation rate of the three Contingency Fund notifications submitted to the Committee had been 86.4 per cent, or a total of €2.60 million, against the revised total notified amount of €3.01 million. The Committee welcomed the fact that the Court had absorbed the expenditures for unforeseen situations and development within its regular budget.

55. As a result, the Court’s total actual expenditure, including the Contingency Fund notifications, was €36.82 million in 2016. This represented an underspending of €2.78

¹⁶ CBF/28/22.

¹⁷ CBF/28/21.

million (€139.59 million minus €136.82 million) against the 2016 approved budget and an implementation rate of 98.0 per cent.

56. The Committee noted that, in accordance with the Resolution ICC-ASP/15/Res. 1, adopted by the Assembly at its fifteenth session in November 2016, the cost overrun for the permanent premises of €1.75 million should be covered by the €0.55 million interest accrued over the years on the funds of the permanent premises project and any existing surplus in the Court's programme budget.¹⁸ Thus, the amount of €2.78 million resulting from the underspend in the programme budget was reduced by the residual amount needed to cover the overrun on the permanent premises (€1.2 million),¹⁹ leading to a reduced surplus of €1.58 million,²⁰ which would be used for the replenishment of the Working Capital Fund ("the WCF"), as decided by the Assembly at its fifteenth session.²¹

57. The Committee noted that the implementation rates of the regular budget by the major programmes was 89.5 per cent for the Judiciary, 94.7 per cent for the OTP, 98.5 per cent for the Registry, 97.6 per cent for the Secretariat, 100 per cent for Premises, 87.1 per cent for the Secretariat of the Trust Fund for Victims (TFV), 58.6 per cent for the Project Director's Office, 99.3 for Permanent Premises Project – Interest, 57.8 per cent for the Independent Oversight Mechanism, 89.6 per cent for the Office of Internal Audit.²²

58. The Committee noted with satisfaction that the actual travel expenditures had decreased from €6.7 million in 2015 to €5.34 million in 2016,²³ and invited the Court to continue exploring possibilities for efficient travel planning and noted its expectation that the outcomes of these efforts would be reflected in the 2018 proposed programme budget.

59. The Committee noted the large overall underspending on actual staff costs for the year 2016 in the amount of €4.55 million (4.7 per cent)²⁴ resulted mainly from the increased average vacancy rate for the OTP of 12.7 per cent (compared to 8.3 per cent for 2015) and the continued high average vacancy rate for the Registry of 22 per cent. In this regard, the Committee expressed its expectation that this situation would be normalized by implementing the strategic objectives and priorities in human resources management.

60. The Committee noted that eight out of 15 budget line items were overspent, some substantially, and others used to compensate. For example, there had been overspending on furniture and equipment in the amount of €2.2 million. The Committee further noted that the year 2016 saw a high level of activity in human resources, which makes it an exceptional year and decided that it will scrutinize this further within the 2018 proposed programme budget. The Committee also noted that the budget implementation figures for 2016 have been subject to adjustments within the main major programmes. The Committee recalled that under the general principles of best budgetary governance, underspending of any budget lines does not per se justify absorbing the savings by expenditure of a different nature. Thus, offsetting underspending in the staff budget by overspending, for example on standard equipment, is a practice to be discouraged. Although the FRR provide for certain flexibility in this regard, caution must be exercised in the use of this flexibility otherwise there is a risk of undermining the budget process. In addition, striving for a 100 per cent implementation rate should not be an objective in itself; rather the search for efficiencies and savings should be prioritized.

61. The Committee noted that, while it can be necessary to provide for appropriate managerial flexibility, the transfer of funds can create a risk, in particular, if the forecast data are uncertain, the nature of an expenditure approved by the Assembly is changed, or an expenditure that was not fully justified is nonetheless carried out because an underspend in another budget line item allows for the transfer of funds. **Therefore, the Committee encouraged the Court to ensure greatest possible accuracy in the budget forecasting in order to ensure that funds are only transferred, when flexibility in budgeting requires**

¹⁸ ICC-ASP/15/Res.1, section H, para.1.

¹⁹ €1.2 million= €1.75 million minus €0.55 million.

²⁰ €1.58 million=€2.78 million minus €1.2 million.

²¹ Contingency Fund in detail ICC-ASP/15/Res.1, section B.

²² CBF/28/21, para. 231.

²³ This corresponds to an implementation rate of 104.7 per cent against the approved regular budget for 2016.

²⁴ Total actual expenditure including Contingency Fund.

so, and in no case to circumvent recommendations of the Committee or resolutions of the Assembly and to keep the Committee informed on transfers made, and to ensure greatest transparency.

62. The Committee further noted that the underspending in the amount of €1.52 million in relation to general operating expenses resulted, according to the Court, in part, from the lower usage of operational utilities in the new premises, which in 2016 had been used for the first time throughout one entire year. **The Committee was of the view that reduced expenditures on general operating expenses should materialize in the 2018 proposed programme budget and in this regard requested the Court to provide transparent information on such reductions in future budget proposals.**

63. The Committee further noted the significant overspending in the amount of €338.7 thousand, or 176.7 per cent, on consultants. **As the Court reached a certain level of maturity with internal professional staff, the Committee expressed its expectation and recommended that in-house expertise would be used in the future with a view to decreasing costs for consultants.**

64. The Committee noted with concern the large increase in the amount of unliquidated purchase orders,²⁵ which have increased from €3.3 million at the end of 2015 to €7.3 million (increase of 121 per cent) at the end of 2016, and further noted that the number of unliquidated purchase orders has increase from 370 at the end of 2015 to 627 at the end of 2016. **The Committee requested further information on the root causes of this development at its twenty-ninth session in September 2017 and, while it was not provided with sufficient information, expressed its expectation that improvements will be made in the next budget cycle, where the Committee will keep monitoring this issue.**

(a) *Contingency Fund*

65. In 2016, the Court was confronted with a number of unforeseen developments and submitted the following three Contingency Fund notifications:

(a) Notification of 9 August 2016 for €1,358,900 in the case of *Dominic Ongwen* (situation in Uganda);

(b) Notification of 9 August 2016 for €13,000 in the case of *Lubanga* (situation in the Democratic Republic of Congo); and

(c) Notification of 20 September 2016 of €2,516,500 for the new situation in Georgia, which was reduced on 10 November to €1,338,000.

66. The Committee noted that the overall use of resources for unforeseen situations amounted to €2.6 million, compared to the total revised notified amount of €3.01 million,²⁶ and that these resource requirements were absorbed within the regular approved budget.

67. At its fifteenth session in November 2016, the Assembly had resolved that the Contingency Fund was to be maintained at the notional level of €7 million for 2017, and requested the Bureau to keep this threshold under review in light of further experience on the functioning of the Contingency Fund.²⁷ On 31 December 2016, the level of the Contingency Fund stood at a level of €5.8 million.

(b) *Working Capital Fund*

68. The Committee noted that, the level of the WCF stood at €3,634,515 as at 31 December 2016.²⁸ The Assembly at its fifteenth session in November 2016, based on the recommendation of the Committee,²⁹ decided that the WCF for 2017 shall be established in

²⁵ Unliquidated purchase orders represent commitments made in 2016, which however, had not yet been spent.

²⁶ CBF/28/21, para. 262.

²⁷ Compare in detail ICC-ASP/15/Res.1, section D.

²⁸ CBF/28/21, annex XIII.

²⁹ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.2, para. 144.

the amount of €1.6 million and noted that the Court was allowed to only use the surplus funds and outstanding contributions to reach the established level of the WCF.³⁰

69. The Committee again stressed the importance of full and timely contributions in order to avoid that the Court incurs additional expenses resulting from delayed payments.

(c) *Credit line*

70. At its fifteenth session in November 2016, the Assembly, upon recommendation of the Committee,³¹ had authorized the establishment of a seasonal credit line in the amount of up to €7 million for the period of December 2016 to mid-February 2017 to cover liquidity shortfalls, which is to be used as last resort, after the full utilization of the WCF and the temporary, exceptional utilization of the Contingency Fund, and further decided that any related fees shall be absorbed by the Court, taking all possible steps to minimize the cost of a credit line.

71. The Committee noted that, in the end, it had not been necessary for the Court to draw on the credit line, as the receipt of payments from States Parties had made it possible for the Court to avoid a liquidity shortfall. The Committee again stressed the importance of full and timely contributions by States Parties in order to avoid the Court having to incur additional expenses resulting from delayed payments.

72. While being an efficient temporary risk-mitigating instrument, the Committee reiterated its recommendation that the seasonal credit line should only be used as a last resort and after exhausting other possibilities³² and expressed its expectation that the replenishment of the WCF to its established level of €1.6 million, as decided by the Assembly at its fifteenth session in November 2016, would contribute to overcoming liquidity shortfalls without a need to accessing an external credit line.

(d) *Cash flow management*

73. At its twenty-seventh session in September 2016, the Committee requested that the Court provide at its twenty-eighth session a full evaluation of current cash flow management, including a comparison of assumptions and actual implementation; yearly identification of diverging trends; scope for better aligning disbursements to actual receipts of contributions; management of payment periods, including the advantages, disadvantages and any legal issues in extending periods for the payment of supplier invoices; options for the temporary pooling of liquid reserves; projections and use of annual budget surpluses, currently or in the medium term; and advantages, disadvantages and costs for arranging an external line of credit.³³

74. The Committee considered the “Report of the Court on its Cash Flow Management”.³⁴ The Committee was informed that the Court’s Finance Section monitors cash balances on a daily basis and prepares cash flow projections on a monthly basis. In addition, cash flow projections are reviewed on a quarterly basis by the Investment Committee to assess the current liquidity situation and trends which could affect cash flow. While staff costs are linear and predictable, the outflows on non-staff costs are analyzed with a focus and specific estimates on any large outflows (e.g. yearly instalments for the host State loan to be paid at the beginning of February of each year). The Committee noted with satisfaction that the Court carries out sensitivity analyses, with a view to identifying potential liquidity issues at an early stage.

75. Considering the increasing importance of efficient cash management resulting from delays in the receipt of assessed contributions, the Committee decided to continue monitoring the Court’s liquidity and cash flow arrangements at future sessions.

³⁰ Cf. in detail ICC-ASP/15/Res.1, section B.

³¹ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.2, para. 151.

³² *Ibid.*

³³ *Ibid.*, para. 152.

³⁴ CBF/28/5.

5. Programme performance of the 2017 budget: first quarter

76. The Committee had before it the “Report on budget performance of the International Criminal Court as at 31 March 2017”.³⁵

77. The Committee noted that the implementation rate, as at 31 March 2017, was at 31.1 per cent, or €44.93 million, against the 2017 approved budget of €144.59 million, and agreed to continue to monitor the situation at its twenty-ninth session in September 2017.

78. The Committee further noted that, as at 5 May 2017, no Contingency Fund notification had been submitted.

6. Assessment on the establishment of a reserve for ASHI liabilities

79. At its twenty-sixth session in April 2016, the Committee noted that the Court was currently following the so-called “pay-as-you-go” approach to financing Employee Benefit Liabilities, including ASHI. The Committee observed that further work would have to be carried out to determine, if the establishment of a reserve would be appropriate. Recalling its recommendations made at its twenty-fourth session in April 2015,³⁶ the Committee requested the Court to make an assessment on the establishment of a reserve and its appropriate level at its twenty-eighth session.³⁷

80. The Committee had before it a report entitled “Funding of ASHI liabilities”,³⁸ and noted that ASHI liabilities still form a rather limited expenditure item for the Court, as it is a relatively young institution, while emphasizing at the same time the need to identify financing possibilities to cater for such liabilities.

81. The Court informed the Committee that the External Auditor would assess the possibility to establish a reserve and, therefore, decided to reconsider this matter once this audit is concluded and after having greater clarity on future cost projections.

7. Policy on replacement for capital investment

82. At its twenty-fifth session in September 2015, the Committee had recommended that a clear and transparent policy on replacement of capital investment should be put in place, both in the field offices and at headquarters in connection with the new permanent premises, and asked to be informed thereon at its twenty-eighth session.³⁹

83. The Committee had before it the “Report on replacement of capital investment”⁴⁰ and received additional explanations from Court representatives. The Committee noted that the Assembly has entrusted the Bureau, via The Hague Working Group (“the HWG”), with considering issues relating to the long-term preservation, value and depreciation of premises as a capital asset, which would entail establishing a draft plan for funding the total cost of ownership and a plan to monitor budget implementation in this regard, as well as focusing on strategic decisions regarding multi-annual investment plans and on unforeseen events that may negatively impact the Court’s judicial functioning.⁴¹ The Committee welcomed the designation of a specific focal point on this topic within the budget facilitation of the HWG. **The Committee emphasized that it would be useful for the Committee to receive a copy of the documentation that the Court provides to the HWG on the issue of the replacement of capital investments in the permanent premises.**

84. **The Committee requested the Court to develop clear and transparent medium-term and long-term cost projections and funding plans for the replacement of capital investments, such as capital investments in ICT, and to provide a comprehensive analysis on this subject at its thirtieth session in April 2018. The Committee further recommended that the Court, starting with the 2019 proposed programme budget,**

³⁵ CBF/28/23.

³⁶ *Official Records ... Fourteenth session ... 2015* (ICC-ASP/14/20), vol. II, part B.1, paras. 57 et seq.

³⁷ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.1, paras. 42 and 43.

³⁸ CBF/28/6.

³⁹ *Official Records ... Fourteenth session ... 2015* (ICC-ASP/14/20), vol. II, part B.3, para. 71.

⁴⁰ CBF/28/15.

⁴¹ *Official Records... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. I, part III, ICC-ASP/15/Res. 2, Annex II.

include all relevant information on the replacement of capital investments, such as investments plans, actual investments and replacement of assets in due course of time, in a separate annex to the proposed programme budget.

D. Institutional reform and administrative matters

1. Judiciary

(a) *Update on Lessons learnt / Chambers Practice Manual*

85. In relation to the lessons learnt exercise on judicial proceedings, the Committee noted at its twenty-seventh session in September 2016 that the Judges had published the Chambers Practice Manual, which is the first update to the Pre-Trial Practice Manual, and looked forward to further updates at its twenty-eighth session.⁴²

86. **The Committee took note of the “Report on lessons learnt in the Presidency”⁴³ and welcomed the continued efforts of the Presidency to identify further efficiencies and savings, including through the development of proposals such as amendments aimed at reducing the number of judges required for pre-trial, trial and appeal phases and the amendment of rules around the prioritisation of translation, and looked forward to further updates through the 2018 proposed programme budget, as well as future budget proposals.**

(b) *Allocation of staff for the courtroom usage and hearings*

87. At its twenty-seventh session in September 2016, the Committee was of the view that the Court needed to closely monitor the use of courtroom time, and asked the Court to report on the allocation of established posts, GTA positions and short-term appointment staff for the courtroom usage and hearings held in 2013, 2014, 2015 and 2016 to the Committee at its twenty-eighth session.⁴⁴

88. Courtroom usage statistics from 2013 to 2016 showed discrepancies between the planned and actual number of hearing days. Such variances were caused by the time lapse between budget preparation and implementation, as well as uncertainties linked to each judicial proceeding. Due to the uniqueness of each case, benchmarking based on past experience was difficult to do. The Registry, however, managed to provide necessary support to courtroom activities by carefully coordinating hearing schedules with relevant organs of the Court and flexibly allocating available staff and non-staff resources. The Court assured the Committee that it would continue to monitor the implementation of the assumed number of hearing days and the related resource allocation in order to continue improving the efficiency and effectiveness of its operations.

89. The Committee noted that the potential use of each courtroom was over 200 days per year, that such capacity was sufficient and that, currently no delays can be explained by logistical reasons.

2. Impact of Registry reform

90. At its fourteenth session in November 2015, the Assembly took note of the ReVision process of the Registry, noted that the full implications of that process, including its financial implications both in the short-term and the long-term, would be the object of further clarifications to the Committee at its twenty-sixth session in April 2016, and looked forward to being duly informed about the impact ensuing from the new structure, both in terms of its capacity to absorb increases in the workload and tangible efficiencies attained and requested the External Auditor to conduct a complete assessment of the ReVision process, including its cost, its impact and its implementation.⁴⁵ In this regard, the External

⁴² *Ibid.*, vol. II, part B.2, para. 156.

⁴³ CBF/28/2.

⁴⁴ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.2, para. 94.

⁴⁵ ICC-ASP/14/Res.1, section J, para. 13.

Auditor submitted the “Audit Report of the ReVision project of the International Criminal Court’s Registry” to the Assembly.⁴⁶

91. At its fifteenth session in November 2016, the Assembly noted with appreciation the report of the External Auditor on the ReVision process, noted the conclusions and recommendations made, and further noted that the ReVision process would be the subject of further clarifications to the Committee at its twenty-eighth session.⁴⁷ The Registry submitted an “Update on the Conclusions and Recommendations of the External Auditor on ReVision” to the Committee’s attention.⁴⁸ The Committee took note of the report of the External Auditor and the report of the Registry and strongly expressed its view that the reorganization only marked the beginning of the search for efficiencies and savings. Therefore, the Committee decided that it will closely monitor its implementation at future sessions and in particular scrutinize the 2018 proposed programme budget, including its annex on saving and efficiencies, to identify how savings and efficiencies are tangibly reflected in the budget proposal.

3. Synergies

92. The Committee had before it several reports on synergies at the Court, including the “Report on the implementation of the OTP Strategic Plan”⁴⁹; the “Report of the Secretariat of the Trust Fund for Victims on achieving synergies and efficiencies with the Court”;⁵⁰ and the “Report of the Court on inter-organ synergies”.⁵¹

93. The Committee took note of the reports, and expressed its expectation that the savings arising as a result of these synergies, including those arising from an intensified cooperation between the STFV and the Registry, as well as the identification of efficiencies would be reflected in the 2018 proposed programme budget, and that this be explicitly identified in an annex to the proposed programme budget.

E. Human resources

1. Reclassification and conversion of posts

94. The Committee considered the “Report of the Court on specific matters related to human resources management: Reclassification and conversion of posts”⁵² and was of the view that further analysis of the requests for reclassification and conversion needed to be undertaken, and that the merits of each of these requests would be considered in the context of the 2018 proposed programme budget.

2. Geographical representation and gender balance

95. At its twenty-seventh session in September 2016, the Committee recalled that the Court had adopted a range of measures to address long-standing imbalances in geographical representation and gender balance. In this regard, the Committee reiterated its previous recommendation made at its twenty-sixth session⁵³ in April 2016 and looked forward to the consolidation of the Court’s current and planned efforts into an action plan, where feasible, based on quantified, monitorable performance targets and a progress report in this regard at its twenty-eighth session in the context of the annual report on human resources.⁵⁴

96. At its twenty-seventh session in September 2016, the Committee also looked forward to receiving a further update on the geographical distribution and gender balance at its twenty-eighth session in the context of the annual report on human resources, along with an analysis of the impact of ReVision and of the large scale GTA conversions in OTP in

⁴⁶ ICC-ASP/15/27.

⁴⁷ ICC-ASP/15/Res.1, section M, para. 12.

⁴⁸ CBF/28/19.

⁴⁹ CBF/28/11.

⁵⁰ CBF/28/16.

⁵¹ CBF/28/12.

⁵² CBF/28/24.

⁵³ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.1, para. 91.

⁵⁴ *Ibid*, part B.2, para. 188.

order to ensure that there has been no negative effect on geographical distribution and gender balance within the Court.⁵⁵ Court data showed that converted positions had a negligible effect on geographical representation. On the other hand, conversions negatively affected the gender balance in favour of male staff.

97. The Committee considered the information on geographical representation and gender balance for the year 2016 contained in the “Report of the Court on human resources management”⁵⁶ and in the “Report of the Court on specific matters related to human resources management: Reclassification and conversion of posts”.⁵⁷

98. The Committee noted that there is a significant number of staff that are nationals of States that are not States Parties to the Rome Statute, and in this regard the Committee recommended that the Court address this issue in conjunction with the existing imbalance in geographical representation and include an update thereon in the report on human resource management at its thirtieth session in April 2018.

99. In relation to the Committee’s previous recommendations concerning geographical representation, the Committee was of the view that the Court had achieved modest improvements in the number of under-represented, balanced and over-represented States, while noting that the number of over-represented States increased.

100. With regard to achieving gender balance among the Court’s staff, the Committee noted that the Court work force is still tilted towards male staff. The Committee noted with interest that the Court female employees comprise 44 per cent of the workforce; 53 per cent in the Judiciary, 47 per cent in the OTP and 41 per cent in the Registry.

101. The Committee noted that gender imbalance at the professional level has increased by two per cent in 2016, and that the gap in the gender balance at the higher professional levels remained significant. The Committee recommended that the Court gives priority to narrowing the gap and makes sustained efforts, and that it report on progress made in the context of the report on human resources management at its thirtieth session in April 2018.

102. The Committee recommended that the Court continue its efforts towards further improving the situation with respect to geographical distribution and gender balance and to report back on the specific measures taken, including awareness-raising campaigns, in the context of the report on human resources management at its thirtieth session in April 2018.

3. GTA positions and its duration of contracts

103. At its twenty-seventh session in September 2016, the Committee recommended that staff be used in the most efficient and flexible way possible, for example by redeploying workforce to other duty stations in line with new activities, and looked forward to receiving detailed information on the use of GTA positions in the context of human resources planning at its twenty-eighth session.⁵⁸

104. At its twenty-seventh session in September 2016, the Committee further recommended that the Court specify, for all newly requested GTA positions in future budgets, if possible, the required duration of the requested posts, including multi-year posts, in order to reduce the administrative workload of the Human Resources Section and of the hiring officers. Also, the Committee reiterated its recommendation that the Court submit a policy proposal on the duration of the contracts for GTA positions at its twenty-eighth session as part of its annual human resources management report.⁵⁹

105. The Committee noted the policies put forward by the Court regarding the use of GTA positions and the compensation review package. The Committee welcomed the development of these policies and the prioritisation for further policy development to support staff over the coming year, including through a healthcare insurance contract.

⁵⁵ *Ibid*, para. 191.

⁵⁶ CBF/28/18.

⁵⁷ CBF/28/24.

⁵⁸ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.2, para. 88.

⁵⁹ *Ibid*, para. 181.

4. Update on the implementation of short-term appointments

106. At its twenty-sixth session in April 2016, the Committee had asked the Court to take the necessary measures in order to ensure that the implementation of the short-term appointment modality would observe the nature of its functions, and would lead to a wider use of this recruitment process by replacing the non-recommended practice of using Special Services Agreements, and had requested to be provided with further updates in the context of the annual report on human resources management so as to enable the Committee to monitor the implementation of short-term appointments, as appropriate.⁶⁰

107. The Committee welcomed the issuance of the Administrative Instruction on Short-Term Appointments⁶¹ (STA), promulgated on 28 January 2016, as well as on related allowances applicable to staff members holding STAs. The STA staff modality was aligned with the UN common system's provisions for temporary appointments.

108. The Administrative Instruction established the conditions of service for the staff members at all levels employed under a STA. A STA may be issued for a single or cumulative maximum period of one year to meet seasonal or peak workloads and specific short-term requirements.

109. The Committee observed that the Court, in the period from 1 March until 31 December 2016, issued 154 STA contracts, out of which 101 in the Registry, equalling to the duration of 462 working months or 38.5 full-time positions. The Committee recognized that in 2016, due to the high vacancy rate in the Registry, the short-term modality enabled sections to ensure business continuity, while recruiting for vacant positions. **Therefore, the Committee was of the view that the use of STA in the coming years should be monitored and tracked, as well as reported on in the context of report on human resources management in order to keep optimal balance between operational needs, as well as to ensure good governance and transparency of used resources.**

5. Administrative Instruction on consultants and individual contractors

110. At its twenty-sixth session in April 2016, the Committee was informed of the Court's development of an Administrative Instruction on consultants and individual contractors, including a provision on the appropriate use of pro-bono contracts, requested by the Committee at its twenty-fourth session in September 2015, and called upon the Court to submit the proposal for its consideration, not later than at its twenty-eighth session.⁶²

111. The Committee took note of the Administrative Instruction on consultants and individual contractors,⁶³ dated 4 March 2016, where it is clearly foreseen that duration of the services of an individual contractor, shall be limited to six or, in special circumstances, nine work months in a period of 12 consecutive months.

112. Furthermore, the Committee was informed that the consultancy budget including the Contingency Fund implemented in 2016 was 176.7 per cent, or €0.78 million, against the approved budget of €0.44 million.⁶⁴ In this regard the Committee noted that, detailed information on consultants funded by the 2016 approved budget, which was presented by the Court, showed contract lengths that exceeded those foreseen in the Administrative Instruction.

113. **The Committee recommended that the Court should follow the regulations on the use and length of contracts for consultants and contractual service providers, and stressed the need to avoid overspending in the future budget implementation.**

⁶⁰ *Ibid*, part B.1, para. 85.

⁶¹ ICC/AI/2016/001.

⁶² *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.1, para. 80.

⁶³ ICC/AI/2016/002/Cor.1.

⁶⁴ CBF/28/21/Corr.1.

6. Junior Professional Officer programme

114. The Committee had before it the Court's Report on the Junior Professional Officer (JPO) programme.⁶⁵ The JPO programme is designed to offer on-the-job training opportunities to young professionals and to expand the pool of potential future talent for the Court, as well as for national administrations.

115. The Court recalled that, in 2013, the Assembly endorsed the Court's proposal to introduce the JPO programme on a trial basis, taking full account of the concerns raised by the Committee, in particular the possible impact on geographical representation, and subject to a comprehensive review in 2017. The Court would ensure that all costs associated with the programme are identified and fully recovered from the States Parties.

116. The Court informed the Committee that it had concluded a Memorandum of Understanding (MoU) with the Government of Japan in January 2016. Two other prospective sponsor countries, the Republic of Korea and Switzerland, are also in the process of identifying JPOs through the national scheme, while finalizing the conclusion of the MoUs.

117. As to the way forward, the question is now whether to extend the JPO programme and when to go ahead with the comprehensive review of the programme (existing to date only on a trial basis), as originally scheduled for 2017.

(a) The Court expressed its conviction of the value of a JPO programme. It wished to seek the Assembly's consideration to approve it in line with the requests and conditions previously outlined; and

(b) Alternatively, it requested the Assembly to extend the period of the pilot exercise for an additional three years, i.e. until 2020, by which time the Court will have experienced a full programme cycle.

118. The Committee recommended the Assembly to approve the extension of the programme, preferably on its current trial basis, in any case, with a review re-scheduled for 2020.

7. Update on vacant posts in the Secretariat of the Assembly of States Parties

119. At its twenty-seventh session, the Committee had reiterated its prior recommendation on the use of GTA positions in the Secretariat, and had noted that GTA and STA contracts had been used to address the substantive and technical servicing needs of some of the established posts, including covering the temporary absence of staff. The Committee expressed its concern on the staffing situation and requested a further update for its twenty-eighth session in order to determine the continuing need for those posts and to further guide the Assembly concerning the 2018 proposed budget.⁶⁶ In this regard the Committee received the "Report of the Court on recruitments in Major Programme IV".⁶⁷

120. The Committee was updated on the situation of the vacant posts in the Secretariat as at April 2017. Out of the nine posts that were originally not filled at the end of 2016, two posts have been filled, four were at the last stage of recruitment and four posts remained either under recruitment or would be advertised when further information is provided.

121. The Committee noted the significant progress made by the Secretariat and will continue to closely monitor the situation in order to ensure the adequate staffing of the Office.

8. Report on the field offices

122. At its twenty-seventh session in September 2016, the Committee had requested that the Court report on the field office closure strategy and on decreases in field office activities in the context of human resource planning at its twenty-eighth session.⁶⁸ The

⁶⁵ CBF/28/18, Annex IV.

⁶⁶ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.2, para. 104.

⁶⁷ CBF/28/14.

⁶⁸ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.2, para. 89.

Committee noted in this regard the detailed information presented by the Court in its report entitled “Registry report on field offices in the context of human resources planning”.⁶⁹

123. The Committee took note of the Court’s field office closure strategy and considered that, while it is a step forward to better human resources planning, it will continue to closely monitor the staffing and other resources of field offices, as well as overall field-related expenditures in the context of the regular human resources management report and budget submissions. **In this regard, the Committee recommended that the Court develop standard operating procedures for the full cycle (the opening, operating and closure) of field offices, taking into account past experience and lessons learnt, as well as their full budgetary impact and to report thereon at its thirtieth session in April 2018.**

F. Legal aid

124. The Court submitted a report entitled “Report on the performance of the Courts legal aid system in 2016,”⁷⁰ examined by the Committee during its current session. The Committee took note of the figures presented therein by the Registry with respect to legal aid for the financial year 2016. The Committee further took note of the figures related to legal aid contained in the “Report on activities and programme performance of the International Criminal Court for the year 2016.”⁷¹

Table 1: Legal aid for defence and victims

	<i>Budget 2016</i>	<i>Expenditures/ engagements 2016</i>	<i>Implementation rate</i>
Legal aid for defence	€4,339,900.0	€4,775,000.0	110.0%
Ad hoc counsel	€181,500.0	€175,000.0	96.40%
<i>Legal aid for defence</i>	<i>€4,521,400.0</i>	<i>€4,950,000.0</i>	<i>109.50%</i>
<i>Legal aid for victims</i>	<i>€1,963,200.0</i>	<i>€1,344,600.0</i>	<i>68.50%</i>
Total Legal aid	€6,484,600.0	€6,294,600.0	97.06%

125. The Committee raised a query with the Court on the discrepancies between different amounts related to expenditures on legal aid for 2016, and its budget implementation rates contained in the “Report on the performance of the Court’s legal aid system in 2016”⁷² and in “Report on activities and programme performance of the International Criminal Court for the year 2016.”⁷³ The Court explained in relation to the final total expenditures for legal aid in 2016 that the figures in the “Report on the performance of the Court’s legal aid system in 2016” were preliminary, before the finalisation of the Financial Statements, which would be audited by the External Auditor. Furthermore, the Committee was informed by the Court that there was a slight difference in budget implementation rates contained in the above mentioned reports.

126. The Committee was not fully convinced about such explanation, and expected to receive reports without mistakes and contradictory information, and decided to review the total expenditures on legal aid during its twenty-ninth session in September 2017.

127. The Committee noted the internal allocation of funds made from the legal aid for victims to the legal aid for defence line of the budget to finance the overspending on the legal aid for defence. It was recalled during this review that, as a matter of principle, the Contingency Fund could not be used to cover possible overruns in the budgets allocated to legal aid or to other purposes, unless all other avenues have been demonstrably exhausted.

128. During its meeting, the Committee learned that consultations on possible amendments to the legal aid system would start on 19 June 2017. The Committee

⁶⁹ CBF/28/25.

⁷⁰ CBF/28/4.

⁷¹ CBF/28/21, page 39.

⁷² CBF/28/4.

⁷³ CBF/28/21.

recalled that the Assembly had requested the Court to reassess the functioning of the legal aid system and to present, as appropriate, proposals for adjustments to the legal aid remuneration policy for the consideration of the Assembly at its sixteenth session scheduled in December 2017. Upon query and request, the Committee was provided with the terms of reference of the consultancy. The Committee noted that a consultant had been hired by the Registry for an amount of €40,000 in 2016 to make an assessment of the Court's legal aid system,⁷⁴ and the same consultant was hired again in 2017 with a contract value of €9,500 plus travel and DSA when required to be in The Hague for work under this agreement, to develop a draft policy for the Court's legal aid system.

129. The Committee found, during the meeting, that it was not fully updated by the Court on the ongoing review process thus far. It also noted the apparently substantial responsibility conferred upon the external expert in devising a future legal aid policy as a basis for consultations with stakeholders, including the civil society. **The Committee requested the Court to keep the Assembly and the Committee informed about the ongoing consultation, including the outcome of the discussion, which will be held on 19 June 2017, the resulting proposal(s) and the process forward. The Committee emphasized that no decision on any amendment to the legal aid system can be taken unless approved by the Assembly upon recommendation of the Committee.**⁷⁵

G. Reparations

130. Further to a request made by the Committee at its twenty-second session in April 2014,⁷⁶ the Court submitted its first report on issues relating to victims' reparations in February 2015.⁷⁷ At its twenty-fourth session in April 2015, the Committee noted the complex issues identified in the report and decided to conduct a more detailed examination of those issues, including potential implications for the Court's budget and administration. At its twenty-sixth session in April 2016, the Committee asked for a further update by the Court on any developments with regard to reparations.⁷⁸

131. At its twenty-seventh session in September 2016, the Committee recalled its earlier assessment that the issue of reparations had a potentially significant impact on the budget and reputation of the Court, and stated that it was cognizant of the fact that the final pattern of reparations in the *Lubanga*, *Katanga* and *Bemba* cases depended on decisions by the Chambers. The Committee requested to be informed about the administrative and operational cost implications resulting from the implementation of reparations, once these can be determined, and further agreed to closely monitor the situation at its forthcoming sessions.⁷⁹ The Committee took note of the "Second report of the Court on developments with regard to reparations,"⁸⁰ including its conclusion that the administrative and operational impacts of reparations remained uncertain at this time, as proceedings were not yet concluded. **The Committee again recalled its earlier assessment that the administrative and operational implications of reparations decisions may be significant for the Court, and recommended the Court to return to it with information on these implications once they can be determined, and further agreed to continue to monitor the situation at its forthcoming sessions.**

H. Cooperation with States Parties, including freezing of assets

132. At its twenty-sixth session in April 2016, the Committee had welcomed the fact that it was provided with information on the plans and actions to be undertaken by the External Operations Support Section, such as the development of a system to avoid duplication of

⁷⁴ The "Assessment of the ICC's Legal Aid System" was posted on the Court website. See <https://www.icc-cpi.int/itemsDocuments/legalAidConsultations-LAS-REP-ENG.pdf>.

⁷⁵ According to ICC-ASP/1/Res. 4, annex, para. 3 "[t]he Committee on Budget and Finance 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 of States Parties. [...]"

⁷⁶ *Official Records ... Thirteenth session ... 2014* (ICC-ASP/13/20), vol. II, part B.1, para 77.

⁷⁷ CBF/24/6.

⁷⁸ *Official Records ... Fourteenth session ... 2015* (ICC-ASP/14/20), vol. II, part B.1, para. 77.

⁷⁹ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.2, para. 179.

⁸⁰ CBF/28/7.

activities between the Coordination and Analysis Unit and the OTP's Situation Analysis Section, as well as the drawing up of a comprehensive strategy with States Parties and other relevant stakeholders in relation to all forms of voluntary cooperation and the development of agreements on the freezing of assets. In this regard, the Committee requested the Registry to report on any developments concerning the cooperation with States Parties, including in the context of freezing of assets, at its twenty-eighth session.⁸¹

133. The Committee had before it a "Report by the Registry on recent developments in the Court's cooperation with States Parties: freezing of assets and voluntary cooperation."⁸² The report indicated that the freezing of assets and the signing of voluntary cooperation agreements with States Parties were identified as priorities for the Court. The identification and freezing of assets is important for the Court for several reasons, including to facilitate measures to secure fines, forfeitures or reparation awards, and to facilitate the investigation of the indigence of persons claiming legal aid. Voluntary cooperation agreements between the Court and individual States Parties are also of great importance for the Court, as they cover a number of Court activities, such as protection of victims and witnesses, the enforcement of sentence, as well as interim release and relocation of suspects or accused persons after acquittal.

134. The report identified several current challenges and priorities, including the need to emphasize that cooperation agreements are flexible and can be modified to accommodate the needs of States and their national legislation; the encouragement of donor States to support the capacity of recipient States to cooperate; and the designation of focal points at the national level to lead domestic coordination.

135. The Committee took note of the report and looked forward to the Court's continuing efforts in this area.

I. Other matters

1. Amendments to the Charter of the Audit Committee

136. At its fourteenth session in November 2015, the Assembly approved the re-establishment of the Audit Committee ("the AC") including the Charter of the AC. The Committee recognized the added value of active interactions with the AC, as well as the necessity of keeping the Charter as a living document reflecting the actual needs of the AC. **In this context the Committee proposed the following amendments to paragraphs 10 and 40 of the AC Charter:**

(a) **Composition of the AC: Paragraph 10 of the AC Charter should read: "The Audit Committee shall consist of three to five external members from States Parties to the Rome Statute. Members of the AC shall be independent of the Court and its organs, whereby two out of the five members shall be active members of the Committee on Budget and Finance."**

(b) **Number of meetings: Paragraph 40 of the AC Charter should reduce the frequency of meetings from three to two, and read as follows: "The Audit Committee shall meet at least two times annually, or more frequently, as the Audit Committee deems necessary."**

137. **The Committee invited the AC to consider these proposals at its fifth session in order to enable the Committee to submit these amendments to the AC Charter to the Assembly for approval at its sixteenth session in December 2017.**

2. Future sessions of the Committee

138. The twenty-ninth session will be held from 18-29 September 2017 in The Hague, in accordance with the decision taken by the Assembly at its fifteenth session in November 2016.

⁸¹ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.1, para. 63.

⁸² CBF/28/13.

Annex I

Status of contributions as at 15 April 2017

State Party	Prior Years			2017						Outstanding Contributions Contingency Fund	Grand Total Outstanding Contributions	State Party Account Status	Date of Latest Payment
	Outstanding Regular Contributions	Outstanding Host State Loan Contribution	Total Outstanding Contributions	Assessed Regular Contributions	Assessed Host State Loan Contribution	Total Assessed Contributions	Outstanding Regular Contributions	Outstanding Host State Loan Contribution	Total Outstanding Contributions				
Afghanistan	-	-	-	14,160	588	14,748	14,160	588	14,748	-	14,748	Outstanding	14/11/2016
Albania	-	-	-	19,258	-	19,258	-	-	-	-	-	Fully settled	09/02/2017
Andorra	-	-	-	14,443	-	14,443	-	-	-	-	-	Fully settled	07/03/2017
Antigua and Barbuda	6,874	-	6,874	4,814	155	4,969	4,814	-	4,814	-	11,688	In arrears	01/10/2016
Argentina	-	-	-	2,151,329	-	2,151,329	2,146,569	-	2,146,569	-	2,146,569	Outstanding	20/03/2017
Australia	-	-	-	5,636,246	-	5,636,246	-	-	-	-	-	Fully settled	09/01/2017
Austria	-	-	-	1,736,441	94,285	1,830,726	-	-	-	-	-	Fully settled	31/01/2017
Bangladesh	-	-	-	14,160	744	14,904	-	-	-	-	-	Fully settled	09/02/2017
Barbados	-	-	-	16,850	-	16,850	16,850	-	16,850	-	16,850	Outstanding	23/02/2016
Belgium	-	-	-	2,134,478	117,912	2,252,390	-	-	-	-	-	Fully settled	02/02/2017
Belize	-	-	-	2,407	119	2,526	2,407	119	2,526	-	2,526	Outstanding	13/09/2016
Benin	21,071	327	21,398	7,222	355	7,577	7,222	355	7,577	24	28,999	Ineligible to vote	22/09/2016
Bolivia (Plurinational State of)	-	-	-	28,886	-	28,886	28,886	-	28,886	-	28,886	Outstanding	19/07/2016
Bosnia and Herzegovina	-	-	-	31,294	-	31,294	-	-	-	-	-	Fully settled	23/02/2017
Botswana	-	-	-	33,701	1,888	35,589	-	-	-	-	-	Fully settled	08/02/2017
Brazil	6,973,575	-	6,973,575	9,220,142	346,652	9,566,794	9,220,142	346,652	9,566,794	-	16,540,369	In arrears	29/12/2016
Bulgaria	-	-	-	108,466	5,553	114,019	-	-	-	-	-	Fully settled	14/02/2017
Burkina Faso	3,579	-	3,579	9,629	137	9,766	9,629	137	9,766	-	13,345	In arrears	18/10/2016
Burundi	2,695	81	2,776	2,407	119	2,526	2,407	119	2,526	-	5,302	In arrears	17/03/2015
Cabo Verde	6,212	109	6,321	2,407	119	2,526	2,407	119	2,526	-	8,847	Ineligible to vote	30/12/2013
Cambodia	-	-	-	9,629	367	9,996	9,629	367	9,996	-	9,996	Outstanding	28/06/2016
Canada	-	-	-	7,044,742	-	7,044,742	-	-	-	-	-	Fully settled	11/01/2017
Central African Republic	3,117	81	3,198	2,407	119	2,526	2,407	119	2,526	-	5,724	In arrears	09/12/2014
Chad	12,307	87	12,394	12,036	128	12,164	12,036	128	12,164	-	24,558	In arrears	13/01/2015
Chile	-	-	-	962,314	-	962,314	962,307	-	962,307	-	962,307	Outstanding	07/03/2016
Colombia	1,062,679	4,751	1,067,430	776,534	-	776,534	776,534	-	776,534	-	1,843,964	In arrears	30/06/2015
Comoros	16,732	109	16,841	2,407	119	2,526	2,407	119	2,526	46	19,413	Ineligible to vote	no paym.
Congo	46,821	538	47,359	14,443	588	15,031	14,443	588	15,031	73	62,463	Ineligible to vote	01/06/2011
Cook Islands	-	-	-	2,407	119	2,526	-	-	-	-	-	Fully settled	10/02/2017
Costa Rica	-	-	-	113,422	-	113,422	-	-	-	-	-	Fully settled	02/02/2017
Côte d'Ivoire	-	-	-	21,665	1,302	22,967	-	-	-	-	-	Fully settled	10/04/2017
Croatia	-	-	-	238,738	14,883	253,621	-	-	-	-	-	Fully settled	13/02/2017
Cyprus	-	-	-	103,651	-	103,651	-	-	-	-	-	Fully settled	25/01/2017
Czechia	-	-	-	829,634	-	829,634	-	-	-	-	-	Fully settled	02/02/2017
Democratic Republic of the Congo	13,659	19	13,678	14,160	27	14,187	14,160	27	14,187	-	27,865	In arrears	29/10/2015
Denmark	-	-	-	1,408,495	-	1,408,495	-	-	-	-	-	Fully settled	02/03/2017
Djibouti	4,314	107	4,421	2,407	119	2,526	2,407	119	2,526	-	6,947	Ineligible to vote	05/12/2014
Dominica	8,012	109	8,121	2,407	119	2,526	2,407	119	2,526	8	10,655	Ineligible to vote	31/12/2015
Dominican Republic	259,540	4,764	264,304	110,873	5,314	116,187	110,873	5,314	116,187	-	380,491	Ineligible to vote	22/03/2016
Ecuador	-	-	-	161,566	-	161,566	955	-	955	-	955	Outstanding	20/03/2017
El Salvador	18,985	-	18,985	33,701	-	33,701	33,701	-	33,701	-	52,686	In arrears	no paym.
Estonia	-	-	-	91,615	-	91,615	91,615	-	91,615	-	91,615	Outstanding	11/01/2016
Fiji	-	-	-	7,222	355	7,577	-	-	-	-	-	Fully settled	23/01/2017
Finland	-	-	-	1,099,807	-	1,099,807	-	-	-	-	-	Fully settled	09/01/2017
France	-	-	-	11,718,816	660,815	12,379,631	-	-	-	-	-	Fully settled	31/01/2017
Gabon	-	-	-	41,064	1,491	42,555	41,064	1,491	42,555	-	42,555	Outstanding	03/10/2016
Gambia	2,322	81	2,403	2,407	119	2,526	2,407	119	2,526	-	4,929	In arrears	02/12/2015
Georgia	-	-	-	19,258	-	19,258	-	-	-	-	-	Fully settled	27/01/2017
Germany	-	-	-	15,408,770	-	15,408,770	-	-	-	-	-	Fully settled	09/01/2017
Ghana	30,200	-	30,200	38,657	1,649	40,306	38,657	1,649	40,306	-	70,506	In arrears	09/04/2015
Greece	-	-	-	1,135,915	-	1,135,915	1,135,763	-	1,135,763	-	1,135,763	Outstanding	01/06/2016
Grenada	-	-	-	2,407	119	2,526	2,407	119	2,526	-	2,526	Outstanding	18/03/2016
Guatemala	-	-	-	67,543	3,190	70,733	-	-	-	-	-	Fully settled	23/11/2016
Guinea	14,464	109	14,573	4,814	119	4,933	4,814	119	4,933	84	19,590	Ineligible to vote	20/04/2015
Guyana	-	-	-	4,814	119	4,933	144	-	144	-	144	Outstanding	19/05/2016
Honduras	17,988	-	17,988	19,258	944	20,202	19,258	944	20,202	-	38,190	In arrears	01/03/2016
Hungary	-	-	-	388,267	4,648	392,915	-	-	-	-	-	Fully settled	20/02/2017
Iceland	-	-	-	55,507	-	55,507	-	-	-	-	-	Fully settled	06/02/2017
Ireland	-	-	-	807,970	-	807,970	-	-	-	-	-	Fully settled	20/01/2017
Italy	-	-	-	9,039,319	-	9,039,319	-	-	-	-	-	Fully settled	15/03/2017
Japan	-	-	-	23,345,875	1,279,688	24,625,563	20,401,962	-	20,401,962	-	20,401,962	Outstanding	24/01/2017
Jordan	-	-	-	48,286	-	48,286	-	-	-	-	-	Fully settled	23/02/2017

State Party	Prior Years			2017						Outstanding Contributions Contingency Fund	Grand Total Outstanding Contributions	State Party Account Status	Date of Latest Payment
	Outstanding Regular Contributions	Outstanding Host State Loan Contribution	Total Outstanding Contributions	Assessed Regular Contributions	Assessed Host State Loan Contribution	Total Assessed Contributions	Outstanding Regular Contributions	Outstanding Host State Loan Contribution	Total Outstanding Contributions				
Kenya	-	-	-	43,471	1,538	45,009	-	-	-	-	-	Fully settled	14/02/2017
Latvia	-	-	-	120,643	-	120,643	-	-	-	-	-	Fully settled	11/01/2017
Lesotho	-	-	-	2,407	119	2,526	2,407	119	2,526	-	2,526	Outstanding	27/01/2017
Liberia	145	-	145	2,407	119	2,526	2,407	119	2,526	-	2,671	In arrears	30/05/2016
Liechtenstein	-	-	-	16,850	-	16,850	-	-	-	-	-	Fully settled	23/01/2017
Lithuania	-	-	-	173,602	-	173,602	-	-	-	-	-	Fully settled	16/12/2016
Luxembourg	-	-	-	154,344	-	154,344	-	-	-	-	-	Fully settled	08/02/2017
Madagascar	-	-	-	7,222	355	7,577	4,018	-	4,018	-	4,018	Outstanding	30/12/2015
Malawi	17,619	218	17,837	4,814	239	5,053	4,814	239	5,053	26	22,916	Ineligible to vote	28/09/2011
Maldives	4,782	81	4,863	4,814	119	4,933	4,814	119	4,933	-	9,796	In arrears	11/01/2016
Mali	79	-	79	7,222	475	7,697	7,222	475	7,697	-	7,776	In arrears	25/04/2016
Malta	-	-	-	38,657	-	38,657	38,657	-	38,657	-	38,657	Outstanding	08/03/2016
Marshall Islands	3,356	81	3,437	2,407	119	2,526	2,407	119	2,526	-	5,963	In arrears	04/03/2015
Mauritius	-	-	-	28,886	-	28,886	-	-	-	-	-	Fully settled	16/01/2017
Mexico	-	-	-	3,460,846	-	3,460,846	3,460,846	-	3,460,846	-	3,460,846	Outstanding	23/01/2017
Mongolia	-	-	-	12,036	-	12,036	12,036	-	12,036	-	12,036	Outstanding	20/10/2016
Montenegro	-	-	-	9,629	-	9,629	9,629	-	9,629	-	9,629	Outstanding	24/05/2016
Namibia	-	-	-	24,072	-	24,072	-	-	-	-	-	Fully settled	24/03/2017
Nauru	15	-	15	2,407	119	2,526	2,407	119	2,526	-	2,541	In arrears	09/03/2017
Netherlands	-	-	-	3,574,267	-	3,574,267	-	-	-	-	-	Fully settled	30/01/2017
New Zealand	-	-	-	646,404	29,894	676,298	-	-	-	-	-	Fully settled	16/12/2016
Niger	26,513	218	26,731	4,814	239	5,053	4,814	239	5,053	92	31,876	Ineligible to vote	23/11/2009
Nigeria	762,370	9,530	771,900	504,096	10,632	514,728	504,096	10,632	514,728	-	1,286,628	Ineligible to vote	25/10/2013
Norway	-	-	-	2,047,536	100,547	2,148,083	-	-	-	-	-	Fully settled	13/01/2017
Panama	60,015	-	60,015	81,986	621	82,607	81,986	621	82,607	-	142,622	In arrears	25/08/2016
Paraguay	-	-	-	33,701	1,183	34,884	33,701	450	34,151	-	34,151	Outstanding	14/12/2016
Peru	316,468	9,374	325,842	327,946	13,822	341,768	327,946	13,822	341,768	-	667,610	In arrears	02/08/2016
Philippines	-	-	-	397,896	-	397,896	-	-	-	-	-	Fully settled	30/03/2017
Poland	-	-	-	2,028,278	-	2,028,278	-	-	-	-	-	Fully settled	20/12/2016
Portugal	-	-	-	945,463	-	945,463	907,093	-	907,093	-	907,093	Outstanding	13/05/2016
Republic of Korea	-	-	-	4,917,626	191,776	5,109,402	4,917,626	16,380	4,934,006	-	4,934,006	Outstanding	13/07/2016
Republic of Moldova	-	-	-	9,629	-	9,629	9,629	-	9,629	-	9,629	Outstanding	28/06/2016
Romania	-	-	-	443,774	-	443,774	-	-	-	-	-	Fully settled	13/02/2017
Saint Kitts and Nevis	-	-	-	2,407	119	2,526	2,407	119	2,526	-	2,526	Outstanding	01/06/2016
Saint Lucia	-	-	-	2,407	119	2,526	2,407	119	2,526	-	2,526	Outstanding	10/05/2016
Saint Vincent and the Grenadines	196	-	196	2,407	119	2,526	2,407	119	2,526	-	2,722	In arrears	14/09/2016
Samoa	-	-	-	2,407	-	2,407	2,407	-	2,407	-	2,407	Outstanding	27/01/2016
San Marino	-	-	-	7,222	-	7,222	-	-	-	-	-	Fully settled	07/03/2017
Senegal	-	-	-	12,036	705	12,741	12,036	705	12,741	-	12,741	Outstanding	18/11/2016
Serbia	-	-	-	77,172	-	77,172	-	-	-	-	-	Fully settled	17/02/2017
Seychelles	-	-	-	2,407	119	2,526	2,407	119	2,526	-	2,526	Outstanding	03/02/2016
Sierra Leone	-	-	-	2,407	119	2,526	-	-	-	-	-	Fully settled	11/11/2015
Slovakia	-	-	-	385,860	-	385,860	-	-	-	-	-	Fully settled	20/02/2017
Slovenia	-	-	-	202,630	-	202,630	-	-	-	-	-	Fully settled	19/01/2017
South Africa	-	-	-	877,920	-	877,920	-	-	-	-	-	Fully settled	08/03/2017
Spain	-	-	-	5,891,976	-	5,891,976	5,890,469	-	5,890,469	-	5,890,469	Outstanding	18/03/2016
State of Palestine	-	-	-	16,850	588	17,438	16,850	487	17,337	-	17,337	Outstanding	29/03/2016
Suriname	14,213	249	14,462	14,443	367	14,810	14,443	367	14,810	-	29,272	In arrears	04/04/2016
Sweden	-	-	-	2,305,673	-	2,305,673	2,219,331	-	2,219,331	-	2,219,331	Outstanding	25/04/2016
Switzerland	-	-	-	2,749,447	-	2,749,447	-	-	-	-	-	Fully settled	02/02/2017
Tajikistan	-	-	-	9,629	355	9,984	1,934	-	1,934	-	1,934	Outstanding	07/03/2017
The former Yugoslav Republic of Macedonia	-	-	-	16,850	944	17,794	16,850	944	17,794	-	17,794	Outstanding	28/12/2016
Timor-Leste	68	-	68	7,222	-	7,222	7,222	-	7,222	-	7,290	In arrears	15/03/2017
Trinidad and Tobago	-	-	-	81,986	-	81,986	-	-	-	-	-	Fully settled	16/02/2017
Tunisia	-	-	-	67,543	4,254	71,797	67,543	4,254	71,797	-	71,797	Outstanding	29/03/2016
Uganda	47,349	647	47,996	14,160	705	14,865	14,160	705	14,865	48	62,909	Ineligible to vote	05/12/2012
United Kingdom	-	-	-	10,763,724	-	10,763,724	8,069,698	-	8,069,698	-	8,069,698	Outstanding	09/02/2017
United Republic of Tanzania	73,611	682	74,293	14,160	744	14,904	14,160	744	14,904	354	89,551	Ineligible to vote	01/06/2010
Uruguay	-	-	-	190,594	2,449	193,043	190,594	2,449	193,043	-	193,043	Outstanding	22/09/2016
Vanuatu	6,212	108	6,320	2,407	119	2,526	2,407	119	2,526	-	8,846	Ineligible to vote	15/11/2016
Venezuela (Bolivarian Republic of)	4,688,898	67,865	4,756,763	1,377,060	74,079	1,451,139	1,377,060	74,079	1,451,139	4,983	6,212,885	Ineligible to vote	04/09/2012
Zambia	13,659	480	14,139	14,160	705	14,865	14,160	705	14,865	-	29,004	In arrears	29/06/2015
<i>Rounding difference</i>				713	3,695	4,408							
TOTAL	14,560,714	100,805	14,661,519	141,600,000	2,987,306	144,587,306	63,417,357	488,917	63,906,274	5,738	78,573,531		

Note: Only covers assessed programme budget contributions and replenishments of Contingency Fund and does not include assessed contributions to permanent premises of new States Parties joined after 2015 and any advances to Working Capital Fund.

Annex II

Human resources tables

Geographical Representation of ICC Professional Staff Status as at 31 March 2017

Total number of professionals: 444*

Total number of nationalities: 90

Distribution per region

<i>Region</i>	<i>Nationality</i>	<i>Total</i>
African	Algeria	1
	Benin	1
	Burkina Faso	1
	Cameroon	6
	Congo	1
	Congo, Democratic Republic of the	3
	Cote d'Ivoire	2
	Egypt	5
	Ethiopia	2
	Gambia	3
	Ghana	3
	Guinea	2
	Kenya	3
	Lesotho	1
	Malawi	1
	Mali	3
	Mauritius	1
	Niger	3
	Nigeria	4
	Rwanda	2
	Senegal	4
	Sierra Leone	3
	South Africa	8
	Togo	1
Uganda	5	
United Republic of Tanzania	3	
Zambia	1	
Zimbabwe	1	
African Total		74

Excluding Elected Officials and 41 language staff.

<i>Region</i>	<i>Nationality</i>	<i>Total</i>
Asian	Afghanistan	1
	China	3
	Cyprus	1
	India	2
	Indonesia	1
	Iran (Islamic Republic of)	3
	Japan	7
	Jordan	1
	Lebanon	1
	Mongolia	1
	Pakistan	1
	Palestine	2
	Philippines	3
	Republic of Korea	1
	Singapore	2
	Sri Lanka	1
	Uzbekistan	1
Viet Nam	1	
Asian Total		33
Eastern European	Albania	2
	Belarus	1
	Bosnia and Herzegovina	4
	Croatia	4
	Georgia	5
	Poland	4
	Republic of Moldova	3
	Romania	7
	Russian Federation	1
	Serbia	6
	Slovenia	3
	Ukraine	2
Eastern European Total		42
GRULAC	Argentina	6
	Brazil	2
	Chile	1
	Colombia	6
	Costa Rica	1
	Ecuador	2
	Jamaica	2
	Mexico	4
	Peru	5
	Trinidad and Tobago	2
Venezuela	2	
GRULAC Total		33

<i>Region</i>	<i>Nationality</i>	<i>Total</i>
WEOG	Australia	14
	Belgium	16
	Canada	19
	Denmark	2
	Finland	6
	France	56
	Germany	14
	Greece	3
	Iceland	1
	Ireland	11
	Israel	2
	Italy	18
	Malta	1
	Netherlands	20
	New Zealand	4
	Portugal	6
	Spain	16
	Sweden	3
	Switzerland	2
United Kingdom	32	
United States of America	16	
WEOG Total		262

Geographical Representation of ICC Professional Staff Status as at 31 March 2017

Number of Staff per post, per region¹

<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>
D-1 Total			9
P-5	African	Congo, Democratic Republic of the	1
		Ghana	1
		Kenya	1
		Mali	2
		Senegal	1
		South Africa	2
	<i>African Total</i>		<i>8</i>
	Asian	Jordan	1
	<i>Asian Total</i>		<i>1</i>
	Eastern European	Georgia	1
		Serbia	2
	<i>Eastern European Total</i>		<i>3</i>
	GRULAC	Jamaica	1
	<i>GRULAC Total</i>		<i>1</i>
	WEOG	Australia	2
		Canada	4
		Denmark	1
		Finland	1
		France	6
		Germany	1
		Ireland	1
		Italy	2
		Netherlands	1
		Portugal	1
		Spain	4
		United Kingdom	5
		United States of America	1
	<i>WEOG Total</i>		<i>30</i>
P-5 Total			43

Excluding Elected Officials and 41 language staff.

<i>Grade</i>	<i>Region</i>	<i>Nationality</i>	<i>Total</i>	
P-4	African	Burkina Faso	1	
		Cote d'Ivoire	1	
		Nigeria	2	
		Senegal	1	
		Sierra Leone	1	
		South Africa	3	
		Uganda	1	
		United Republic of Tanzania	2	
	<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	Georgia	1	
		Romania	2	
		Ukraine	1	
	<i>Eastern European Total</i>			<i>4</i>
	GRULAC	Colombia	1	
		Ecuador	1	
		Trinidad and Tobago	2	
	<i>GRULAC Total</i>			<i>4</i>
	WEOG	Australia	1	
Belgium		1		
Canada		1		
Denmark		1		
Finland		3		
France		6		
Germany		4		
Ireland		1		
Italy		3		
Netherlands		1		
New Zealand		1		
Portugal		1		
Spain		2		
Sweden		1		
United Kingdom		8		
United States of America	2			
<i>WEOG Total</i>			<i>37</i>	
P-4 Total			64	

<i>Grade</i>	<i>Region</i>	<i>Nationality</i>	<i>Total</i>
P-3	African	Algeria	1
		Benin	1
		Cameroon	1
		Congo	1
		Cote d'Ivoire	1
		Egypt	2
		Gambia	2
		Ghana	1
		Guinea	1
		Kenya	2
		Mali	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>26</i>
	Asian	India	1
		Japan	1
		Mongolia	1
		Palestine	1
		Philippines	2
		Republic of Korea	1
		Singapore	1
		Sri Lanka	1
<i>Asian Total</i>			<i>9</i>
	Eastern European	Albania	1
		Bosnia and Herzegovina	1
		Croatia	2
		Georgia	1
		Poland	1
		Republic of Moldova	1
		Romania	1
		Serbia	2
Slovenia	1		
<i>Eastern European Total</i>			<i>11</i>
	GRULAC	Argentina	2
		Brazil	2
		Chile	1
		Colombia	3
		Costa Rica	1
		Jamaica	1
		Mexico	1
		Peru	1
Venezuela	1		
<i>GRULAC Total</i>			<i>13</i>

<i>Grade</i>	<i>Region</i>	<i>Nationality</i>	<i>Total</i>
	WEOG	Australia	6
		Belgium	7
		Canada	5
		Finland	1
		France	17
		Germany	4
		Greece	2
		Ireland	4
		Italy	4
		Netherlands	8
		New Zealand	3
		Portugal	2
		Spain	4
		Sweden	1
		Switzerland	1
		United Kingdom	10
		United States of America	8
	<i>WEOG Total</i>		<i>87</i>
P-3 Total			146
P-2	African	Cameroon	4
		Congo, Democratic Republic of the	2
		Egypt	3
		Ethiopia	1
		Ghana	1
		Malawi	1
		Niger	2
		Nigeria	1
		Rwanda	1
		Senegal	1
		Sierra Leone	1
		South Africa	1
		Uganda	1
		Zambia	1
	<i>African Total</i>		<i>21</i>
	Asian	Afghanistan	1
		China	2
		Cyprus	1
		Indonesia	1
		Japan	3
		Pakistan	1
		Uzbekistan	1
	<i>Asian Total</i>		<i>10</i>
	Eastern European	Belarus	1
		Bosnia and Herzegovina	2
		Croatia	1
		Georgia	2
		Poland	2
		Romania	3
		Russian Federation	1
		Serbia	2
		Slovenia	2
	<i>Eastern European Total</i>		<i>16</i>

<i>Grade</i>	<i>Region</i>	<i>Nationality</i>	<i>Total</i>
	GRULAC	Argentina	3
		Colombia	2
		Mexico	3
		Peru	4
		Venezuela	1
	<i>GRULAC Total</i>		<i>13</i>
	WEOG	Australia	4
		Belgium	5
		Canada	7
		Finland	1
		France	22
		Germany	5
		Greece	1
		Iceland	1
		Ireland	4
		Israel	2
		Italy	5
		Netherlands	8
		Portugal	2
		Spain	5
		Sweden	1
		Switzerland	1
		United Kingdom	8
		United States of America	5
	<i>WEOG Total</i>		<i>87</i>
P-2 Total			147
P-1	African	Cameroon	1
		Ethiopia	1
		Gambia	1
		Guinea	1
		Uganda	2
	<i>African Total</i>		<i>6</i>
	Asian	China	1
		India	1
		Palestine	1
		Singapore	1
		Viet Nam	1
	<i>Asian Total</i>		<i>5</i>
	Eastern European	Albania	1
		Bosnia and Herzegovina	1
		Croatia	1
		Poland	1
		Republic of Moldova	2
		Romania	1
		Ukraine	1
	<i>Eastern European Total</i>		<i>8</i>

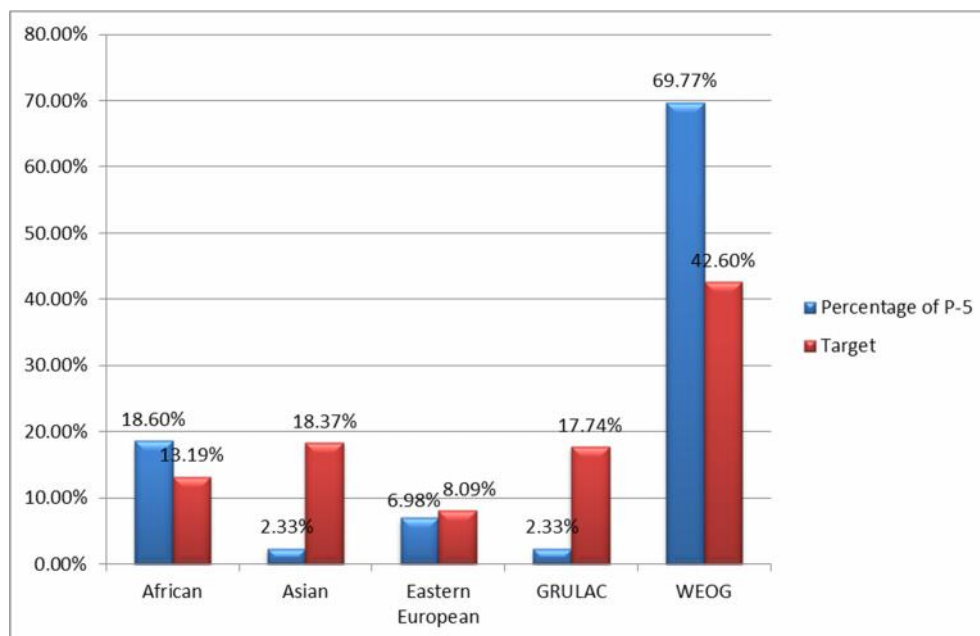
<i>Grade</i>	<i>Region</i>	<i>Nationality</i>	<i>Total</i>
	WEOG	Australia	1
		Belgium	1
		Canada	2
		France	4
		Ireland	1
		Italy	3
		Malta	1
		Netherlands	1
		Spain	1
		United Kingdom	1
	<i>WEOG Total</i>		<i>16</i>
P-1 Total			35
Grand Total			444

Percentage of staff per post, per region

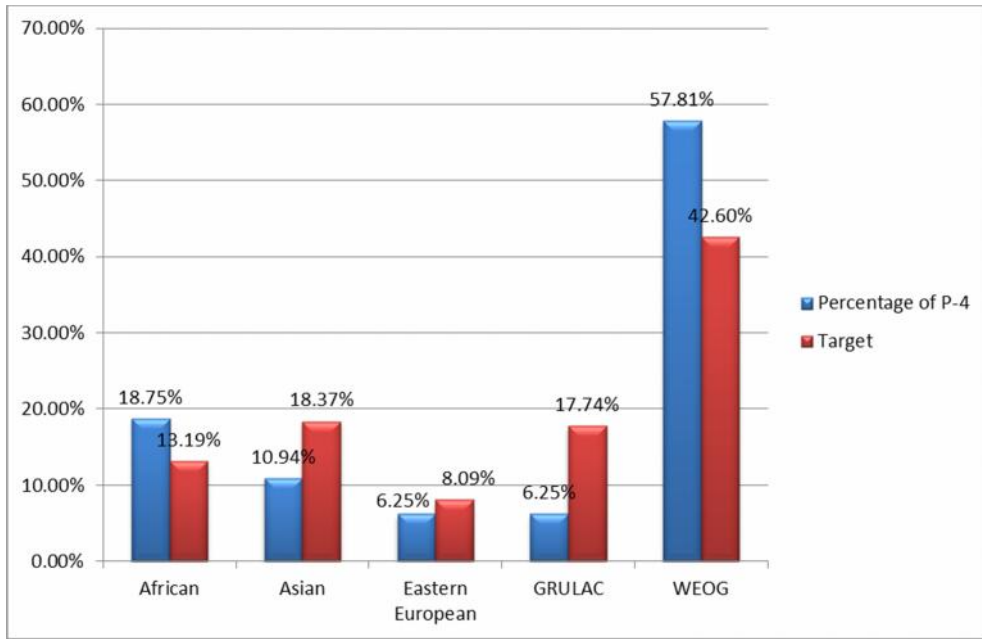
Percentage – D1 posts

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.

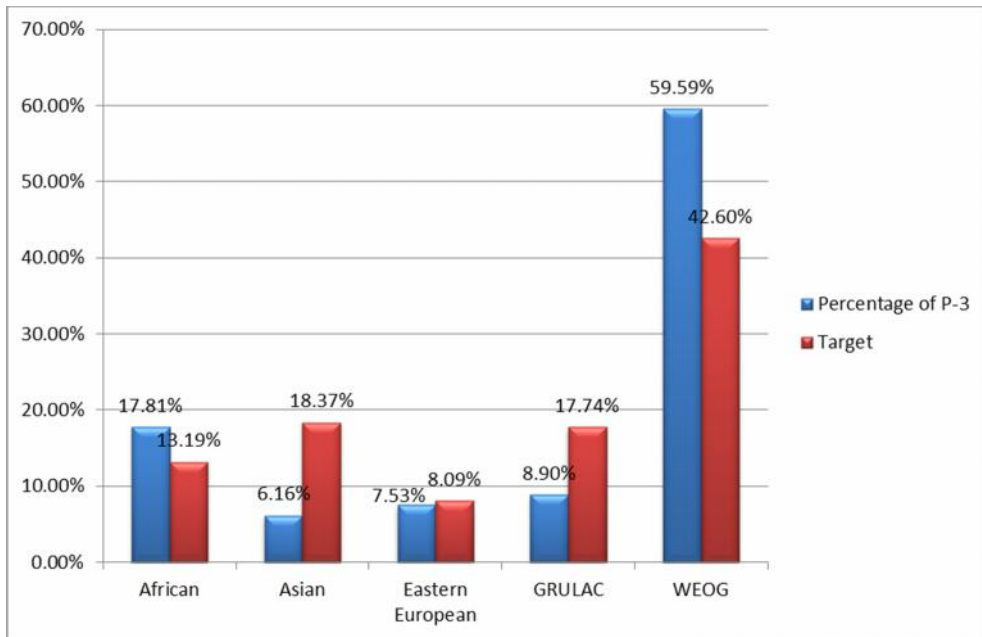
Percentage - P5 posts



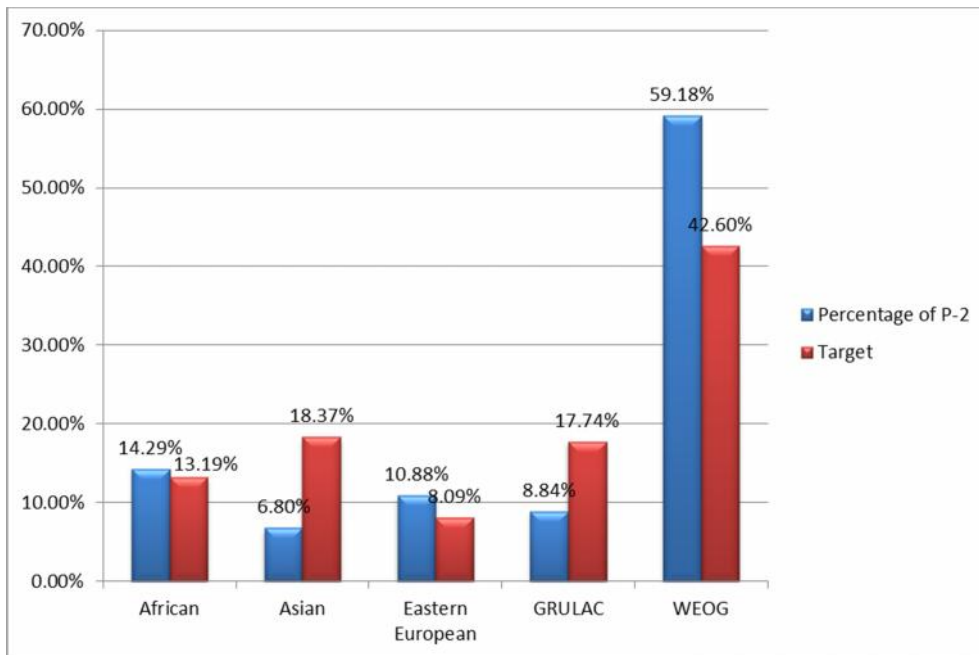
Percentage - P4 posts



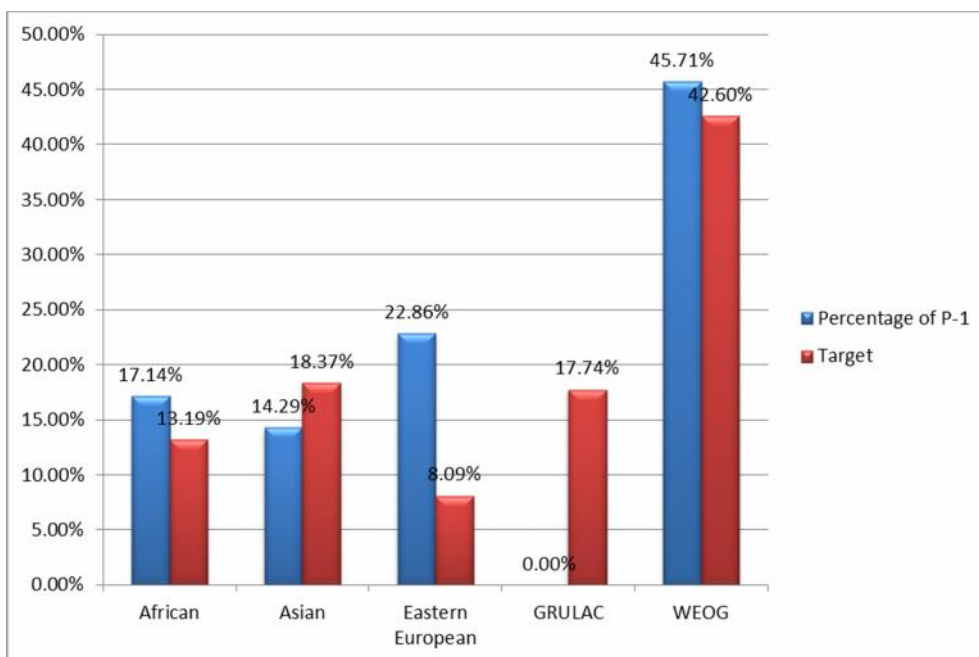
Percentage - P3 posts



Percentage - P2 posts



Percentage - P1 posts



Desirable Range by Country as at 31 March 2017

Region	Country	Assessment 2017	Desirable Range		Actual rep.	Category	Under/ Over
			Lower	Upper			
African	Algeria	0.00000%	0	0	1	Non Ratified	+1
	Benin	0.00510%	1	2	1	In balance	
	Botswana	0.02380%	1	2	0	Non Represented	-1
	Burkina Faso	0.00680%	2	2	1	Under Represented	-1
	Burundi	0.00170%	1	2	0	Non Represented	-1
	Cameroon	0.00000%	0	0	6	Non Ratified	+6
	Cape Verde	0.00170%	1	2	0	Non Represented	-1
	Central African Republic	0.00170%	1	2	0	Non Represented	-1
	Chad	0.00850%	2	2	0	Non Represented	-2
	Comoros	0.00170%	1	2	0	Non Represented	-1
	Congo	0.01020%	1	2	1	In balance	
	Côte d'Ivoire	0.01530%	2	2	2	In balance	
	Democratic Republic of the Congo	0.01000%	2	3	3	In balance	
	Djibouti	0.00170%	1	2	0	Non Represented	-1
	Egypt	0.00000%	0	0	5	Non Ratified	+5
	Ethiopia	0.00000%	0	0	2	Non Ratified	+2
	Gabon	0.02900%	1	2	0	Non Represented	-1
	Gambia	0.00170%	1	2	3	Over Represented	+1
	Ghana	0.02730%	2	2	3	Over Represented	+1
	Guinea	0.00340%	1	2	2	In balance	
	Kenya	0.03070%	2	2	3	Over Represented	+1
	Lesotho	0.00170%	1	2	1	In balance	
	Liberia	0.00170%	1	2	0	Non Represented	-1
	Madagascar	0.00510%	2	2	0	Non Represented	-2
	Malawi	0.00340%	2	2	1	Under Represented	-1
	Mali	0.00510%	2	2	3	Over Represented	+1
	Mauritius	0.02040%	1	2	1	In balance	
	Namibia	0.01700%	1	2	0	Non Represented	-1
	Niger	0.00340%	2	2	3	Over Represented	+1
	Nigeria	0.35600%	4	5	4	In balance	
	Rwanda	0.00000%	0	0	2	Non Ratified	+2
	Senegal	0.00850%	2	2	4	Over Represented	+2
	Seychelles	0.00170%	1	2	0	Non Represented	-1
	Sierra Leone	0.00170%	1	2	3	Over Represented	+1
	South Africa	0.62000%	3	4	8	Over Represented	+4
	Togo	0.00000%	0	0	1	Non Ratified	+1
	Tunisia	0.04770%	2	2	0	Non Represented	-2
	Uganda	0.01000%	2	2	5	Over Represented	+3
	United Republic of Tanzania	0.01000%	2	3	3	In balance	
	Zambia	0.01000%	2	2	1	Under Represented	-1
	Zimbabwe	0.00000%	0	0	1	Non Ratified	+1
Asian	Afghanistan	0.01000%	2	2	1	Under Represented	-1
	Bangladesh	0.01000%	3	4	0	Non Represented	-3
	Cambodia	0.00680%	2	2	0	Non Represented	-2
	China	0.00000%	0	0	3	Non Ratified	+3
	Cook Islands	0.00170%	1	2	0	Non Represented	-1
	Cyprus	0.07320%	2	2	1	Under Represented	-1
	Fiji	0.00510%	1	2	0	Non Represented	-1

Region	Country	Assessment 2017	Desirable Range		Actual rep.	Category	Under/ Over
			Lower	Upper			
	India	0.00000%	0	0	2	Non Ratified	+2
	Indonesia	0.00000%	0	0	1	Non Ratified	+1
	Iran (Islamic Republic of)	0.00000%	0	0	3	Non Ratified	+3
	Japan	16.48720%	41	55	7	Under Represented	-34
	Jordan	0.03410%	2	2	1	Under Represented	-1
	Lebanon	0.00000%	0	0	1	Non Ratified	+1
	Maldives	0.00340%	1	2	0	Non Represented	-1
	Marshall Islands	0.00170%	1	2	0	Non Represented	-1
	Mongolia	0.00850%	1	2	1	In balance	
	Nauru	0.00170%	1	2	0	Non Represented	-1
	Pakistan	0.00000%	0	0	1	Non Ratified	+1
	Palestine	0.01190%	1	2	2	In balance	
	Philippines	0.28100%	3	4	3	In balance	
	Republic of Korea	3.47290%	10	13	1	Under Represented	-9
	Samoa	0.00170%	1	2	0	Non Represented	-1
	Singapore	0.00000%	0	0	2	Non Ratified	+2
	Sri Lanka	0.00000%	0	0	1	Non Ratified	+1
	Tajikistan	0.00680%	1	2	0	Non Represented	-1
	Timor-Leste	0.00510%	1	2	0	Non Represented	-1
	Uzbekistan	0.00000%	0	0	1	Non Ratified	+1
	Vanuatu	0.00170%	1	2	0	Non Represented	-1
	Viet Nam	0.00000%	0	0	1	Non Ratified	+1
Eastern European	Albania	0.01360%	1	2	2	In balance	
	Belarus	0.00000%	0	0	1	Non Ratified	+1
	Bosnia & Herzegovina	0.02210%	1	2	4	Over Represented	+2
	Bulgaria	0.07660%	2	2	0	Non Represented	-2
	Croatia	0.16860%	2	2	4	Over Represented	+2
	Czech Republic	0.58590%	3	4	0	Non Represented	-3
	Estonia	0.06470%	2	2	0	Non Represented	-2
	Georgia	0.01360%	1	2	5	Over Represented	+3
	Hungary	0.27420%	2	3	0	Non Represented	-2
	Latvia	0.08520%	2	2	0	Non Represented	-2
	Lithuania	0.12260%	2	2	0	Non Represented	-2
	Montenegro	0.00680%	1	2	0	Non Represented	-1
	Poland	1.43240%	5	7	4	Under Represented	-1
	Republic of Moldova	0.00680%	1	2	3	Over Represented	+1
	Romania	0.31340%	2	3	7	Over Represented	+4
	Russian Federation	0.00000%	0	0	1	Non Ratified	+1
	Serbia	0.05450%	2	2	6	Over Represented	+4
	Slovakia	0.27250%	2	3	0	Non Represented	-2
	Slovenia	0.14310%	2	2	3	Over Represented	+1
	The Former Yugoslav Rep. of Macedonia	0.01190%	1	2	0	Non Represented	-1
	Ukraine	0.00000%	0	0	2	Non Ratified	+2
GRULAC	Antigua and Barbuda	0.00340%	1	2	0	Non Represented	-1
	Argentina	1.51930%	5	7	6	In balance	
	Barbados	0.01190%	1	2	0	Non Represented	-1
	Belize	0.00170%	1	2	0	Non Represented	-1
	Bolivia	0.02040%	2	2	0	Non Represented	-2
	Brazil	6.51140%	18	25	2	Under Represented	-16
	Chile	0.67960%	3	4	1	Under Represented	-2

Region	Country	Assessment 2017	Desirable Range		Actual rep.	Category	Under/ Over
			Lower	Upper			
	Colombia	0.54840%	3	4	6	Over Represented	+2
	Costa Rica	0.08010%	2	2	1	Under Represented	-1
	Dominica	0.00170%	1	2	0	Non Represented	-1
	Dominican Republic	0.07830%	2	2	0	Non Represented	-2
	Ecuador	0.11410%	2	2	2	In balance	
	El Salvador	0.02380%	1	2	0	Non Represented	-1
	Grenada	0.00170%	1	2	0	Non Represented	-1
	Guatemala	0.04770%	2	2	0	Non Represented	-2
	Guyana	0.00340%	1	2	0	Non Represented	-1
	Honduras	0.01360%	1	2	0	Non Represented	-1
	Jamaica	0.00000%	0	0	2	Non Ratified	+2
	Mexico	2.44410%	8	11	4	Under Represented	-4
	Panama	0.05790%	2	2	0	Non Represented	-2
	Paraguay	0.02380%	1	2	0	Non Represented	-1
	Peru	0.23160%	2	3	5	Over Represented	+2
	Saint Kitts and Nevis	0.00170%	1	2	0	Non Represented	-1
	Saint Lucia	0.00170%	1	2	0	Non Represented	-1
	Saint Vincent and the Grenadines	0.00170%	1	2	0	Non Represented	-1
	Suriname	0.01020%	1	2	0	Non Represented	-1
	Trinidad and Tobago	0.05790%	2	2	2	In balance	
	Uruguay	0.13460%	2	2	0	Non Represented	-2
	Venezuela	0.97250%	4	5	2	Under Represented	-2
WEOG	Andorra	0.01020%	1	2	0	Non Represented	-1
	Australia	3.98040%	11	15	14	In balance	
	Austria	1.22630%	4	6	0	Non Represented	-4
	Belgium	1.50740%	5	7	16	Over Represented	+9
	Canada	4.97510%	13	18	19	Over Represented	+1
	Denmark	0.99470%	4	5	2	Under Represented	-2
	Finland	0.77670%	3	4	6	Over Represented	+2
	France	8.27600%	21	29	56	Over Represented	+27
	Germany	10.88190%	27	37	14	Under Represented	-13
	Greece	0.80220%	3	4	3	In balance	
	Iceland	0.03920%	1	2	1	In balance	
	Ireland	0.57060%	3	4	11	Over Represented	+7
	Israel	0.00000%	0	0	2	Non Ratified	+2
	Italy	6.38370%	17	23	18	In balance	
	Liechtenstein	0.01190%	1	2	0	Non Represented	-1
	Luxembourg	0.10900%	2	2	0	Non Represented	-2
	Malta	0.02730%	1	2	1	In balance	
	Netherlands	2.52420%	7	10	20	Over Represented	+10
	New Zealand	0.45650%	2	3	4	Over Represented	+1
	Norway	1.44600%	5	6	0	Non Represented	-5
	Portugal	0.66770%	3	4	6	Over Represented	+2
	San Marino	0.00510%	1	2	0	Non Represented	-1
	Spain	4.16100%	11	15	16	Over Represented	+1
	Sweden	1.62830%	5	7	3	Under Represented	-2
	Switzerland	1.94170%	6	8	2	Under Represented	-4
	United Kingdom	7.60150%	20	26	32	Over Represented	+6
	United States of America	0.00000%	0	0	16	Non Ratified	+16
TOTAL		100.00%			444		

Gender balance of ICC Professional Staff - Status as at 31 March 2017

Number of Professional Staff by Gender¹

<i>Grade</i>	<i>F</i>	<i>M</i>	<i>Grand Total</i>
Judiciary			
P-5	2	1	3
P-4	1	2	3
P-3	11	8	19
P-2	4	7	11
Office of the Prosecutor			
USG	1		1
ASG		1	1
D-1		3	3
P-5	4	13	17
P-4	13	22	35
P-3	26	45	71
P-2	44	23	67
P-1	24	8	32
Registry			
ASG		1	1
D-1		3	3
P-5	8	13	21
P-4	14	24	38
P-3	33	37	70
P-2	44	32	76
P-1	1	2	3
Secretariat of the Assembly of States Parties			
D-1		1	1
P-5		1	1
P-4	1		1
P-2	1		1
Secretariat of the Trust Fund for Victims			
D-1		1	1
P-3	2	1	3
Independent Oversight Mechanism			
P-5		1	1
P-2	1		1
Office of Internal Audit			
D-1	1		1
P-4		1	1
P-3	1		1
Total ICC	237	251	488

¹Including Elected Officials and Language Staff.

International Criminal Court - Staff count - Actual

As at 31st of March 2017, the actual situation regarding the Court's staff count is as follows:

<i>Staff count</i>	
Established posts	858 ¹
Approved GTA	115
Short Term Appointments	65
Interns	94
Visiting professionals	12
SSA Contractors	67
Elected officials / Judges	21
Total	1232

International Criminal Court - Staff count - Projected

Based on the approved budget of 2017 and taking into account averages for interns, visiting professionals and SSA contractors as per 2017, the Court's headcount at the end of 2017 could be expected to be as follows:

<i>Staff count</i>	
Established posts ²	967
Approved GTA ³	170
Short-Term Appointments	65
Interns	84
Visiting professionals	12
SSA Contractors	84
Elected officials / Judges	21
Total	1403

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 2017

81 posts are: under recruitment/recruitment completed (76) or advertised (5) as of 31 March 2017.

<i>Major Programme</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	Posts vacated due to internal move. Pending streamlining of operations.	
MP II	Office of the Prosecutor	Legal Advisory Section	P-2	Associate Legal Adviser	1	Pending streamlining of operations.	
		Investigation Division	P-3	Forensic Officer	1	Posts vacated due to resignation. Post expected to be filled in Q3.	
			GS-OL	Field Operations Assistant (DRC and UGA)	2	Pending streamlining of operations.	
		Prosecution Division	P-1	Assistant Trial Lawyer	1	Post vacated due to resignation. Post to be filled in Q2.	
			GS-OL	Administrative Assistant	1	Posts vacated due to internal move. Post expected to be filled in Q2.	
MP III	Registry	Legal Office	GS-OL	Legal Assistant	1	Post expected to be filled in Q3.	
	Division of Management Services	Human Resources Section	P-4	Head, HR Organisational Development Unit	1	Post vacated due to resignation. Post expected to be filled in Q3.	
		General Services Section	GS-OL	Supply Coordinator	1	Post expected to be filled in Q4.	
	Division of Judicial Services	Victims Participation and Reparations Section	GS-OL	Administrative Assistant	1	Post expected to be filled in Q4.	
		Counsel Support Section	P-1	Assistant Legal Officer	1	Post vacated due to internal move. Post expected to be filled in Q4.	
	Division of External Operations	Victims and Witnesses Section	P-3	Planning Officer	1	Post vacated due to resignation. Post expected to be filled in Q3.	
			GS-OL	Field Case Management Assistant (DRC and Kenya)	3	Operations under review.	
		Public Information and Outreach Section	GS-OL	Online Communications Assistant	1	Post expected to be filled in Q3.	
			P-2	Associate Online Officer	1	Post vacated due to internal move. Post expected to be filled in Q3.	
		Field Office - Uganda	GS-OL	Senior Driver	1	Post expected to be filled in Q4.	
			GS-OL	Driver	1	Post expected to be filled in Q3.	
		Field Office - DRC	GS-OL	Field Assistant	1	Posts expected to be filled in Q3.	
			GS-OL	Driver	1	Posts expected to be filled in Q4.	
		Field Office - CIV	P-3	Field Officer (VPRS)	1	Posts expected to be filled in Q4.	
			GS-OL	Field Assistant	1	Posts expected to be filled in Q3.	
	Field Office – CAR	P-3	Field Officer (VPRS and Outreach)	1	Posts expected to be filled in Q3.		
		P-2	Associate Field Security Officer	1	Posts expected to be filled in Q3.		
		GS-OL	Cleaner	1	Post expected to be filled in Q3.		
	Field Office - Georgia	GS-OL	Field Assistant	1	Posts expected to be filled in Q4.		
	Grand Total:					28	

Geographical Representation of ICC GTA Professional Staff - Status as at 31 March 2017

Total number of professionals: 76

Total number of nationalities: 30

Distribution per region

<i>Region</i>	<i>Nationality</i>	<i>Total</i>
African	Cameroon	1
	Rwanda	2
	Senegal	1
	South Africa	2
	Sudan	1
	Uganda	7
African Total		14
Asian	India	1
	Japan	1
	Kyrgyzstan	1
	Singapore	1
	Uzbekistan	1
Asian Total		5
Eastern European	Georgia	2
	Poland	1
	Republic of Moldova	1
Eastern European Total		4
GRULAC	Argentina	1
	Colombia	1
	Venezuela	2
GRULAC Total		4
WEOG	Australia	2
	Belgium	2
	Canada	10
	France	7
	Germany	1
	Ireland	1
	Italy	1
	Netherlands	6
	Portugal	1
	Spain	1
	Switzerland	1
	United Kingdom	10
	United States of America	6
WEOG Total		49

Annex III

Budget performance for Contingency Fund notifications in 2016

1. Table 1 below provides a summary of overall budget performance for a total of three Contingency Fund notifications submitted to the Committee. Overall actual implementation at year-end in 2016 is 86.4 per cent, or €2.60 million, against the total revised Contingency Fund notification amount of €3.01 million.

Table 1: Overall budget performance in 2016 for the three Contingency Fund notifications by item of expenditure (amounts in thousands of euros)

<i>Expenditure Item</i>	<i>Total Revised Contingency Fund Notification</i>	<i>Total Actual Expenditure*</i>	<i>Total Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
General temporary assistance	1,177.3	899.8	76.4
Temporary assistance for meetings		69.2	
Overtime		9.8	
<i>Subtotal staff costs</i>	<i>1,177.3</i>	<i>978.8</i>	<i>83.1</i>
Travel	386.4	302.7	78.3
Contractual services	394.8	332.6	84.2
Training	8.0	13.7	171.7
Consultants	110.0	100.7	91.5
General operating expenses	148.1	138.5	93.5
Supplies and materials		6.9	
Furniture and equipment	785.3	727.8	92.7
<i>Subtotal non-staff costs</i>	<i>1,832.6</i>	<i>1,622.9</i>	<i>88.6</i>
Total	3,009.9	2,601.7	86.4

* Expenditure 2016 is based on preliminary, unaudited figures which are subject to change.

2. The budget performance for each Contingency Fund notification is detailed below in the order of the notifications to the Committee.

3. Table 2 below shows budget performance in respect of the Contingency Fund notification for the case of *Dominic Ongwen* in the situation in Uganda. The funds were implemented at 88.8 per cent, or €1.21 million, against the notification amount of €1.36 million. Savings were achieved in the GTA category as two out of four requested para-professional interpreters for the Acholi language started work in August instead of July. Funds were redeployed from GTA to TAM to engage freelance interpreters for Acholi, as they were required immediately. In addition, due to a delay in recruitment for the GTA positions experienced by VPRS, the GTA category implemented its requested amount at 55.9 per cent. There was an overspend in general operating expenses as a result of support to more than 150 missions provided by the Uganda Field Office; the funds were redeployed from travel and contractual services within the Uganda Field Office.

Table 2: Budget performance in 2016 in respect of the Contingency Fund notification for the case of *Dominic Ongwen* in the situation in Uganda by item of expenditure (amounts in thousands of euros)

<i>Expenditure Item</i>	<i>Contingency Fund Notification</i>	<i>Actual Expenditure*</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
General temporary assistance	498.5	278.6	55.9
Temporary assistance for meetings		69.2	
Overtime		9.1	
<i>Subtotal staff costs</i>	<i>498.5</i>	<i>356.9</i>	<i>71.6</i>
Travel	230.9	211.5	91.6
Contractual services	303.0	276.0	91.1
Consultants	33.0	31.4	95.1
General operating expenses	75.5	110.7	146.6
Supplies and materials		3.5	
Furniture and equipment	218.0	216.2	99.2
<i>Subtotal non-staff costs</i>	<i>860.4</i>	<i>849.2</i>	<i>98.7</i>
Total	1,358.9	1,206.1	88.8

* Expenditure 2016 is based on preliminary, unaudited figures which are subject to change

4. Table 3 below shows budget performance in respect of the Contingency Fund notification for the case of *Thomas Lubanga Dyilo* in the situation in the DRC. At year-end, the fund had been implemented at 53.8 per cent, or €0.17 million, against the notification amount of €0.31 million. Savings were achieved in the GTA category owing to a delay in recruitment by VPRS and the fact that it proved unnecessary to recruit two field assistants as a result of developments in the DRC Field Office. Savings were achieved in the non-staff costs category by OPCV since its mandate was confirmed by the Trial Chamber in October instead of July, and some missions were cancelled due to the security and logistical situation in the field.

Table 3: Budget performance in 2016 in respect of the Contingency Fund notification for the case of *Thomas Lubanga Dyilo* in the situation in the Democratic Republic of the Congo by item of expenditure (amounts in thousands of euros)

<i>Expenditure Item</i>	<i>Contingency Fund Notification</i>	<i>Actual Expenditure*</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
General temporary assistance	164.2	67.1	40.9
<i>Subtotal staff costs</i>	<i>164.2</i>	<i>67.1</i>	<i>40.9</i>
Travel	44.3	30.0	67.7
Contractual services	12.5	6.9	55.4
Consultants	77.0	58.0	75.3
General operating expenses	15.0	6.2	41.5
<i>Subtotal non-staff costs</i>	<i>148.8</i>	<i>101.1</i>	<i>68.0</i>
Total	313.0	168.2	53.8

* Expenditure 2016 is based on preliminary, unaudited figures which are subject to change

5. Table 4 below shows budget performance in respect of the Contingency Fund notification for the new situation in Georgia in which the OTP opened its investigation on 27 January 2016. On 10 November 2016, a revised notification for resources was submitted to the Committee as a result of the freezing of a number of GTA positions and a reduction in investigative missions in the OTP, which consequently reduced the level of resources in witness-related activities in the Registry. This resulted in the revised notification amount at €1.34 million, a decrease of €1.18 million from the original notification amount of €2.52 million.

6. The fund was implemented at 91.7 per cent, or €1.23 million, against the revised notification amount of €1.34 million. The revised notification in the OTP was almost fully implemented at 95.0 per cent, or €0.72 million, against the revised notification amount of €0.76 million. The Registry's implementation rate of 87.4 per cent was due to the reduced victim and witness application-related activities budgeted under travel and general operating expenses, carried out as a result of a decrease in the activities of the OTP.

Table 4: Budget performance in 2016 in respect of the Contingency Fund notification for the new situation in Georgia by item of expenditure (amounts in thousands of euros)

<i>Expenditure Item</i>	<i>Revised Contingency Fund Notification</i>	<i>Actual Expenditure*</i>	<i>Implementation rate in %</i>
	[1]	[2]	[3]=[2]/[1]
General temporary assistance	514.6	554.1	107.7
Overtime		0.6	
<i>Subtotal staff costs</i>	<i>514.6</i>	<i>554.7</i>	<i>107.8</i>
Travel	111.2	61.2	55.0
Contractual services	79.3	49.7	62.7
Training	8.0	13.7	171.7
Consultants		11.3	
General operating expenses	57.6	21.6	37.5
Supplies and materials		3.5	
Furniture and equipment	567.3	511.7	90.2
<i>Subtotal non-staff costs</i>	<i>823.4</i>	<i>672.6</i>	<i>81.7</i>
Total	1,338.0	1,227.4	91.7

* Expenditure 2016 is based on preliminary, unaudited figures which are subject to change.

Consolidated Budget Performance of the Court – Programme budget and Contingency Fund notifications

7. Table 5 below shows the Court's consolidated budget performance, taking together the programme budget and the total Contingency Fund notifications. The Court's actual expenditure, including Contingency Fund expenditure, is €36.82 million, against the consolidated budget of €42.60 million including the revised Contingency Fund notification of €3.01 million. This represents a 98.0 per cent implementation rate and 95.9 per cent of the approved budget of €39.59 million, with a residual balance of €2.78 million. The final residual balance will be €1.58 million once reduced by the cost overrun of the permanent premises in the amount of €1.20 million that the Court needs to absorb in its 2016 programme budget.

Table 5: Court consolidated budget performance in 2016 by item of expenditure (amounts in thousands of euros)

Items	Approved Budget 2016	Total Revised Contingency Fund (CF) Notification 2016	Total Consolidated Budget and Revised CF Notification 2016	Actual Expenditure* 2016	Actual Expenditure* for CF 2016	Total Actual Expenditure incl CF 2016	Total Actual incl CF 2016 against Approved Budget in %	Total Actual incl CF 2016 against Total Consolidated Budget and Revised CF Notification in %
							[7]=[6]/[1]	[8]=[6]/[3]
	[1]	[2]	[3]=[1]+[2]	[4]	[5]	[6]=[4]+[5]	[7]=[6]/[1]	[8]=[6]/[3]
Judges	5,369.1	-	5,369.1	5,265.5	-	5,265.5	98.1	98.1
<i>Subtotal judges</i>	<i>5,369.1</i>	<i>-</i>	<i>5,369.1</i>	<i>5,265.5</i>	<i>-</i>	<i>5,265.5</i>	<i>98.1</i>	<i>98.1</i>
Staff costs	74,232.4	-	74,232.4	70,756.2	-	70,756.2	95.3	95.3
General temporary assistance	19,919.6	569.9	20,489.5	17,305.0	530.6	17,835.6	89.5	87.0
Temporary assistance for meetings	1,156.5	-	1,156.5	1,639.0	69.2	1,708.2	147.7	147.7
Overtime	412.9	-	412.9	512.7	9.8	522.5	126.5	126.5
Short term assistant		607.4	607.4	-	369.2	369.2	-	60.8
<i>Subtotal staff costs</i>	<i>95,721.4</i>	<i>1,177.3</i>	<i>96,898.7</i>	<i>90,212.9</i>	<i>978.8</i>	<i>91,191.7</i>	<i>95.3</i>	<i>94.1</i>
Travel	5,097.2	386.4	5,483.6	5,035.6	302.7	5,338.3	104.7	97.4
Hospitality	31.1	-	31.1	44.1	-	44.1	141.9	141.9
Contractual services	4,078.5	394.8	4,473.3	3,670.6	332.6	4,003.2	98.2	89.5
Training	749.2	8.0	757.2	873.2	13.7	886.9	118.4	117.1
Consultants	441.5	110.0	551.5	679.5	100.7	780.2	176.7	141.5
Counsel for defence	4,521.4	-	4,521.4	4,950.0	-	4,950.0	109.5	109.5
Counsel for victims	1,963.2	-	1,963.2	1,344.6	-	1,344.6	68.5	68.5
General operating expenses	19,761.2	148.1	19,909.3	18,104.2	138.5	18,242.7	92.3	91.6
Supplies and materials	844.8	-	844.8	1,249.6	6.9	1,256.5	148.7	148.7
Equipment incl. furniture	1,012.0	785.3	1,797.3	2,783.6	727.8	3,511.4	347.0	195.4
<i>Subtotal non-staff costs</i>	<i>38,500.1</i>	<i>1,832.6</i>	<i>40,332.7</i>	<i>38,735.2</i>	<i>1,622.9</i>	<i>40,358.1</i>	<i>104.8</i>	<i>100.1</i>
Total ICC	139,590.6	3,009.9	142,600.5	134,213.6	2,601.7	136,815.3	98.0	95.9

* Expenditure 2016 is based on preliminary, unaudited figures which are subject to change.

Annex IV

List of documents

<i>CBF document symbol</i>	<i>Title</i>	<i>CBF document symbol has been converted to:</i>
CBF/28/2	Report on Lessons Learnt in Presidency	
CBF/28/3	Report on the New York Liaison Offices Rental Plan (2017-2027)	
CBF/28/4	Report on the Performance of the Court's Legal Aid System in 2016	
CBF/28/5	Report of the Court on its Cash Flow Management	
CBF/28/6	Funding of ASHI liabilities	
CBF/28/7	Second Report of the Court on developments with regard to reparations	
CBF/28/8	Report of the Court on the Staggering of Posts within the Registry for 2017	
CBF/28/9	Report of the Court on the development of analytic accountability	
CBF/28/11	Report on the implementation of the OTP Strategic Plan	
CBF/28/12	Report of the Court on Inter-Organ Synergies	
CBF/28/13	Report by the Registry on recent developments in the Court's cooperation with States Parties: freezing of assets and voluntary cooperation	
CBF/28/14	Report of the Court on recruitments in Major Programme IV	
CBF/28/15	Report on Replacement of Capital Investment	
CBF/28/16	Report of the Secretariat of the Trust Fund for Victims on Achieving Synergies and Efficiencies with the Court	
CBF/28/17	Report of the Court on the Use of Courtroom Time	
CBF/28/18	Report of the Court on Human Resource Management	
CBF/28/19	Registry's Update on the Conclusions and Recommendations of the External Auditor on ReVision	
CBF/28/20	Information Technology at the International Criminal Court: Five-year IT/IM Strategy for the Court (2017-2021)	
CBF/28/21 and Corr.1	Report on activities and programme performance of the International Criminal Court for the year 2016 and Corrigendum	ICC-ASP/16/2
CBF/28/22	Contributions of States Parties withdrawing from the Rome Statute	
CBF/28/23	Report on Budget Performance of the International Criminal Court as at 31 March 2017	
CBF/28/24	Report of the Court on specific matters related to Human Resource Management: Reclassification and Conversion of Posts	
CBF/28/25	Registry Report of the Field Office Closure Strategy and Decreases in Field Activities in the Context of Human Resources Planning	
ICC-ASP/15/27	Audit Report of the ReVision Project of the International Criminal Court's Registry	ICC-ASP/15/27

2. Report of the Committee on Budget and Finance on the work of its twenty-ninth session*

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Executive Summary

1. During its twenty-ninth session, which was held from 18 to 29 September 2017 in The Hague, the Committee on Budget and Finance (“the Committee”) considered the 2018 proposed programme budget of the International Criminal Court (“the Court”) as well as other matters, such as legal aid, the maintenance and operating costs of the Court’s premises, capital investments and a judgement of the International Labour Organisation Administrative Tribunal (ILO-AT).
2. The Committee noted with concern the large amount of *outstanding contributions* in the amount of €9.7 million (13.9 per cent) for the 2017 approved budget. Total outstanding contributions, including the regular budgets from prior years, the Contingency Fund (CF) and the instalments for the host State loan, thus stood at €33.6 million as at 15 September 2017. The Committee recalled States Parties’ obligations to pay their contributions promptly and in full, as failure to do so may seriously jeopardize the day-to-day operations of the Court.
3. The Committee noted that the *2018 proposed programme budget* submitted by the Court, of a total amount of €147.89 million, excluding the interest and the principal repayment (instalments) for the host State loan of €3.56 million, represented an increase of €6.29 million (4.4 per cent) over the 2017 approved budget of €141.6 million without host State loan’s interest. The total amount requested when adding the instalments for the host State loan would amount to €151.48 million.
4. While acknowledging the improvements made by the Court in relation to the *budget process*, the Committee observed again that the assumptions were mostly shown as “snapshots” for 2018 without references to previous periods. Therefore, the Committee recalled its earlier recommendation that the Court include in future budgets five-year time-series of key budget indicators to allow for context-setting and to facilitate trend analysis.
5. The Committee welcomed the Court’s efforts to present an annex to the budget document with savings and efficiencies achieved in 2017 and estimations for 2018 as requested by the Assembly. Bearing in mind the complexity of this exercise and the need for a clear definition and distinction between i) efficiencies; ii) savings; iii) non-recurrent cost reductions; and iv) additional cost reductions and their effect on the baseline, the Committee recommended a series of changes to the annex to be included in future budget documents. Furthermore, the Committee was of the view that the search for *savings, efficiencies and synergies* was a continuous exercise and that future opportunities for their identification would arise as the Court’s activities and policies evolve. The Committee decided to extend its efforts by targeting selected thematic areas for review at its future sessions.
6. As part of its *macro-analysis* the resource requests for each major programme, the forecast expenditures for 2017 and the average implementation rates, as well as the increases in approved budgets over the time-period from 2013-2017 were analysed. The Committee believed that the cost drivers, as presented in the 2018 proposed programme budget, did not support the need for the full amount of the additional €6.3 million requested. The Committee noted that this increase overwhelmingly resulted from staff and other staff costs and observed that the effect of the increase in the overall workload, invoked by the Court, was difficult to verify. In light of the recent major reforms, the Committee was of the view that the Court should enter into a more stable development phase, particularly as regards human resources. The Committee believed that the Court was maturing as an organisation and constantly needed to identify room for the optimization of processes.
7. After carefully scrutinizing the 2018 proposed programme budget and the justifications provided, the Committee recommended *reductions to the proposed increases for 2018* in the amount of €3.46 million, subject to the decision by the Assembly on the requested increase of compensation for judges. Thus, the adjusted 2018 proposed budget amounts to €144.43 million, which represents an increase of €2.83 million (or two per cent) compared to the 2017 approved budget, including the request for the increase in judges’ salaries in the amount of €80.9 thousand pending the decision by the Assembly, and excluding the instalments for the host State loan in the amount of €3.6 million.

8. As regards the *requests for reclassification*, the Committee recommended not to approve any reclassifications awaiting a Court-wide review of the policy on reclassifications. As for *conversions*, the Committee recommended two positions in OTP and one in Judiciary only, with a view to maintaining the necessary flexibility, particularly in OTP.

9. The Committee noted that the management of *information and communication technology (ICT)* had been in the background for a number of years and, as a result, resources had been scattered over various sections creating duplications. The Committee took note of the measures taken by the Court to address this situation and the improvements made in the management of IT projects and IT governance. While supporting the general concept of the IT/IM strategy, the Committee recommended a cautious approach to its funding and recommended proceeding with its implementation on an annual basis until the development of a comprehensive plan with detailed costs and savings.

10. Bearing in mind the specifics of Major Programme VI, *Secretariat of the Trust Fund for Victims (STFV)*, the Committee reiterated its recommendation to defer the consideration of the full implementation and funding of the proposed STFV structure until the costs resulting from the implementation of reparations had been sufficiently established. While recognizing the work done by the STFV in terms of fund-raising, the Committee noted the existing legal obstacles for private donations and stressed the need to find ways for the financial self-sustainability of this major programme.

11. In the absence of substantive information on the envisaged *reform of the legal aid system*, the Committee was only in a position to recommend that the proposed new system be more respectful of the budgetary limits approved by the Assembly. The Committee looked forward to specific proposals for an in-depth financial assessment at its forthcoming sessions. Without pre-empting the discussion, the Committee recommended that the Court make every effort to present a reform that aims at limiting the administrative burden without compromising accountability and that can be achieved within existing resources.

12. As regards the *maintenance and operating costs of the Court's premises*, the Committee noted that costs are spread over more than one major programme and budget lines. To facilitate cost monitoring and transparency, the Committee recommended that the relevant cost elements be summarized in an overview table in future budgets. Furthermore, the Committee requested to be informed about the terms of reference and the measurement of performance criteria of the future maintenance contract. After a holistic assessment, the Committee believed that *capital investments* should be considered, if their urgency can be established based on updated information.

13. Concerning the *judgement of the ILO-AT of 28 June 2017*, the Committee recommended in a forward looking approach that the Court closely assess litigation risks in order to ensure, to the extent possible, that potential liabilities are identified as early as possible. The Committee will follow-up on this issue and carry out an assessment of all potential and associated costs at its thirtieth session in April 2018.

I. Introduction

A. Opening of the twenty-ninth session

1. The twenty-ninth session of the Committee on Budget and Finance (“the Committee”), comprising 20 meetings, was held from 18-29 September 2017 in The Hague, in accordance with the decision of the Assembly of States Parties (“the Assembly”) taken at its fifteenth session.¹
2. The President of the International Criminal Court (“the Court”), Judge Silvia Fernández de Gurmendi, delivered the welcoming remarks at the opening of the meeting.
3. The Committee appointed Mr. Urmet Lee (Estonia) as Rapporteur in accordance with Rule 13 of its Rules of Procedure. The Committee extended its appreciation and thanks to the outgoing Rapporteur, Mr. Hugh Adsett (Canada), for his dedicated work.
4. The Executive Secretary to the Committee on Budget and Finance, Mr. Fakhri Dajani, acted as the Secretary of the Committee, and staff of the Secretariat of the Committee together with staff of the Secretariat of the Assembly of States Parties (“the Secretariat”), assisted in providing the necessary substantive and logistical support to the Committee.
5. The following members attended the twenty-ninth session of the Committee:
 - (a) Hugh Adsett (Canada);
 - (b) Carolina María Fernández Opazo (Mexico);
 - (c) Fawzi A. Gharaibeh (Jordan);
 - (d) Hitoshi Kozaki (Japan);
 - (e) Urmet Lee (Estonia);
 - (f) Rivomanantsoa Orlando Robimanana (Madagascar);
 - (g) Mónica Sánchez (Ecuador);
 - (h) Gerd Saupe (Germany);
 - (i) Elena Sopková (Slovakia);
 - (j) Richard Veneau (France); and
 - (k) François Marie Didier Zoundi (Burkina Faso).

B. Adoption of the agenda and organization of work

6. At its first meeting of the session, the Committee adopted the following agenda² for the twenty-ninth 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. 2018 proposed programme budget
 - (a) Consideration of the 2018 proposed programme budget
 - (b) Synergies, savings and efficiencies within the 2018 proposed programme budget

¹ *Official Records of the Assembly of States Parties of the Rome Statute of the International Criminal Court, Fifteenth session, The Hague, 16-24 November 2016* (ICC-ASP/15/20), vol. I, part I, para. 53.

² CBF/29/1.

3. Financial and budgetary matters:
 - (a) Status of contributions
 - (b) States in arrears
 - (c) Financial performance data as of 30 June 2017
 - (d) Unliquidated purchase orders
 - (e) Precautionary reserves
4. Human resources
 - (a) Reclassification and conversion of posts
5. Maintenance costs for the premises of the Court
6. Projects and activities of the Board of Directors of the Trust Fund for Victims (1 July 2016 to 30 June 2017)
7. Legal aid
8. Audit matters
 - (a) Annual report by the Audit Committee including amendments to the Charter of the Audit Committee
 - (b) External Auditors reports
9. Other matters
 - (a) ILO-AT judgement
 - (b) Working methods of the Committee

C. Participation of officials and observers

7. In accordance with the Rules of Procedure of the Assembly,³ the principals of the Court and representatives of the following organs of the Court were invited to participate in the meetings of the Committee: the Presidency, the Office of the Prosecutor and the Registry. In addition, the budget facilitator of The Hague Working Group of the Bureau of the Assembly, Ambassador Per Holmström (Sweden), and the Chair of the Board of the Trust Fund for Victims (“the TFV”), Mr. Motoo Noguchi, made presentations to the Committee. The Committee accepted the request by the Coalition for the International Criminal Court, as well as the International Criminal Court Bar Association, to make presentations to the Committee. The Committee expressed its appreciation for the presentations.

II. Consideration of issues on the agenda of the Committee at its twenty-ninth session

A. Consideration of the 2018 proposed programme budget

1. Budget process and budget document

8. The role of the Committee, as a subsidiary body of the Assembly, is to examine the budgetary, financial and administrative matters of the Court and to make recommendations to States Parties. To this end, the Committee requires reliable, consistent and clear information from the Court.

9. Thus, at its previous sessions, the Committee recommended a series of changes to improve the budgetary process, such as a better and more efficient use of the Coordination Council; the submission, in principle, of documents in both English and French 45 days

³ 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.

before the Committee's session; and a different presentation of costs in the budget document. Furthermore, the Committee expressed the view that there should be a clear distinction between one-time and recurrent expenditures in the budget document. Without such information, a year-to-year budget comparison would be extremely difficult, leading to a budgeting practice where one-time costs are automatically incorporated into future budget baselines, which lacks transparency.

10. While acknowledging the improvements made by the Court in relation to budgetary process, in particular as regards the Court's commitment to the "One-Court" principle applied through the Coordination Council, at its last sessions the Committee had discussed the process and documentation further with the Court with a view to continue improving the budget process and document.

11. The Committee observed again that the budget assumptions are mostly shown as "snapshots", indicating the expectations for 2018 but with only occasional references to 2017 or to earlier periods. The Committee recalled that, at its twenty-eighth session in May 2017, it had invited the Court to include, in future budgets, five-year time-series of key budget indicators, which would put the figures in context and facilitate the analysis of budgetary trends. **As the design of a suitable template, which extracts the essential indicators from the wealth of data and presents them in a readable form, may require some input from the Committee, the Court was invited to propose a draft template with five-year time-series for consideration at the Committee's thirtieth session in April 2018.**

12. **In addition to the time-series of key budget indicators, the Committee requested that the Court consider producing an overview of cost ratios between the administrative (operating) costs and the costs of the core functions (e.g. trials, investigations, legal aid, reparations etc.) of the Court as a whole and for the main major programmes (MP I, MP II, MP III and MP VI) for submission at the Committee's thirty-first session.**

13. The large number of queries submitted to the Court by the Committee before and during the session indicated that important information was still missing from the 2018 proposed programme budget and/or from supplementary documentation. **Keeping in mind both the need of the Committee to have information on time and the need to reduce the administrative burden created by such *ad hoc* queries, the Committee expressed its willingness to engage with the Court in a joint analysis of the Committee's budget-related queries over the past three years, with the aim of determining which queries are regularly recurring, in order to agree on a standard set of information to be provided to the Committee at its autumn sessions.**

2. Synergies, savings and efficiencies within the 2018 proposed programme budget

14. The Committee recalled that the Assembly at its fifteenth session had requested the Court to present an annex to the 2018 proposed programme budget that would provide detailed information about the savings and efficiencies achieved in 2017, and estimations for 2018,⁴ which may cover various areas (e.g. streamlining of services, possible redeployment of existing staff for new activities, consultancy, documentation and duration of meetings, printing and publication, travel policy, communication, premises management and other possible areas identified by the Court).

15. The Committee welcomed the Court's efforts to capture and present this complex information in the relevant Annex X of the 2018 proposed programme budget. **The Committee noted that a clear definition and distinction of the various elements forming part of the new annex on savings and efficiencies had to be made and, therefore, recommended a further clarification on the definitions of i) efficiencies; ii) savings; iii) non-recurrent cost reductions; and iv) additional cost reductions.**

(a) Efficiencies

16. The Committee noted that many of the examples in Annex X provided evidence of management efforts to reduce cost increases and to identify efficiencies, for example the

⁴ ICC-ASP/15/Res.1, section L, para. 2.

reduced number of meetings staff have to attend, and the improved resource utilization. However, the Committee also noted that it was difficult to quantify the efficiencies achieved and to identify potential effects on the baseline.

17. Thus, instead of producing a list with a detailed description of efficiencies, the Committee suggested that the Court set Court-wide annual efficiency targets and report to the Committee and the Assembly on the achievement of those targets within the 2019 proposed programme budget.

(b) *Savings*

18. Regarding savings, the Committee noted that the information currently presented does not differentiate between savings as a result of activities that may or may not be incurred in the coming budget year⁵ and real savings, which have been found during the previous financial year and under normal circumstances would also appear in the next years' budget but as a result of the Court's conscious decisions, will not.⁶

(c) *Non-recurrent cost reductions*

19. In addition to savings, there are also non-recurrent cost reductions,⁷ which need to be accounted for, but cannot be considered as savings per se, but rather as the side-effects of decisions not directly controlled by the Court for cost reduction.

(d) *Additional cost reductions*

20. As regards the cost reductions achieved through efficient implementation in 2017, the Committee requested that these be carried forward to future budget years. The Committee further noted that these cost reductions should not be understood as 2018 budget savings but rather be considered as additional cost reductions identified and implemented in 2018 and referred to in future budget documents under the category "*new or additional cost reductions*".

21. The Committee recommended that the Court should continue providing information in the annex of its proposed programme budget on the "real savings" (with a separation between "one-off savings" and "structural savings"), as well as "non-recurring costs" projected for the next fiscal year by major programme whenever appropriate.

22. In order to improve comparability and usability of the information provided, the Committee further recommended a different approach to presenting the "efficiencies", "savings" and "non-recurring costs" against the budget increases. The current presentation lacks clarity about the true baseline of the budget and the real budgetary needs of the Court, which in turn may lead to incorrect interpretations and budgetary decisions. The Committee underlined that the objective of the annex was to obtain a statistically sound method for accounting of certain indicators, so that time-series can be created to show the dynamics of savings, non-recurrent costs, as well as budget baseline changes.

23. The Committee was of the view that new opportunities for savings, efficiencies and synergies will arise as the Court's activities and policies evolve. The Committee decided to extend its efforts by targeting, one by one, selected areas for a review at its future sessions.⁸

24. As regards the Registry, the Committee had already noted at its twenty-eighth session the "spare capacity, apparently emerging at the Registry, which should help offset

⁵ E.g. ICC-ASP/16/10 annex X programme III (3290) Security and Safety Section, "It is expected that the implementation of the new approach to vetting will result in savings of 25 per cent", estimated saving €1.5 thousand.

⁶ E.g. ICC-ASP/16/10 annex X programme III (3240) Finance Section, Price reduction negotiated with the partner bank. The Court was able to negotiate a reduced rate of €4 per International transfer compared to the standard bank rate of €12.50. This avoided a cost increase of €27,000.

⁷ E.g. ICC-ASP/16/10 annex X programme III (3325) Information Management Services Section, "No equipment rental expenditures for Nairobi Field Office. €2.4 thousand." This results from the closing down of the office.

⁸ Cf. paras. 26-30 of this report.

the budget impact of additional activities.”⁹ In fact, the Registry, following its reorganization, ranked its capacity to absorb future workload increases as “high” for 13 sections and offices, representing no less than 231 staff members or 42 per cent of the final staffing. At its twenty-eighth session,¹⁰ the Committee had further noted with appreciation the organizational development plans established by the Registry for its sections and offices, which should help with realizing its full efficiency potential.

3. Thematic focus areas for future sessions of the Committee

25. As a starting point of a thematic approach for future sessions¹¹ and bearing in mind that staff costs account for more than 70 per cent of the total budget, and around 90 per cent in OTP, the Committee decided to focus in future sessions on the opportunities for flexible deployment of staff capacity to areas of urgent need. The Committee believed that it would be worth-while addressing, amongst others, the following issues: (i) availability of up-to-date skills databases; (ii) policies, practice and experience with job mobility; (iii) identification of areas most suitable for rotation, based on available skills and needs of the Court; (iv) measures to broaden the professional experience and skills; and (v) role of trainings and peer-trainings, as well as opportunities for staff in this regard.

26. In order to adequately address the need for flexible deployment of staff, the Committee invited the Court to provide a progress report at its thirtieth session in April 2018 on the opportunities for flexible deployment of staff capacity to areas of urgent need, by including the above-identified issues.

27. The investigation into financial assets of accused and convicted persons is another topic for technical review by the Committee within the context of the 2019 proposed programme budget. This issue moved to the forefront, as regards (i) payment advances for legal aid to suspects whose assets are not immediately accessible resulting in significant budgetary expenses; (ii) convicted persons have to use funds of their own to pay for reparation orders, and (iii) the Chambers may eventually order fines and forfeiture measures. While the Committee acknowledged that identifying available assets would always remain a challenge, success can be achieved. One of such cases is the *Bemba* case, where the accused reimbursed legal aid costs in the amount of over €2 million in 2014.¹² The Committee stressed that the seizure and forfeiture of additional funds may allow those funds to become accessible for reimbursement.

28. In relation to the investigation of financial assets, the Committee believed that the following areas merit review and analysis: (i) amounts spent to date on legal aid; (ii) amounts spent on reparations; (iii) criteria for establishing indigence of the recipients of legal aid, in particular what amounts have been recovered or might still be recovered; (iv) costs to the Court for its financial investigations; (v) investigation strategies, as well as synergies from cooperation with national authorities and/or international organizations; (vi) legal framework for the Court’s investigations; and (vii) lessons learned.

29. The Committee recommended that the Court provide a progress report on the above-mentioned areas related to financial investigations in the context of the budget proposal for 2019. The Committee also expressed its intention to identify further activities or policies that are suitable for a technical financial review at its thirty-first session in September 2018.

4. General observations and macro-analysis

30. The Committee considered the “Proposed programme budget for 2018 of the International Criminal Court”¹³ and the resource requests for each major programme. The Committee conducted its examination of the requested budget resources on the basis of the general principle of budgetary integrity.

⁹ ICC-ASP/16/5, para. 25.

¹⁰ *Ibid.*

¹¹ Cf. para. 24 of this report.

¹² ICC-ASP/13/Res.1, section A, para. 5 and section D.

¹³ ICC-ASP/16/10.

31. The Committee recalled that for the 2017 budget year the Assembly had approved appropriations totalling €144.59 million at its fifteenth session. These were reduced by the instalments for the host State loan of €2.99 million, which was payable only by those States that have opted not to make a “one time” payment. Therefore the 2017 budget approved by the Assembly, excluding interest and the principal repayment (instalments) for the host State loan, was €141.6 million.

32. The Committee noted that the 2018 proposed programme budget submitted by the Court of a total amount of €147.89 million, excluding the instalments for the host State loan of €3.59 million, represented an increase of €6.3 million (4.4 per cent) over the 2017 approved budget of €141.6 million. The total amount requested, after adding the instalments for the host State loan, amounts to €151.48 million.

33. The main increase in absolute numbers was requested by the Registry, namely €2.55 million (or a 3.3 per cent increase), followed by the Office of the Prosecutor (“the OTP”) with a requested increase of €2.2 million (or 4.9 per cent), the Judiciary with a requested increase of €785.6 thousand (or 6.3 per cent) and the STFV with a requested increase of €67 thousand (or 26.1 per cent). The requested increase for the remaining major programmes is below €0.8 million and can be broken down as follows: requested increase of €9.4 thousand (or 3.8 per cent) for the Secretariat of the Assembly; €43.6 thousand (or 3 per cent) for Premises; €39.7 thousand (or 7.7 per cent) for the Independent Oversight Mechanism (“the IOM”); €13.1 thousand (or 1.9 per cent) for the Office of Internal Audit (“the OIA”). In addition, an increase of €97.9 thousand (or 20 per cent) is required for the interest and capital repayments under the host State loan.

(a) *Time-series of budget*

34. In order to put the requested increases in context, the Committee compared the yearly increases in approved budgets of the Judiciary, the Office of the Prosecutor, the Registry and the Secretariat of the Trust Fund for Victims from 2013 to 2017.

Table 1: Yearly increases in approved programme budgets 2013-2017 (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>2013-2017 increase</i>
MP I Judiciary	Total	10,697.9	10,045.8	12,034.2	12,430.6	12,536.0	
	Variance	413.9	-652.1	1,988.4	396.4	105.4	2,252.0
	Variance in %	4.0%	-6.1%	19.8%	3.3%	0.8%	21.1%
MP II Office of the Prosecutor	Total	28,265.7	33,220.0	39,612.6	43,233.7	44,974.2	
	Variance	542.0	4,954.3	6,392.6	3,621.1	1,740.5	17,250.5
	Variance in %	2.0%	17.5%	19.2%	9.1%	4.0%	61.0%
MP III Registry	Total	64,520.9	66,293.1	65,025.9	72,759.2	76,632.6	
	Variance	-520.8	1,772.2	-1,267.2	7,733.3	3,873.4	11,590.9
	Variance in %	-0.8%	2.7%	-1.9%	11.9%	5.3%	18.0%
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	
	Variance	129.4	5.8	229.9	68.8	290.0	723.9
	Variance in %	8.9%	0.4%	14.5%	3.8%	15.4%	45.8%

35. As part of its macro-analysis, the Committee also considered the forecast expenditure for 2017 and the average implementation rates for all major programmes and thus analysed the proposed increases in light of such information. As for financial performance, the forecast expenditure for 2017 was estimated at €142.79 million, which represented 98.8 per cent of the 2017 approved budget of €144.59 million including interest payments and capital repayments on the premises.¹⁴ The Committee noted that, when

¹⁴ ICC-ASP/16/11, table 2.

comparing this with the resources requested within the 2018 proposed programme budget of €151.48 million, resource growth would be €8.7 million (or 6 per cent).

5. Budget assumptions and cost drivers

36. The Committee believed that the cost drivers, as presented in the 2018 proposed programme budget, did not support the need for the full amount of the additional €6.3 million requested. In this regard the Committee observed that the requested increase overwhelmingly resulted from staff costs and other staff costs (3.9 per cent¹⁵). The salaries component, in turn, is predominantly related to the filling of vacant positions in 2017, which would be fully costed in 2018. This alone resulted in an additional request for OTP and Registry in the amount of €2.6 million - an effect of the so-called restoration of vacancy rates and of GTA capacity. Another increase resulted from the application of the UN Common System in the amount of €400 thousand, whereby the increase was lower than in previous years in light of the recent reform of the UN Common System cost.¹⁶

37. In particular, the effect of the increase in the overall workload, invoked by the Court, was difficult to verify. As regards the Court's three strategic priorities, the assumptions appeared to be essentially unchanged with respect to 2017:

- (a) six active investigations;
- (b) three trials, whereby one trial is expected to run for only half a year. Thus, the full-year assumption would be for no more than two-and-a-half trials; and
- (c) As regards the third priority, i.e. the five-year IT investment programme launched in 2017 and costed at €1.6 million for 2018, the Committee noted that the 2017 budget envelope already allocated a substantial amount to such activities, namely €0.9 million (€1.5 million Court-wide) of investments for the Information Management and Services Section ("the IMSS") only, which will be freed up in 2018 for new investments.

6. Budget adjustments recommended by the Committee

38. After reviewing the 2018 proposed programme budget and the justifications provided, the Committee concluded that total reductions could be achieved in the amount of €3,463.3 thousand, subject to the decision of the Assembly on the requested increase of the judges' compensation. If such increase was approved by the Assembly, the adjusted 2018 proposed programme budget amount would thus amount to €148.01 million (€151.47 million - €3.46 million). This represents a €3.43 million¹⁷ (2.4 per cent¹⁸) increase with instalments for the host State loan, or a €2.83 million¹⁹ (2 per cent²⁰) increase without instalments for the host State loan, compared to the 2017 approved budget. The assessment of contributions for 2018 (without instalments for host State loan) would be €144.43 million.

7. Reclassifications and conversions

39. As regards the requests for reclassification, the Committee believed that the reclassification requests (both upward and downward) should be examined Court-wide and not for certain posts in isolation. **Awaiting a Court-wide review of the current policy on reclassifications, the Committee recommended that the Assembly not approve any requested reclassifications. In the meantime, the Committee supported a downward reclassification for one GTA position from GS-PL to GS-OL in Major Programme IV.**

¹⁵ 3.9 per cent = (Staff and other staff for 2018 - Staff and other staff for 2017)/Staff and other staff for 2017 = (€105,687 - €101,693.7)/€101,693.7.

¹⁶ ICC-ASP/16/10, table 2.

¹⁷ €3.43 million = 2018 adjusted proposed budget with instalments for the host State loan of €148.01 million - 2017 approved budget with instalments for the host State loan of €144.59 million.

¹⁸ 2.4 per cent = €3.43 million increase divided by 2017 approved budget with instalments for the host State loan of €144.59 million.

¹⁹ €2.83 million = 2018 adjusted proposed budget without instalments for the host State loan of €144.43 million - 2017 approved budget without instalments for the host State loan of €141.60 million.

²⁰ Two per cent = €2.83 million increase without instalments for the host State loan divided by 2017 approved budget without instalments for the host State loan of €141.60 million.

40. As for the conversion of posts, the Committee recommended to the Assembly to approve only two positions in OTP and one in Judiciary, as the Committee believed that the existing GTA positions were necessary to maintain flexibility within the Court's major programmes, in particular in OTP.

8. Major Programme I: Judiciary

(a) General observations and analysis

41. The 2018 proposed budget for Major Programme I amounts to €13,321.6 thousand, representing an increase of €785.6 thousand (or 6.3 per cent), against the 2017 approved budget of €12,536 thousand. As for financial performance, the forecast expenditure for 2017 for the Judiciary was estimated at €1,926.9 thousand, which represents 95.1 per cent of the approved 2017 budget of €12,536.0 thousand. The Committee noted when comparing this level of implementation with the 2018 proposed budget, that resource growth would be €1,394.7 thousand (or 11.7 per cent).

(b) Salaries of judges

42. The Committee noted that in the 2018 proposed budget for the Judiciary there was an increase of €732,900 related to:

(a) The arrival of six newly elected judges; and

(b) A recurrent request in the amount of €580.9 thousand due to revision of the costs of salary entitlements for the 18 judges. The proposed increase in the yearly base salary for one judge amounts to €6,270 (from €180,000 to €206,270), with the consequence that the pension payment would also have to be increased.²¹

43. The Committee observed that the Assembly at its fifteenth session requested the Bureau "to consider a revision of the judges' remuneration and to report to the Assembly at its sixteenth session."²² The Committee noted that no outcome on this matter was available at the time of the twenty-ninth session of the Committee, and reiterated its previous conclusion that the annual remuneration of judges would have to be considered by the Assembly as a policy matter.

44. In this regard, the Committee pointed out that:

(a) According to Resolution ICC-ASP/3/Res.3, the conditions of service and compensation of judges of the Court "shall be reviewed by the Assembly, as soon as practicable following the review of the conditions of service of the judges of the International Court of Justice by the General Assembly of the United Nations."²³

(b) Since January 2007, the salaries of the members of the International Court of Justice ("the ICJ") and the judges of other international tribunals have comprised an annual base salary with a corresponding post adjustment multiplier for the Netherlands. Whereas "base salary" means net salary, the term "post adjustment" reflects differences in the cost of living for each duty station and is updated monthly on the basis of prevailing local conditions. As a result, judges' salaries vary on a monthly basis and could either increase or decrease depending on the post adjustment multiplier.

(c) In paragraph 47 of the report from the Secretary-General of the United Nations A/68/188, no change was proposed to be effected to the current system of remuneration for members of the ICJ and judges and *ad litem* judges of the International Tribunal for the Former Yugoslavia, the International Criminal Tribunal for Rwanda and the International Residual Mechanism for Criminal Tribunals. United Nations General Assembly Resolution 70/244 set the annual base salary applicable to the judges of

²¹ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.2, para. 34.

²² ICC-ASP/15/Res.1, section O, para. 1.

²³ ICC-ASP/3/Res.3, annex, XIII.

international tribunals at US\$172,978 (€154,815), with a post adjustment multiplier for The Netherlands, totalling US\$226,601 (€202,808²⁴).

(d) In the case of the Court, the salary scheme for judges is based on a fixed amount of €180 thousand per year, and there is no distinction between the base salary and post adjustment multiplier.

(e) Taking into consideration the different methodologies used to calculate the annual remuneration of judges, it is not possible to fully align the salaries of judges of the Court with those of the judges at the ICJ and other international courts and tribunals, since the base salary of the judges of the Court is higher by €25,185 than the base salary of the judges at the ICJ. Aligning the base salary of the Court's judges with the salary of ICJ judges would imply a decrease in salary.

45. Thus, the Committee was of the view that the Assembly might wish to consider two possible options:

- (a) Annual salary adjustment, determined by the Assembly; and
- (b) Periodical review of the salary scheme, establishing a timeline for such a review.

46. Any changes would also require a thorough review of all the judges' conditions of service, bearing in mind that any decision will have a budget implication.

(c) *Extension of terms of office of judges*

47. The Committee observed that the terms of two trial judges will be extended beyond their mandate pursuant to articles 36(10) and 39(3) of the Rome Statute in order to complete the pending trials.²⁵ It is expected that the costs associated with this extension would be offset by delaying the call into office of some of the judges elected in December 2017.

(d) *Staff costs*

48. **The Committee noted that a modified structure is proposed for the Presidency team, resulting in a request for the reclassification of the current post of External Relations Adviser (P-3) as Senior Special Assistant to the President (P-4). The Committee recommended that the existing post of External Relations Adviser (P-3) remain at its current level pending the review of the Court-wide reclassification policy.**

49. The Court submitted a request for conversion of one GTA position (P-3) in the Legal and Enforcement Unit to an established post. The Committee observed that this position was approved in 2010 and covers long-term functions of the Unit, the workload of which is projected to grow. **As the need for this position is expected to continue in the future, the Committee recommended the Assembly to approve conversion of one GTA (P-3) to an established post at the same level.**

(e) *Non-staff and travel costs*

50. The Committee noted that the requested amount of €157.2 thousand for travel represented an increase of 33.4 per cent against €117.8 thousand in 2017 and was mainly composed of:

- (a) €5.7 thousand required for official travel by judges and staff in Judiciary; and
- (b) €54.7 thousand earmarked for travel of newly-elected judges to the Court for their Solemn Undertaking ceremony. These costs arise every three years following the election of new judges to the Court.

51. The Committee further noted that Major Programme I had established a practice of requesting that any party inviting a judge to attend an event on behalf of the Court covers

²⁴ Based on calculations from 2016. United Nations exchange rate as at 15 August 2016. The Committee recognized that the amount requested by the Judiciary is aligned with the 2016 annual remuneration of other international tribunals.

²⁵ ICC-ASP/16/10, para 154.

the costs of the trip. **The Committee observed that the 2018 proposed budget included €10 thousand for “invitation to speak/present at a conference” and, therefore, recommended that such requested resources be decreased by €5.0 thousand. Therefore, the Committee recommended that the Assembly approve the travel budget for Major Programme I in the amount of €152.2 thousand.**

52. Furthermore, the Committee noted the costs (hospitality, travel, relocation etc.) connected with the appointment of newly elected judges to the Court were needed only for 2018 and should be excluded from the baseline for the 2019 proposed budget.

(f) *Recommended budget for MP I*

53. **The Committee, therefore, recommended total reductions in the amount of €28.7 thousand for Major Programme I from its original proposed budget. The Committee thus recommended that the Assembly approve a total of €13,292.9 thousand for Major Programme I.**

9. Major Programme II: Office of the Prosecutor

(a) *General observation and analysis*

54. The 2018 proposed budget for Major Programme II amounted to €47,169.8 thousand, representing an increase of €2,195.6 thousand (or 4.9 per cent) against the 2017 approved budget of €44,974.2 thousand.

55. As for financial performance, the forecast expenditure for 2017 for the OTP was estimated at €44,225 thousand, which represents 98.3 per cent of the approved 2017 budget of €44,974.2 thousand.²⁶ The Committee noted when comparing this implementation with the 2018 proposed budget, that resource growth would be €2,944.8 thousand (or 6.5 per cent).

56. For 2018, the OTP budget based its resource requirements on the following assumptions: eight to ten preliminary examinations, ten situations, six active investigations (Central African Republic II (a), Central African Republic II (b), Côte d’Ivoire, Georgia, Libya and Mali), three trial teams, and two final appeals.

57. The Committee recognized that the underlying workload for 2018 was largely identical to or smaller than that for the 2017 budget proposal, noting that the number of preliminary examinations decreased from ten to nine, and that one of the trials was expected to conclude in the middle of 2018.

58. The 2018 proposed budget contained the estimated resource requirements for investigations, namely:

<i>Situation</i>	<i>2018 Estimated costs</i> ²⁷	<i>Resources requested for 2017</i> ²⁸
Central African Republic II (a)	€2.9 million	€2.8 million
Central African Republic II (b)	€3.5 million	€3.5 million
Cote D’Ivoire II	€3.3 million	€4.0 million
Georgia	€4.0 million	€4.5 million
Libya	€1.9 million	€2.3 million
Darfur	€1.4 million	€2.9 million
Mali II	€2.2 million	€0.2 million

59. In the light of the large percentage increase in resources in the recent years (see table 1), which had provided a certain level of flexibility for the reallocation of available resources, and noting the restoration of the historic vacancy rate, as well as bearing in mind the level of activities anticipated for 2018, which was largely identical to the 2017 level, the

²⁶ ICC-ASP/16/11, table 2.

²⁷ Based on information provided by the Court.

²⁸ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.2, para. 54.

Committee was of the view that it would be appropriate to contain resource requirements for 2018 at a level close to 2017 level.

(b) *Conversion of posts*

60. The Committee noted that the proposed 19 GTA conversions corresponded to the requirements for conversion set by the Committee (e.g. continuously needed, existence for three years or more, and positions actually being filled). However, the Committee noted the significant increase in established posts, which came in addition to 78 GTA positions converted in 2017. **After further analysis, the Committee also noted that there was sufficient built-in capacity and that the expected level of activities in 2018 did not fully justify the conversion of all the posts, and thus recommended, after careful review of each request, only the Legal Assistant (GS-OL) in the Jurisdiction, Complementarity and Cooperation Division and the Witness Management Assistant (GS-OL) in the Investigation Division for conversion.**

(c) *Newly requested General Temporary Assistance*

61. **The Committee noted the following requests for new GTA positions that were budgeted for eight months each are largely offset by discontinuation of existing GTA positions, and therefore recommended the approval of those newly proposed positions for eight months each:**

(a) **Learning Officer (P-2) in the Knowledge-Base Unit, offset by the proposed discontinuation of Data Coordinator (P-1);**

(b) **Evidence Assistant (GS-OL) in the Information and Evidence Unit, offset by the proposed discontinuation of Data Processing Assistant-Transcriber (GS-OL) in Language Services Unit;**

(c) **Translation Officer (P-3) and Transcription Assistant (GS-OL) under Language Services Unit, offset by the proposed discontinuation of Translator (P-3) and Data Processing Assistant-Transcriber (GS-OL);**

(d) **Two Situation-Specific Investigation Assistants (GS-OL) to be placed in the investigation team for CAR and CIV teams in the Investigation Division, offset by the proposed discontinuation of Associate Investigator (P-2);**

(e) **Two Associate Protection Officers (P-2) under the Protection Strategies Unit, and one Field Operations Officer (P-3) under the Operational Risk Support Unit, partially offset by discontinuation of three Protection Strategies Assistants (GS-OL); and**

(f) **Assistant Legal Officer (P-1) in the Prosecution Division, offset by discontinuation of Assistant Trial Lawyer (P-1).**

62. **The Committee noted a request for a new Trial Lawyer (P-4) and a new Assistant Trial Officer (P-2) for eight months each within the Prosecution Division. The Committee was of the view that all efforts should be continued to accommodate additional needs through the re-deployment of available capacities within the OTP and, therefore, recommended that the Assembly not approve both posts, leading to reductions in the amount of €164.4 thousand for the above -mentioned two posts.**

63. **The Committee recommended that the functions of two Administrative Assistants (GS-OL) for 16 months in the Immediate Office of the Prosecutor and Legal Advisory Section be filled through the redeployment of existing staff member(s) and/or the re-allocation of tasks among relevant officers. Therefore, the reduction in the proposed budget would be €97.2 thousand for the two above-mentioned posts.**

(d) *Reclassification*

64. **The Committee reviewed the 11 requests for reclassification by OTP and noted that these requests were made in view of additional functionalities attached to these posts. However, the Committee recommended that no reclassification be approved**

pending a Court-wide review of the current policy on reclassifications. Therefore, the reduction in the proposed budget would be €58.7 thousand for the 11 above-mentioned posts.

(e) *Full costing (restoration) of GTA*

65. In light of the available level of staff and other staff costs within the Major Programme II to continue its current operations, the Committee was of the view that the increased costs related to the “restoration of GTA capacity” not be recommended. Accordingly, a reduction in the amount of €674.1 thousand for GTA would be achieved.

(f) *Non-staff costs and travel costs*

66. The travel budget proposed for the Investigation Division grew by €298.9 thousand. The Committee noted that this increase was proposed with the intention of rectifying an over-expenditure pattern in the past, and reaching a normalized travel budget over a two-year period. The Committee noted that this was a step in the right direction and, in this connection, emphasized the need to make further efforts to contain the travel budget by seeking to obtain efficiencies and savings in line with the Court-wide practice. The Committee recommended that the travel budget for Major Programme II be approved at the 2017 level, with an adjusted increase of 50 per cent of the requested additional amount. Thus, the total recommended reduction for travel is €164.9 thousand.

(g) *Information Technology*

67. As outlined below in paragraphs 80 to 93 of this report, the Committee reviewed the costs associated with the implementation of the Court-wide five-year IT/IM Strategy along with the changes to the ICT baseline costs. **The Committee recommended that a cautious approach be taken to funding the strategy and managing increases in the ICT baseline of the Court. Furthermore, the Committee recommended that the majority of the reduction of the requested increase for ICT be assigned to the budget of Major Programme III (IMSS) but, in recognition of the proposed benefits of the Court wide five-year IT/IM Strategy’s implementation to the OTP, the Committee also recommended that a portion of the reduction (€45,000) be assigned to Major Programme II.**

(h) *Recommended budget for MP II*

68. The Committee accordingly recommended total reductions in the amount of €1,178 thousand in Major Programme II from its original proposed budget. The Committee thus recommended that the Assembly approve a total of €45,991.8 thousand for Major Programme II.

10. Major Programme III: Registry

(a) *General observation and analysis*

69. The Committee noted that the Registry had requested a budget of €79,179.1 thousand for its activities in 2018. This compares to the approved budget for 2017 of €76,632,600, which represents an increase of €2,546.5 thousand (3.3 per cent). As for financial performance, the forecast expenditure for 2017 for the Registry was estimated at €76,726.0 thousand, which represents 100.1 per cent of the approved 2017 budget of €76,632.6 thousand. The Committee noted when comparing this with the 2018 proposed budget, that resource growth would be €2,453.1 thousand (or 3.2 per cent).

70. Against this background, the Committee considered each proposal for a new established post and all GTA positions on their own merit, taking into account workload and the assumptions of the 2018 proposed budget.

71. The Committee was of the view that, in light of the recent conclusion of the reorganization of the Registry and the need to await the functioning of the fully implemented structure, there was no immediate need for new posts or reclassifications.

(b) *New resource requirements under established posts*

72. The Registry requested one Associate External Affairs Coordinator for eight months, as a new established post at the P-2 level. After reviewing the current staff resources and recalling the “Comprehensive Report on the Reorganisation of the Registry of the International Criminal Court²⁹”, the Committee did not recommend the approval of this post. As the Division of External Operations is predominantly strategic and has an oversight role, the Committee was of the view that increases in the workload can be adequately absorbed within existing resources. Accordingly, a reduction in the amount of €60 thousand could be achieved.

(c) *New resource requirements under GTA*

73. The Committee considered the request for 13.78 new FTE GTA. After thorough examination and cross-referencing these requests with existing structures, the Committee was of the view that only five FTE GTA were justified, and thus recommended that the Assembly approve the following positions:

- (a) Language Assistant (Acholi) (GS- PL) for 12 months;
- (b) Two Field Assistants (GS-OL) (CAR) for 12 months;
- (c) Local Security Assistant (GS-OL) (MAL) for 12 months; and
- (d) Web Developer Assistant (GS-OL) for 12 months.

74. As regards the request for one Financial Investigator (P-3) GTA for eight months, the Committee recommended that the Assembly not approve this post. Therefore, the total reduced amount from the proposed budget is €81.1 thousand. The Committee requested that the Court submit a policy report on the seizure and freezing of financial assets and decided to re-consider the request during the next budget cycle.

75. The Court noted the requests for one Senior Driver (GS-OL) (CAR) for twelve months and two Drivers (GS-OL) (CIV) for 12 months each. The Committee recommended that the Assembly not approve these positions. Therefore, the total reduction of the requested budget is €63.3 thousand.

76. The Committee noted the request for one 12-month GTA Driver (GS-OL) at Headquarters for the transport of witnesses appearing before the Court. The Committee believed that following the reorganisation, such increased activities could be managed within existing resources. Therefore, it recommended not to approve the request, leading to a reduction of € 72.9 thousand.

77. As for the remaining 4.1 FTE of newly requested GTA, the Committee was informed, upon inquiry, that these GTA positions at the GS-PL level are freelance interpreters within the Language Service Section necessary to support judicial activities and field operations, and that a similar level of GTA FTE was requested in previous years. The Committee noted with concern that the budget narrative did not provide justification for these positions. While the Committee did not recommend a reduction in these resources at this time, it requested the Registry to improve budget presentation and transparency in the next budget cycle.

(d) *General Temporary Assistance (GTA)*

78. The Committee recommended the approval of the continuation of the existing GTA positions as requested in the proposed budget.

²⁹ CBF27/13P01.

(e) *Reclassification of posts*

79. **The Committee considered the request for reclassification of the post of an Online Communication Assistant (GS-OL) to Senior Online Platforms Manager (GS-PL). The Committee was not convinced that changes in the online communications area in 2016 completely justified the reclassification of the post, and thus the Committee recommended that the Assembly not approve this reclassification pending a Court-wide review of the current policy on reclassification. Therefore, the reduction in the proposed budget would amount to €14.3 thousand.**

(f) *Information and Communication Technology*(i) *IT/IM Architecture*

80. The Committee took note of the Court's efforts to consolidate its information and communication technology (ICT) costs and to improve the management of IT projects in line with the "One-Court" principle. **The Committee recommended that these efforts should be continued and implemented with a view to (i) setting clear efficiency targets for further optimisation of the Court's still technically diverse IT architecture; (ii) redesigning processes to take full advantage of solutions provided by ICT; and (iii) optimising the use of the overall IT resources available, which in total amount to more than €10 million per year.**

(ii) *Five-year IT/IM Strategy*

81. At its twenty-seventh session in September 2016, the Committee had recommended that the ICT budget (non-staff elements) for the Registry be reduced by €300 thousand from the proposed additional IT cost of €1.8 million for 2017, pending a comprehensive IT/IM strategy and roadmap, with detailed cost estimates to be provided in advance of the Committee's review of the 2018 proposed budget for the Court. In May 2017, the Court had introduced a Court-wide five-year Information Technology/Information Management Strategy (IT/IM Strategy) to the Committee, in addition to the optimisation of the IT architecture and management.

82. The Committee noted that the objectives of the five-year IT/IM Strategy were described in the 2018 proposed programme budget. However, the Committee also noted that only the costs related to 2018 were presented in more detail. During the session, the Committee was informed by the Registrar and the Chief of the IMSS that the first costs regarding the implementation of the IT/IM strategy had already materialized in the amount of approximately €370 thousand in 2017. **The Committee requested the Court to clarify the time frame for implementation of the five-year IT/IM Strategy, which based on the initial presentation by the Court would be implemented in the period from 2017-2021, whereas table 2 below suggested the period 2018-2022.**

(iii) *Overview of the anticipated costs for IMSS*

83. While no Court-wide overview of the IT/IM costs over the five-year period was provided, an overview of the costs anticipated for IMSS only was presented. In addition, the baseline costs for IMSS, which constitute the bulk of the required costs for keeping the Court's current and to-be-developed IT/IM systems operational, was presented. The information provided can be summarized as follows:

Table 2: IMSS IT/IM strategy Costs 2017-2022 and ICT baseline costs dynamics (in thousands)

	2017	2018	2019	2020	2021	2022
Non-recurrent non-staff costs						
IT/IM strategy investments	€599.4**	€1,005	€1,944	€2,115	€2,014	€600
Total IMSS ICT baseline*	€3,851	€9,403.2	€9,649.2	€9,672.2	€9,681.7	€9,905.2

* Based on the information currently available, both DMS and OTP do not foresee an increase in their baseline IT/IM operating costs. The variance for baseline operating costs in this table is foreseen for IMSS only.

** The 2017 Strategy included €228.5 thousand in non-recurrent investment that was not part of the 5 year IT/IM Strategy.

(iv) Overview of the anticipated Court-wide costs and savings of the IT/IM Strategy

84. According to additional information provided by the Court, the total Court-wide ICT related costs (including both staff and non-staff costs) in 2017 are approximately €9.2 million. The Committee noted that, in addition to IMSS, other ICT cost centres contribute to the overall Court ICT baseline cost. The Committee further noted the total Court-wide ICT budget in 2017 amounted to €10.3 million (including non-recurring ICT costs in an amount of €1.05 million).

85. Bearing in mind that the Court requested to use the €1.05 million of non-recurring costs also in 2018, the Court-wide ICT baseline remained affected. During the session, the Court stated that the total baseline costs of Court-wide IT costs in 2021 would not exceed the 2017 level.³⁰ The Committee noted that from table 2 above, it is evident that this would not be the case, even if only the IMSS share of the ICT baseline costs was considered.

86. The total estimated savings over the five-year-period as indicated by the Court are expected to amount to about €2.9 million, together with an additional €1.23 million that the Court would have had to spend in the absence of the centralized IT management.³¹

(v) Recommended ICT budget for 2018

87. **Considering the need to control the increases in the baseline costs of ICT, as well as not having clear savings and efficiency gains yet presented by the Court, the Committee recommended to proceed with the implementation of the IT/IM Strategy on an annual basis and to exercise a cautious approach to funding the strategy. Before approving any multi-year commitments, the Committee, therefore, reiterated its previous recommendation³² to the Court to provide a comprehensive plan of the IT/IM Strategy at its thirtieth session, by presenting in more detail both the estimated costs, as well as expected savings both in staff and non-staff costs by sections, as well as Court-wide figures.**

88. **Bearing in mind the amount of non-recurring IT costs, the Court's average annual budget implementation rate and the early stage of the strategy, which still requires work planning, the Committee recommended reducing the 2018 Court-wide ICT costs by €450 thousand (€405 thousand from Major Programme III and €45 thousand from Major Programme II).** The necessary funding could be achieved under the lead of the Information Management Governance Board through the identification of savings and efficiencies among the baseline ICT costs and through reprioritization, without jeopardizing the implementation of the Court-wide five-year IT/IM Strategy.

(vi) IT Capital replacements

89. The Committee noted that it is unclear whether and to what extent ICT costs included in Annex XII 'Capital investments' of the 2018 proposed programme budget for virtual infrastructure and storage replacement³³ (i.e. €600 thousand between 2019-2021) are included within the projected costs of the IT/IM Strategy. In addition, the Committee noted that there are additional costs included in the capital replacement plan (e.g. €150 thousand for ICT hardware and AV technology of courtrooms and conference cluster replacements), which are not included in the baseline IT costs and the IT/IM Strategy costs.³⁴

90. **The Committee therefore requested that the Court further clarify the relationship between the Court-wide five-year IT/IM Strategy and the Capital Replacement Plan at its thirtieth session. In this regard, the Committee recommended that the Court include replacement costs for obsolete systems in its baseline ICT**

³⁰ In a reply to a query by the Committee, the Court stated that IMSS and the Court are using governance and the IMGB controlling and reducing the technical diversity so that new systems can be implemented without adding unnecessary overhead to the infrastructure, and that the staff and non-staff resources required annually to maintain the lights on requirements either remained static or reduced over time.

³¹ ICC-ASP/16/10, annex IX, paras. 14-16.

³² ICC-ASP/16/5, para. 84.

³³ ICC-ASP/16/10, annex XII.

³⁴ ICC-ASP/16/26.

budget, and unavoidable substantial system replacements (i.e. hardware and software) in the Capital Replacement Plan.

(vii) *Multi-year funding as of 2019*

91. In light of the current lack of financial transparency and clear targets for efficiency gains to be achieved through the planned investments, the Committee resolved to pay special attention to the implementation of the IT/IM strategy in the medium-term. By the time of preparation of the 2019 proposed programme budget the Court is expected to have addressed the identified shortcomings and to have linked the IT/IM strategy with clear savings targets, as well as developed a business case for the major component of the strategy, the Judicial Workflow Platform.

92. **Therefore the Committee recommended that the Court apply from the 2019 budget onwards a financing model for IT/IM costs, with fixed project costs that allows for the transfer of unused funds of the project to the following financial year, should the implementation of the project fall behind.³⁵ To this end, the Committee recommended that the IT/IM Strategy implementation be subject to an annual progress report to the Committee, with a view to obtaining approval of the Assembly for the transfer of unused funds from the current year to the following year and to determine the adjusted funds available.**

93. **In light of complexities involved in the implementation of large-scale multi-year projects, the Committee further recommended that the Court and the Information Management Governance Board provide safeguards for the potential cost overruns resulting from the implementation of the IT/IM strategy implementation, which should be absorbed within the Court's annual budget.**

(g) *Victims and Witnesses Section*

94. The Committee noted the forecast under-implementation of €2,154.3 thousand for 2017 under general operational expenses for the Victims and Witnesses Section of the Division of External Operations.

95. Upon inquiry, the Committee was informed by the Court that costs estimated and utilized for the witness protection support amounted to €3 million budgeted and €2.2 million utilized in 2015, €3.7 million budgeted and €2.4 million utilized in 2016, and €3.7 million budgeted and €1.5 million anticipated to be utilized in 2017, due to a substantially lower actual number of witnesses, for which the Registry provided protection support, than assumed.

96. The Committee recognized that the Registry, as the service provider, prepared its budget based on the assumptions made by the OTP and provided support based on the actual requests made.

97. The Committee noted the 2018 proposed budget in the amount of €2.9 million. **While the Committee was fully cognizant that the protection of witnesses was a key requirement for the Court, the Committee recommended a reduction of €1 million from the 2018 proposed budget in the light of the past expenditure pattern.**

(h) *Legal aid*

98. **As outlined below in paragraphs 183 to 187 of this report, the Committee reviewed the legal aid requirements for 2018 and as a result recommended that the proposed budget for legal aid in Major Programme III be reduced by €340 thousand.**

³⁵ This model had been previously used when the Court developed and implemented the IPSAS accounting standards in 2011-2015. Cf., for example, *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.1, para. 28.

(i) Recommended budget for MP III

99. **The Committee recommended total reductions in the amount of €2,036.6 thousand in Major Programme III from its original proposed budget. The Committee thus recommended that the Assembly approve a total of €77,142.5 thousand for Major Programme III.**

11. Major Programme IV: Secretariat of the Assembly of States Parties*(a) General observations and analysis*

100. The Committee noted that the Secretariat had requested a budget of €2,718.2 thousand for its activities in 2018. Compared to the approved budget for 2017 of €2,618.8 thousand, this represents an increase of €99.4 thousand (or 3.8 per cent).

101. The Committee reviewed the expected workload of the Secretariat, taking into account States Parties' requirements and the financial resources requested to meet those needs, including those necessary to hold the seventeenth session of the Assembly in The Hague.

102. The Committee noted that the Secretariat had returned two (P-2) GTA positions. The Committee also noted that one (GS-OL) position was redeployed from the Secretariat to the IMSS under the assumption that the latter will provide the Secretariat, as a priority, with the required IT services, such as maintaining its website and the various Extranets.

103. **In addition, the Committee noted one request for reclassification (downward) of (GS-PL) to (GS-OL). The Committee recommended that the Assembly approve this reclassification.**

(b) Recommended budget for MP IV

104. **The Committee accordingly recommended that the Assembly approve a total of €2,718.2 thousand for Major Programme IV.**

12. Major Programme V: Premises*(a) General observations and analysis*

105. The 2018 proposed budget for Major Programme V amounted to €1,498.5 thousand, representing an increase of €43.6 thousand (3.0 per cent) against the 2017 approved budget of €1,454.9 thousand.

106. The Committee noted that this major programme provides for preventive and corrective maintenance of the Court's headquarters in The Hague. It was also noted that the current contract with the construction company *Courtys* had been extended to 31 March 2018, and that a competitive procurement process was currently underway. It was expected that a new contractor would take over on 1 April 2018. The increase of three per cent is an estimate based on the prevailing price index increase for service contracts in The Netherlands. The final price would be subject to the outcome of the ongoing competitive procurement process.

(b) Recommended budget for MP V

107. **The Committee recommended that the Assembly approve a total amount of €1,498.5 thousand for Major Programme V.**

13. Major Programme VI: Secretariat of the Trust Fund for Victims*(a) General observations and analysis*

108. The Committee noted that the STFV had requested a budget of €2,741.5 thousand for its activities in 2018. Compared to the approved budget for 2017 of €2,174.5 thousand, this represents an increase of €567 thousand (26.1 per cent).

109. The Committee noted that the budget assumptions for 2018 are in fact a resubmission of the 2017 proposed budget with some adaptations resulting from the ongoing reclassification process and from the evolving reparations. Bearing in mind that no reparation procedures have actually taken place and the recruitment process was still ongoing, the Committee was of the view that the request for additional resources must be appropriately justified.

110. Furthermore, the Committee noted with concern the under-implementation of Major Programme VI in the financial year 2017 and in the past, as well as the persistent lack of workload indicators for this major programme.

111. The Committee reiterated its request made at its twenty-sixth session to receive a report providing detailed information on the administrative and operational cost implications resulting from the implementation of reparations, once these can be determined. Since this information had not been formally introduced, the Committee reiterated its recommendation to defer the consideration of the full implementation and funding of the proposed STFV structure until its review of the report at its thirtieth session.

(b) Conversions

112. The Committee was of the view that any conversion could only be approved whenever justified by an overall increase in the workload in the Secretariat during the implementation phase of reparations and as far as the criteria for conversion were met.

113. The Committee considered the request for the conversion of one Associate Executive Officer (P-2) in The Hague. After having applied the criteria for conversion and considered the workload implications, the Committee recommended that the Assembly approve this post as GTA in 2018 instead.

114. The Committee noted the request for the conversion of one Associate Programme Officer (P-2) in The Hague. The Committee recalled its recommendation from its twenty-seventh session that the Assembly approve this post on a GTA basis without funding, until there has been greater experience with the new structure and it has been determined whether the needs can be met through redeployment. The Committee was of the view that there was no justification to convert this post and recommended that it be approved on a GTA basis for nine months. Accordingly, the amount requested was reduced by €15 thousand.

115. The Committee recalled that during its twenty-sixth session, the requests for seven Associate Field Programme Officers (P-2) based in Bunia, DRC (2), Kampala, Abidjan, Bangui and Nairobi, for reparations and assistance mandates, including appropriate monitoring and evaluation activities and financial control, had been recommended to the Assembly for approval on a GTA basis with a total budget allocation of €312,250, thereby allowing for flexible allocation of working months for each position, and decided to continue reviewing such allocation in the future. **The Committee noted the request for the conversion of two of these Associated Field Officers (P-2) in DRC. The Committee was of the view that it had not been sufficiently demonstrated that the criteria for conversions were met and therefore recommended that the Assembly approve these posts on a GTA basis for twelve months each.**

(c) General temporary assistance

116. **The Committee noted that there are three unfunded GTA Associate Field Programme Officers (P-2) and that no resources had been requested for the 2018 budget. The Committee recommended approving these posts without funding.**

117. **The Committee noted the request for a Fundraising and Visibility Officer (P-3, recurrent). The Committee reiterated its recommendation that the position be evaluated in light of the results achieved in raising awareness and attracting additional resources.** The Committee recognized the work done by the TFV in terms of fundraising, but also pointed to the need to find ways to include the concept of financial

self-sustainability in the future financial planning of the TFV in order to limit the impact on the assessed contributions of States Parties.

118. **The Committee noted that a new GTA Legal Officer (P-3) had been requested for nine months and recommended that the Court provide this service to the STFV within its existing resources. Therefore, the Committee recommended the Assembly not to approve this request leading to reductions in the amount of €91.2 thousand.**

119. **The Committee noted a repeated request for one Administrative Assistant (GS-OL) in The Hague. The Committee considered that this position was not properly justified and recommended that the Assembly not approve this position leading to the reductions of €72.9 thousand.**

120. **In the light of the low implementation rate of Major Programme VI and the need for streamlining activities in a flexible manner, the Committee recommended an additional reduction to the requested resources in the amount of €60.9 thousand on GTA.**

(d) *Recommended budget for MP VI*

121. **The Committee accordingly recommended total reductions in the amount of €200.0 thousand in Major Programme VI from its originally proposed budget. The Committee thus recommended that a total of €2,541.5 thousand be approved for Major Programme VI.**

(e) *Activities of the Board of Directors of the TFV*

122. The Committee considered the “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 2016 to 30 June 2017³⁶” and was further briefed by the Chair of the Board of the Trust Fund for Victims on the activities performed by the STFV and its challenges. The report gives a summary of the activities of the TFV in relation to its mandate and provides an update of the financial situation of the TFV.

123. Under the assistance mandate, the TFV continued its programme in northern Uganda. In the Democratic Republic of the Congo (“DRC”), all projects came to their end and closed in May 2017. To continue the assistance programme in the DRC, an open tender was launched in 2016 and a new assistance programme will commence in 2017 after the procurement process is finalized.

124. With respect to its reparations mandate, the TFV’s draft implementation plan in the *Lubanga* case for symbolic and service-based collective reparations was approved by the Court and the procurement process was on-going. In the *Katanga* case, the Court issued an order for reparations in March 2017 and tasked the TFV to submit a draft implementation plan by 25 July 2017. The TFV also submitted observations in the pre-order for reparations stage of proceedings in the *Bemba* and *Al Mahdi* cases.

(f) *Voluntary contributions and fund-raising*

125. The Committee took note that the total value for non-obligated TFV resources originating from voluntary contributions and donations available in the TFV bank accounts amounted to approximately €12.7 million.

126. The Committee noted the crucial importance of voluntary donations for implementing the TFV’s assistance mandate. However, upon request, the Executive Director of the TFV confirmed that there are indeed certain legal obstacles, which in a number of countries inhibit the TFV’s access to voluntary donations.

127. The Executive Director explained that the difficulty arises because the TFV as a subsidiary organ of the Assembly has no separate legal identity from the Court. This brings significant advantages in terms of achieving synergies and avoiding duplications of

³⁶ ICC-ASP/16/14.

operational costs. However, it also has implications for the TFV's engagement with donors, both public and private. Under the current arrangements, the TFV is part of the Court as an international organisation, which cannot automatically offer the prospect of tax deductibility to private donors. Especially in the large United States philanthropic market place - but also in European and Asian markets - this constitutes a significant disadvantage.

128. In 2014, the TFV commissioned research, which was carried out on a *pro bono* basis by a US based law firm, into two options:

(a) Establishment of a "Friends of the Trust Fund for Victims" foundation in the United States to obtain the so-called 501(c)3 status allowing it to receive tax-deductible donations; and

(b) Engagement of a Fiscal Sponsor possessing 501(c)3 status to act as a proxy recipient of tax deductible donations to the TFV (fee-based agreement).

129. Both options, the Executive Director explained, are viable, each having their advantages and disadvantages. Upon weighing the alternatives, the STFV found that option (b) would constitute a more swift solution, thereby avoiding a potentially complex management relationship with the TFV Board of Directors, start-up and operational costs and considerable staff time involvement. Therefore, the TFV opted to further explore option (b) as it appeared to be the least complex and most efficient. A fundraising consultant was engaged in 2015 to explore and advise on options for suitable fiscal sponsors. Consequently, the TFV developed a preference for one prospective fiscal sponsor offering more flexibility, lower service fees, as well as the possibility to offer services in both the United States and European markets.

130. **The Committee noted the efforts of the TFV to explore possible ways to expand its donor base and invited the TFV to provide a progress report at its thirtieth session in April 2018 on the filling of vacant positions and the efforts to increase the visibility of the TFV and its fund-raising capacity.**

14. Major Programme VII-2: Permanent Premises Project – Host State Loan

(a) *General observations and analysis*

131. 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.

132. The 2018 proposed budget for MP VII-2 amounts to €3,585.2 thousand reflecting the terms of host State loan as agreed in 2008. Compared to the approved budget for 2017 of €2,987.3 thousand, this represents an increase of €597.9 thousand (20 per cent).

133. The Committee recalled that the Court has a legal obligation to pay the instalments by the first day 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, as otherwise the Court would have to make use of its operating funds in order to cover these payments.**

(b) *Recommended budget for MP VII-2*

134. **The Committee accordingly recommended that the Assembly approve a total of €3,585.2 thousand for Major Programme VII-2.**

15. Major Programme VII-5: Independent Oversight Mechanism

(a) General observations and analysis

135. The 2018 proposed budget for Major Programme VII-5 amounted to €54.5 thousand, representing an increase of €39.7 thousand (7.7 per cent), against the 2017 approved budget of €14.8 thousand.

136. **The Committee noted that the request for funds for consultants was the same as last year, amounting to €40 thousand. In light of the fact that the IOM now has full human resources in place, the Committee recommended that the budget for consultants be reduced by €20 thousand and that the IOM avail itself, as appropriate and possible, of in-house resources to meet its needs.**

(b) Recommended budget for MP VII-5

137. **The Committee, therefore, recommended that the requested amount be reduced by €20 thousand, and thus recommended that the Assembly approve a total of €534.5 thousand for Major Programme VII-5.**

16. Major Programme VII-6: Office of Internal Audit

(a) General observations and analysis

138. The 2018 proposed budget for Major Programme VII-6 amounted to €707.3 thousand, representing an increase of €13.1 thousand (1.9 per cent) against the 2017 approved budget of €694.2 thousand.

139. The Committee noted that the increase was mainly linked to costs for an external quality assessment of the office, which according to audit standards is due at least once every five years at an expected cost of €20 thousand.

(b) Recommended budget for MP VII-6

140. **The Committee recommended that the requested amount be approved and thus recommended that the Assembly approve a total of €707.3 thousand for Major Programme VII-6.**

B. Other financial and budgetary matters

1. Status of contributions

141. The Committee reviewed the status of contributions as at 15 September 2017 (annex II) towards:

(a) the assessed contributions for the 2017 approved budget of €141,600 thousand; and

(b) instalments of €2,987.3 thousand for the loan for the permanent premises.

142. 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 Contingency Fund (“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.

(a) Regular budget:

143. The Committee noted that €19,706.75 thousand (13.92 per cent) in contributions remained outstanding for the 2017 assessed regular contributions of €141,600 thousand. Outstanding contributions from previous years stood at €13,435.3 thousand.

(b) Contingency Fund:

144. Outstanding contributions for the replenishment of the Contingency Fund (“the CF”) from previous years stood at €5,384.

(c) Premises host State loan:

145. The Committee recalled that each State Party could choose whether to finance its share of the costs of the construction of the premises through either a one-time payment or by contributing to the host State loan. 62 States Parties had made their one-time payments towards the construction of the premises, either in full or partially, by the specified deadline.

146. The outstanding instalments for the host State loan as at 15 September 2017 stood at €57.6 thousand (€9 thousand for the previous year and €462.6 thousand for 2017). The Committee noted with concern that 32 States Parties had not yet paid their contributions to the host State loan. 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.

147. Total outstanding contributions, including for the regular budget, the CF and instalments for the host State loan, thus stood at €33,610 thousand as at 15 September 2017. 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, while its available amount may not be sufficient to cater for liquidity shortfalls.³⁷

148. 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 regulations 5.6 of the Financial Regulations and Rules (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 sixteenth session the Assembly in December 2017. 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.

149. The Committee noted that in a letter dated 21 September 2017, the President of the Assembly of States Parties informed States about the status of contributions to the budget of the Court and urged all States Parties concerned to transfer their outstanding assessed contributions, in order to endow the Court with the necessary financial resources, and also urged those States Parties concerned to take all necessary steps to avoid the loss of voting rights pursuant to article 112, paragraph 8, of the Rome Statute.

2. States in arrears

150. The Committee observed that, as at 15 September 2017, 13 States Parties were in arrears, and would therefore not be able to vote in accordance with article 112, paragraph 8.³⁸ The Committee noted that the Secretariat had informed States Parties on 10 July 2017 of the minimum payment required to avoid the application of article 112, paragraph 8, of the Statute, and of the procedure for requesting a waiver of the loss of voting rights.

151. 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 notify States Parties in arrears once again prior to the sixteenth session of

³⁷ Cf. para. 167.

³⁸ 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.”

the Assembly, highlighting the importance of their contributions for the budget and the financial stability of the Court.

3. Financial performance data as at 30 June 2017

152. The Committee had before it the “Report on Budget Performance of the International Criminal Court as at 30 June 2017³⁹”, as well as the forecast performance as at 31 December 2017. The Committee noted that the implementation rate at mid-year was 53.4 per cent (€77.25 million), against the 2017 approved budget of €144.59 million, which represents an increase of six per cent compared to last year's implementation rate of 47.4 per cent as at 30 June 2016.

153. The Court forecast an implementation rate of 98.8 per cent (€142.79 million) for 2017, which includes the interest and capital repayments for the premises, against the approved budget of €144.59 million, which represents an increase of 1.5 per cent compared to last year's implementation rate of 97.3 per cent as at 31 December 2016.

154. On 1 August 2017, the Registrar sent a letter to the Chairperson of the Committee informing him of unforeseen costs connected to legal aid and reparations in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo* (situation in the Central African Republic) and the relocation of the Field Office in Côte d'Ivoire. The Committee encouraged the Court to make every effort to absorb all unforeseen expenditures within the regular budget.

155. In recent years, the consolidated implementation rate for both regular budget and the CF notifications against approved budgets was 100⁴⁰ per cent in 2016, 97.1 per cent in 2015, 96.6 per cent in 2014, 95.8 per cent in 2013, and 96.6 per cent in 2012.⁴¹

156. The Court's forecast implementation of 98.8 per cent against the 2017 approved budget could create room to absorb additional expenditures arising from potential CF notifications. **The Committee requested that the Court provide an updated forecast to the Assembly for its sixteenth 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 2017.**

157. The Committee had received two CF notifications by mid-September 2017 in the total amount of €1,532.5 thousand:

(a) The first notification related to the *Bemba* case with regard to a Trial Chamber decision appointing experts on reparations (€226.9 thousand); and

(b) The second notification in relation to legal aid amounted to €1,305.6 thousand for four cases: *Bemba et al.* of an amount of €52 thousand for five defence teams; *Al Mahdi* for the defence and for victims for 12 months amounting to €356.2 thousand; *Ongwen* for the legal representatives of victims for 12 months during the trial phase amounting to €196.5 thousand; and *Ntaganda* in the amount of €204.5 thousand for defence during the trial.

158. **The Committee recommended that the Court make all efforts to absorb all expenditures in relation to unforeseen needs within the regular budget.**

4. Unliquidated purchase orders

159. At its twenty-eighth session in May 2017, the Committee noted with concern the large increase in the amount of unliquidated purchase orders, which had increased from €3.3 million at the end of 2015 to €7.3 million (an increase of 121 per cent) at the end of 2016, and further noted that the number of unliquidated purchase orders had increased from 370 at the end of 2015 to 627 at the end of 2016.⁴²

³⁹ ICC-ASP/16/11.

⁴⁰ As at 31 December 2016, the implementation rate was 97.3 per cent. However, following the absorption of the overrun on the premises and the ILO-AT judgement, the implementation rate for 2016 amounted to 100 per cent.

⁴¹ ICC-ASP/16/11, table 1.

⁴² ICC-ASP/16/5, para. 64.

160. Based on the Committee's request for further information on the root causes of this development, the Court submitted the "Report of the Court on Unliquidated Purchase Orders for 2016"⁴³. The report includes explanations of the main reasons for the increase in unliquidated purchase orders, which the Court mainly attributes to operational requirements, contract management and timelines for procurement. Furthermore, the report includes a break-down of unliquidated purchase orders per section. Whereas unliquidated purchase orders amounted to €7.3 million as at 31 December 2016, they have been gradually liquidated in the course of 2017 and stood at €2.8 million as at 30 June 2017.

161. The Committee requested receiving an update on the remaining balance in the amount of €2.8 million of unliquidated purchase orders at its thirtieth session and decided to continue monitoring the situation.

5. Precautionary reserves

162. The Committee reviewed the level of the WCF and of the CF, as well as the level of the Employee Benefit Liability fund. The Court holds and manages a number of precautionary reserves to allow it to cope with liquidity shortages, unforeseen events and staff liabilities.

(a) Working Capital Fund

163. The WCF was established to ensure capital for the Court to meet short-term liquidity problems pending receipt of assessed contributions.⁴⁴ As recommended by the Committee, the Assembly resolved at its fifteenth session that the WCF for 2017 shall be established in the amount of €1.6 million and authorized the Registrar to make advances from the Fund in accordance with the relevant provisions of the FRR.⁴⁵ Furthermore, the Assembly decided that the Court may only use the surplus fund and outstanding contributions to reach the established level of the WCF.⁴⁶

164. The Committee noted that as at 30 June 2017, the actual level of the WCF stood at €3.6 million. As regards the replenishment of the WCF, the Committee noted that at the end of 2017, once the financial statements are approved by the Assembly, the 2015 cash surplus in the amount of €5.4 million will be moved to the WCF. Hence the WCF at the end of 2017 will amount to €9 million. The Committee observed that the final cash surplus of 2016 would only be known after the finalization of the 2017 financial statements.

(b) Contingency Fund

165. The CF was established to ensure that the Court can meet unforeseen and unavoidable expenses.⁴⁷ The level of the CF was originally set at €10 million by the Assembly in 2004 and set at €7 million in 2009.⁴⁸ In 2015, the Court drew €1.71 million from the fund. The Assembly decided in the same year, while not replenishing the Fund, to maintain it at the notional level of €7 million for 2016, and further requested the Bureau to keep the €7 million threshold under review in light of further experience on the functioning of the CF. The CF now stands at €5.79 million and thus requires replenishment of €1.21 million in order to meet the level of €7 million set by the Assembly at its fourteenth session.

(c) Employee Benefit Liability Fund

166. The Employee Benefit Liability Fund (EBL-fund) covers costs resulting from liabilities payable for salaries and other entitlements, annual leave accrual and other long-term benefits and post-employment benefits. The Committee noted that the level of the

⁴³ CBF/29/3.

⁴⁴ Regulation 6.2 of the FRR.

⁴⁵ ICC-ASP/15/Res.1, section B, para. 3.

⁴⁶ *Ibid.*, para. 4.

⁴⁷ Regulation 6.6 of the FRR.

⁴⁸ ICC-ASP/3/Res.4, section B, para. 1.

EBL-fund stood at €172 thousand at the end of 2016. In 2017, accruals of €307 thousand were added to the fund, leading to a balance of €479 thousand as at 15 September 2017.

167. The Committee noted that the Court did not anticipate the need to resort to a credit line at the end of 2017 and the first quarter of 2018 to cover potential temporary liquidity shortfalls.⁴⁹

C. Human resources

1. Geographical distribution

168. Recalling that “[...]the selection of staff in the Professional category shall be guided in principle by a system of desirable ranges based on that of the United Nations” and further recalling that “[n]ationals from States Parties and from those States having engaged in the process of ratification of or accession to the Statute should have adequate representation on the staff of the Court; however, applications from nationals from non-States Parties may also be considered”,⁵⁰ **the Committee noted that the number of nationals of States that are not States Parties to the Rome Statute remained significant. The Committee reiterated its previous recommendation⁵¹ and requested the Court to address this issue within a reasonable time frame.**

169. **The Committee resolved to continue analysing the persisting disequilibria in relation to geographical distribution and the relevant benchmarks, as well as to keep monitoring the desirable ranges per country at its thirtieth session in April 2018.**

2. Gender balance

170. When reporting on gender balance, all professional staff, also language staff, are included. The increase in the total number of professional staff and elected officials from 2016 to 2017, from 367 to 494, is due to conversions in the Office of the Prosecutor and recruitments, mainly in Registry.

171. As regards the gender balance of the professional and language staff, the Committee observed that in 2016, 47.3 per cent were female and 52.7 per cent were male;⁵² whereas in 2017 the respective percentages were 49.2 per cent for female and 50.8 for male.⁵³ Therefore, the Committee concluded that there had been some improvement in the gender balance of the Court.

172. With respect to the gender distribution at the professional level, the Committee noted imbalances at the upper echelons in favour of male staff. In general, male staff significantly outnumber female staff in Major Programmes II and III; Major Program I has achieved gender parity.

173. The Committee noted that at the P-5, P-4 and P-3 levels the balance remains tilted towards male staff, whereas female staff far outnumber males at the P-2 and P-1 levels. **The Committee, therefore, recommended that the Court continue its efforts to narrow the gender gap.**

D. Reparations

174. The Committee did not receive any written reports from the Court on reparations. Upon request of the Committee, the STFV provided a written overview on the developments with regard to reparations in the *Lubanga*, *Katanga*, *Al Mahdi* and *Bemba* proceedings.

(a) *Lubanga*: It is the Committee’s understanding, based on the information provided by the TFV, that the value of the payment of reparations awards currently stands at €1 million and, after victims’ representatives had suggested an amount of €6 million and

⁴⁹ ICC-ASP/15/Res.1, section C.

⁵⁰ ICC-ASP/1/Res.10, annex, para. 4.

⁵¹ ICC/ASP/16/5, para. 98.

⁵² CBF/27/11P01.

⁵³ CBF/29/11P01.

also the expansion of the scope of the draft implementation plan, the Chamber still needs to decide on the liability. Thus, the implementation of the reparations plan is pending.

(b) *Katanga*: the Board of Directors of the TFV decided to complement the total value of Mr Katanga's liability of €0.9 million, including collective and individual awards. Implementation of the reparations plan is pending. The Committee noted that the government of The Netherlands had pledged an amount of €0.2 million for individual reparations awards in the *Katanga* case.

(c) *Al Mahdi*: The Trial Chamber invited the TFV to complement the full value of €2.7 million of Mr. Al Mahdi's liability for reparations. This request is under consideration and will be addressed in the draft implementation plan that is due in February 2018.

(d) *Bemba*: the reparations order is forthcoming and is expected for the first quarter of 2018. The Committee was informed that the amount that the TFV needs to complement to the payment of reparations would depend on the success in the recovery of Mr Bemba's assets for the purpose of reparations.

175. The Committee recalled its earlier assessment that the issue of reparations had a potentially significant impact on the reputation and operations of the Court. Furthermore, the Committee was cognizant of the fact that the final pattern of reparations would depend on decisions by Chambers and reiterated its request to be informed on the administrative and operational cost implications resulting from their implementation at its thirtieth session and further agreed to closely monitor the situation at its forthcoming sessions.

E. Legal aid

1. Reform of the legal aid system

176. The Committee recalled that the Assembly at its fifteenth session⁵⁴ had requested the Court to reassess the functioning of the legal aid system and to present, as appropriate, proposals for adjustments to the legal aid remuneration policy for consideration at its sixteenth session in December 2017.

177. The Committee had before it the Court's "Report on the progress of the development of proposals for adjustments to the legal aid remuneration system as of 2019"⁵⁵ and reviewed the other documentation available on legal aid.⁵⁶ The Committee, in accordance with the Rules of Procedure of the Assembly concerning observers and other participants, invited the International Criminal Court Bar Association (ICCBA) to make a presentation on the basis of their request.

178. The Registry observed that any proposals to adjust the Court's legal aid system required ensuring that the principles of equality of arms, objectivity, transparency, continuity and economy were met in a balanced and appropriate manner. The report further noted that concrete proposals for adjustments require thorough consultations with experts, civil society, counsel and bar associations. While such consultations are in line with the Court's established practice and allow external parties to voice their views, the Committee emphasized that they cannot pre-empt decision-making.

179. The Committee stressed the importance of an irreproachable and unquestionable legal aid system. In particular, the Committee noted the importance of ensuring an unbiased legal aid mechanism that would be in conformity with (i) the principles of the Court and (ii) budgetary limits.

180. The Committee noted that the proposal for reform of the legal aid system would be prepared on the basis of reports commissioned by the Registry and that there had been discussions on the functioning of the Court's legal aid system with different external parties. The Committee also noted that, from a procedural point of view, the choice of the consultant in charge of these reports had been subject to market-splitting allowing for

⁵⁴ ICC-ASP/15/Res. 5, annex I, para. 8.

⁵⁵ CBF/29/7.

⁵⁶ Including ICC-ASP/16/11.

a direct selection of a unique service provider. The Committee further observed that the Registrar's proposals were not submitted and therefore, the Committee did not have the opportunity to express its opinion thereon in advance of the sixteenth session of the Assembly.

181. **In the absence of any other information on the envisaged reform of the legal aid system, the Committee was only in a position to recommend that the proposed new system be more respectful of the budgetary limits approved by the Assembly.** In this context, the Committee noted that last year it had recommended an adjustment of the requested resources for legal aid. Acknowledging that any change in the terms or length of the different phases of judicial process had an impact on the amount of financial resources required for legal aid, the Committee observed that in 2017 unforeseen developments in four cases had taken place, which resulted in a growing slippage of implementation rates.

Table 3: Legal Aid for defence and victims (in thousands of Euros)

	Approved 2016 Budget	Actual Expenditure as at 31 December 2016	Implemen- tation rate	Approved 2017 budget	Actual Expenditure as at 30 June 2017	Contingency Fund notification	Total Forecast expenditures 2017	Forecast Implemen- tation rate 2017
Legal aid for the defence	€4,521	€4,950	109.5%	€3,528	€2,696	€26	€4,634	131.3%
Legal aid for victims	€1,963	€1,345	68.5%	€1,003	€798	€379	€1,292	128.1%
<i>Total Legal aid</i>	€6,484	€6,295	97.1%	€4,531	€3,494	€1,306	€5,926	130.8%

182. **The Committee looked forward to specific proposals for an in-depth financial assessment of the legal aid system and further recommended 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.**

183. **Moreover, the Committee underlined that any document submitted to the Assembly that could have financial or budgetary implications has to be submitted to the Committee for consideration and further stressed that no decision on any amendment to the legal aid system could be taken without approval by the Assembly.**

2. 2018 budget for legal aid

184. The Committee scrutinized the proposed budget for legal aid in the amount of €4,888 thousand and noted that, in view of ongoing and expected judicial proceedings, €3,723 thousand was allocated for the defence and €1,165 thousand for victims.

185. The Committee observed the amount of €230 thousand foreseen for legal aid in the *Lubanga* case and €120 thousand for legal aid for *Katanga* during the implementation plan of reparations.

186. The Committee recalled its earlier observation made at its twenty-seventh session, that the "Court's Single Policy Document on the Court's Legal Aid System"⁵⁷ "describes the principles governing the current legal aid system, including a description of the composition of teams for defence and victims" and that "a clear distinction appeared to have been drawn in the Single Policy Document between the length of time that defence teams would play a role (ending after a decision on appeal) and the length of time that victims teams would play a role (ending after the reparations phase). In particular, the Committee noted that the reparations phase takes place only after the final conviction of the accused, whereby the amount of legal aid for defence teams during that phase has not yet been sufficiently clarified."⁵⁸ **Therefore, the Committee wished to draw the attention of States Parties to the fact that there is a need to clarify the scope of legal aid fees**

⁵⁷ CBF/20/5/Rev.1.

⁵⁸ *Official Records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol. II, part B.2, para. 184.

for defence within the reparations phase, in particular during the implementation of the reparations plan.

187. For 2018, resources are requested in the amount of €340 thousand for legal aid in the *Ntaganda* case, while only six months had been assumed for trial activities in that case,⁵⁹ followed by a period of reduced activities, with the drafting and delivery of the final judgement and sentencing. **As a result of the decrease in judicial activities, payment for legal aid should be in line with the legal aid remuneration scheme, and thus legal aid for the defence in the *Ntaganda* case should be reduced by €340 thousand against the requested amount.**⁶⁰

188. The Committee further noted that once again resources had been allocated in 2018 for legal aid in the cases of *Gaddafi* and *Banda*, amounting to a total of €178 thousand. The Committee recalled that legal resources had been allocated to both cases in the past, but that this practice was discontinued in 2017. **The Committee therefore requested to be updated by the Court on developments at its thirtieth session in April 2018.**

F. Audit matters

1. Annual report by the Audit Committee

189. The Committee considered the “Annual Report of the Audit Committee for 2017⁶¹”. It covers the work carried out by the Audit Committee (“the AC”) during the reporting period from September 2016 to September 2017. The report is included in annex V of the present report and submitted for the attention of the Assembly.

190. Due to the short time between the last session of the Audit Committee (6 September 2017) and the Committee’s twenty-ninth session, the Committee was not able to consider in-depth all of the recommendations raised by the AC. The Committee understood that this situation would not be repeated in 2018, due to the earlier timing of the AC sessions in March and July, respectively.

191. Having two active members of the Committee in the AC and having the Executive Secretary to the Committee on Budget and Finance also act as Secretary to the Audit Committee, enables both committees to effectively coordinate their respective items for discussion and share the outcomes of their deliberations. Thus, it puts both committees in a position to effectively deliver on their respective mandates with a view to complementing each other.

192. The Committee recommended that the AC draw areas of concern within its mandate to the attention of the Committee, and provide the Committee with all relevant documentation thereon.

(a) Governance structure

193. As far as the Governance structure is concerned, the AC reiterated two recommendations from the previous reporting year: the preparation of an organisational manual as one of the Court’s priorities; and its recommendation to the Court to improve the collaboration with the OIA, as well as the cooperation between the Coordination Council and other inter-organ coordination mechanisms and the OIA.

194. Given the fact that governance is a key element for the improvement of the Court’s efficiency, the Committee recommended that the AC recommendations be approved by the Assembly.

⁵⁹ ICC-ASP/16/10, para. 5.

⁶⁰ Legal aid costs for *Ntaganda*: January – June 2017: €356,000 + six months reduced activities 2018 (6x €24,000 for reduced activity= €144,000): €356,000 + €144,000 = €500,000.

⁶¹ AC/6/10 (included as annex V to this report).

(b) Risk management

195. With regard to risk management, the AC noted with satisfaction that risk management had been identified as one of the priority areas of the Court in 2017. Furthermore, the AC noted that the Administrative Instruction on risk management was promulgated on 31 March 2017, the Risk Management Committee (“RMC”) was established, the terms of reference for the RMC were under preparation and, upon request of the OTP, the OIA conducted training sessions on risk management for some of the OTP staff. The AC issued five new recommendations concerning risk management.

196. **The Committee welcomed the progress made by the Court in managing its risks and recommended that the Assembly approve all of the recommendations made in this regard by the AC. With respect to the role of the Court-wide risk coordinator, the Committee noted that this function would be handled, for the time being, by a staff member within the Office of the Director of the Division of Management Services, in addition to his other responsibilities, and resolved to come back to this matter in the context of its human resource policy review. Moreover, the Committee was of the view that, in light of the financial implications, risk management should be embedded in the Court’s managerial responsibilities.**

(c) Values and ethics

197. Concerning values and ethics, the AC issued one recommendation inviting the Court to work on the Court’s general code of conduct applicable to all staff members. The Committee noted that the AC had requested the Court to fulfil this recommendation by availing itself of in-house capacity, such as the IOM, which would not lead to additional costs. **In line with the “One-Court” principle, the Committee recommended that the AC recommendation be approved by the Assembly.**

(d) Oversight of internal audit matters

198. With regard to oversight of internal audit matters, the AC approved the Audit plan of the OIA for 2017, the OIA 2017-2019 IT Audit Plan, the Provisional Audit plan for 2018 and the updated Charter of the OIA. The AC considered the audit reports submitted to its attention by the OIA and expressed its satisfaction on the quality of the audit reports.

199. The AC welcomed the progress made by the Court in implementing the outstanding recommendations in relation to internal audit matters during the reporting period and recommended an update in this regard at its seventh session.

200. The AC took note that, according to international standards, each internal audit service requires an internal quality assessment every five years by an independent reviewer. As the independent assessment of the OIA will take place in 2018, the AC issued one recommendation focused on the procurement and the selection process of the external assessor.

201. **The Committee took note of the above-mentioned AC recommendations in the field of oversight of internal audit and recommended that the AC follow up thereon.**⁶²

(e) Other audit matters

202. Concerning oversight of external audit matters, the AC supported the External Auditor’s intention to focus its 2018 performance audit on high-risk areas such as human resources and/or budget management.

203. In order to reduce travel costs, the Chairperson of the Committee was represented by one of the Committee members, who also serves as member in the AC, at an informal budget meeting of The Hague Working Group on Budget Management Oversight. The Committee noted with appreciation the interest of The Hague Working Group in the respective mandates of the Committee and the AC.

⁶² AC/6/10, paras. 41-70.

2. Reports of the External Auditor

204. The Committee had before it three reports of the External Auditor: the “Financial Statement of the International Criminal Court for the year ended 31 December 2016⁶³”; Financial Statement of the Trust Fund for Victims for the year ended 31 December 2016⁶⁴” and the “Performance audit report on the Implementation of a Division of External Operations.⁶⁵”

(a) *Financial Statement of the Court*

205. The AC considered the “Financial Statement of the International Criminal Court for the year ended 31 December 2016⁶⁶” and welcomed the clean opinion given by the External Auditors to the Court. The AC endorsed all three recommendations made by the External Auditors and proposed four additional recommendations connected with the External Auditors’ report.

206. The Committee noted the implementation rate for 2016, based on the report of the External Auditors, amounted to 100 per cent of the 2016 approved budget of €139.59 million, when the financial statements were issued. This high implementation rate resulted from the absorption of the overrun on the premises in the amount €1,197 thousand and the implementation of the ILO-AT judgement in the cases of the pension for two former judges, which was charged in the amount of €1,581 thousand to the 2016 budget.

207. The Committee recommended that the Assembly approve the financial statements of the Court for the year ending 31 December 2016.

(b) *Financial Statement of the Trust Fund*

208. The AC considered the “Financial Statements of the Trust Fund for Victims for the year ended 31 December 2016⁶⁷” and welcomed the clean opinion given by the External Auditors to the TFV. The AC endorsed both recommendations of the External Auditors.

209. The Committee recommended that the Assembly approve the financial statements of the Trust Fund for Victims for the year ending 31 December 2016.

(c) *Performance audit report on the Implementation of a Division of External Operations*

210. The AC expressed its appreciation of the “Performance audit report on the Implementation of a Division of External Operations⁶⁸” and endorsed all six recommendations made by the External Auditors.

211. The Committee considered the performance audit report and discussed the outcomes of the audit with the Director of the Division of External Operations.

212. The Committee recommended that the Assembly approve the recommendations of the External Auditors and further requested the AC to follow up on their implementation.

3. Amendments to the Charter of the Audit Committee

213. At its twenty-eighth session, the Committee recognized the added value of active interactions with the AC, as well as the necessity of keeping the Charter of the AC as a living document reflecting the actual needs of the AC.

214. In this context, the Committee recommended the following changes to the AC Charter in relation to the AC composition and the number of AC sessions per year:

(a) **Paragraph 10 of the AC Charter shall read as follows: “The Audit Committee shall consist of three to five external members from States Parties to the Rome Statute. Members of the AC shall be independent of the Court and its organs,**

⁶³ ICC-ASP/16/12.

⁶⁴ ICC-ASP/16/13.

⁶⁵ ICC-ASP/16/27.

⁶⁶ ICC-ASP/16/12.

⁶⁷ ICC-ASP/16/13.

⁶⁸ ICC-ASP/16/27.

whereby two out of the five members shall be active members of the Committee on Budget and Finance. Where such conditions are no longer met during the mandate of an Audit Committee member, the Committee on Budget and Finance shall recommend a new member for approval by the Assembly.”

(b) Paragraph 40 of the AC Charter shall read as follows: “The Audit Committee shall meet at least two times annually.”

215. The Committee recommended that the amendments in relation to paragraph 10 in the AC Charter become effective after the completion of the mandates of the current AC members.

G. Costs for the premises of the Court

1. Preventive and corrective maintenance costs

216. The Committee had before it the Court’s “Report on its mechanisms to monitor and control the maintenance costs of its premises.⁶⁹” The report responds to the Committee’s recommendation from September 2016 that the Court should prudently control the preventive and corrective maintenance costs of its new premises, make every effort to ensure that the new long-term maintenance contract is as efficient and cost-effective as possible, and to report on the measures taken.

217. Based on the information contained in the report, the Court had originally extended the building maintenance contract with *Courtys* - the former general contractor for the construction of the new premises - until the end of 2017. This had been authorized by the Assembly “in order to allow the Court sufficient time to prepare its future long-term maintenance strategy and contracts”.⁷⁰

218. The current contract with *Courtys* is managed and controlled by the Court’s Facility Management Unit (FMU). Works to be carried out are clearly defined and payment is made against invoices that are (a) in line with the predefined scope of work; and (b) charged for documented and certified activities.

219. The selection of the future main contractor with a start date of 1 April 2018 is underway. In order to allow sufficient time for the selection, the Court will extend the existing contract with *Courtys* until the end of March 2018. The maintenance contract with the future contractor will run for a period of five to ten years, depending on performance, which will be measured, transparently, through performance indicators. The precondition for extension will be more than satisfactory service delivery, following industry standards and best practice models.

220. The Court is providing all necessary information on the capital replacement costs to States Parties in the context of The Hague Working Group (HWG) to facilitate them in their decision-making.

2. Total costs

221. The Court explained that the current “Major Programme V”, dedicated to the premises, was established to provide for the maintenance of the premises.

222. The Committee noted that the maintenance and operation of the premises involves various types of expenditure, whereby “Major Programme V - Premises” only shows selected items, i.e. the cost of the current (preventive and corrective) maintenance. The amount of €1.5 million allocated in the programme for 2018 covers the anticipated fees of the contractor. In the future, the cost of capital replacements will also be shown as the need for this type of investment arises.

223. In addition, the Committee noted that the maintenance and operation of the premises entails a range of other staff and non-staff costs such as those of the FMU, security personnel, utilities, insurance or supplies and materials. Based on the information provided by the

⁶⁹ ICC-ASP/16/25.

⁷⁰ ICC-ASP/15/Res. 2, para. 36 and ICC-ASP/13/Res. 2, para. 14.

Court, FMU is composed of 18 staff members with a requested budget for 2018 in the amount of €1.3 million. Total non-staff costs in 2018 are anticipated at €3.9 million - a decrease of 5.6 per cent due to the revised contracts for operations such as cleaning and utilities.

224. **In relation to cost transparency, the Committee observed that the maintenance and operating costs of the Court's premises will be a permanent, recurring item of the Court's budgets, with some components increasing as the building ages. Currently, the various types of costs are spread over both the premises programme and a number of relevant budget lines of the Registry's programme. To facilitate cost identification and monitoring, the Committee recommended that the Court summarize the cost elements in an overview table in future budget documents, showing at one glance what is financially at stake.**

225. **As regards the future maintenance contract, the Committee welcomed the envisaged inclusion of performance indicators in the new maintenance contract. It invited the Court, once the contract has been concluded, (i) to inform the Committee about the terms of reference agreed with the contractor, and (ii) to explain the types and the measurement of the performance criteria.**

226. **The Committee reiterated that it is fully prepared to assist States Parties and the Court by offering financial advice.⁷¹ In this context, it has suggested that it would be useful for the Committee to receive in due course a copy of the documentation that the Court provides to The HWG on the issue of the replacement of capital investments and replacements of assets.⁷²**

227. In addition, it is worth mentioning that under the former governance arrangement during the construction phase of the premises, the Oversight Committee used to send progress reports or other submissions with financial implications it had prepared for the Assembly to the Committee for prior advice. **While the former governance structure and the Oversight Committee had been discontinued and replaced by the new governance structure put in place by the Assembly at its fourteenth session, the Committee believed that the former reporting procedure worked well, and therefore suggested that a similar arrangement for reports emanating from The HWG/Bureau might be worth considering.** This would be in line with the Assembly's repeated request to ensure that the Committee is represented at all stages of the deliberations of the Assembly at which documents that contain financial or budgetary implications are considered.⁷³ In fact, the new governance structure adopted by the Assembly envisaged that the budget facilitation of The HWG could make use of the expertise of the Committee, as is already the case through the Committee's review of financial matters undertaken during its two sessions throughout the year.⁷⁴

3. Capital replacement

228. The Committee had before it the Court's report entitled "Capital replacements at the International Criminal Court's permanent premises."⁷⁵ The report provides a definition of capital replacements, which are investments in replacing building components that have a significant cost. Unlike the cost of current (preventive and corrective) maintenance, capital investments are not included in the yearly budget proposal.

229. In its report, the Court provided its first five-year plan (2018 to 2022) showing the projected costs for capital replacements at the premises. The total cost would be €2.23 million, the actual expenditure being spread over the years 2020 to 2022 at annual rates of €0.95 million, €0.40 million and €0.89 million.⁷⁶

⁷¹ *Official records ... Fifteenth session ... 2016* (ICC-ASP/15/20), vol.II, part B.2, para. 239.

⁷² ICC-ASP/16/5, para. 83.

⁷³ Most recently: ICC-ASP/15/Res.5.

⁷⁴ ICC-ASP/15/Res.2, para. 39 and annex II, para. 6.

⁷⁵ ICC-ASP/16/26.

⁷⁶ *Ibid.*, para. 11. The five-year capital replacement plan consist of eight components: (i) Building Management System (BMS); (ii) Security Management System (SMS); (iii) Security systems - indoor installation; (iv) Security systems - outdoor installation; (v) Floor finishings; (vi) Electro-mechanical installation; (vii) Central heating, ventilation and air conditioning - HVAC building technology; and (viii) ICT hardware and audio-visual technology of courtrooms and conference cluster.

230. The replacements, the Court argued, are necessary to preserve the value of the premises and their reliable operability. Considering that the premises were occupied in December 2015, the investment period refers to the years three to seven of the building's operation.

231. The plan uses the input of internal technical expertise and up-to-date information on the actual performance of the materials that make up the various building components. According to the Court, the replacements are in accordance with industry standards and strong recommendations of system suppliers considering the expected time of the systems' useful life. Failure to replace the technical components, the Court notes, could significantly increase the risk of disruption and result in higher costs for *ad-hoc* repairs.

232. In response to a query by the Committee, the Court explained that the ICT hardware and audio-visual items included in the capital replacement plan were separate from the new five-year IT/IM strategy.

233. The Committee recalled that the Assembly decided in 2015 that "no costs for capital replacements shall be factored in for the first ten years, until 2026"⁷⁷. While the Court's report⁷⁸ seems to suggest this moratorium was just a recommendation of the then existing Oversight Committee, the Assembly has, in fact, translated it into a decision of its own. However, it is worth mentioning that the Assembly has also stressed that "the ownership responsibilities of States Parties for the premises include the preservation of the asset value at an appropriate functional level throughout its lifetime"⁷⁹.

234. The Committee was therefore of the view that altogether this suggests that the moratorium should not per se stand in the way of capital investments, if their urgency can be established based on updated information. Mindful of the Court's explanations, the Committee believed that the projected replacements should, in principle, be considered.

235. Noting that the first expenses would occur only in 2020, the Committee believed that there should be sufficient time to further refine the cost estimates and explore opportunities for containing costs. In particular, the Committee recommended that the Court seek a second opinion from the incoming main contractor, bearing in mind the following factors: (i) urgency of replacements, taking into account actual usage; (ii) value for money, in particular whether alternative product brands offer better value for money in terms of reliability, durability, ease of repair etc.; (iii) pricing assumptions with surveys of most recent market trends; (iv) opportunities from (joint) procurement; and (v) lessons learned, for instance, from other institutions based in The Hague.

III. Other matters

A. Working methods of the Committee

236. In April 2016, the Committee had a preliminary discussion on how to improve its working methods and set up an internal working group on this matter.

237. According to the schedule approved at its twenty-eighth session in May 2017, the Committee would consider proposals for amendments of its rules of procedure. In this framework and on the basis of a proposal, the Executive Secretary of the Committee will synthesize a discussion paper, which will be submitted for consideration to the Committee well in advance of its thirtieth session.

238. In addition to the envisaged reform of its rules of procedure, the Committee already decided to future-proof the new organization of its work by focal points, each of its members thus being entrusted with the responsibility to follow specific aspects of the Court more closely. Each focal point will thus act as catalyst for information on this matter and make a presentation to the Committee on the issues that deserve special attention.

⁷⁷ ICC-ASP/14/Res.5, paras. 67(c)(iv) and 72 in connection with Annex II, para 29, second sentence.

⁷⁸ ICC-ASP/16/26, para. 8.

⁷⁹ ICC-ASP/14/Res.5, paras. 60 and 72.

239. Furthermore, the Committee recognized the advantage of interactions between the different oversight bodies of the Court. The Committee was of the view that active interaction with the External Auditors remains essential for the fulfilment of its mandate and, thus, would allocate time for his presentation during its autumn sessions.

B. Voluntary contributions

240. 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 was pleased to hear about the voluntary contribution and emphasized, at the same time, that clear detailed guidelines had to be set out for operational issues, and therefore decided to consider the matter during its thirty-second session.**

C. Financial obligations of States Parties withdrawing from the Rome Statute

241. The Committee received from the Court a letter concerning States Parties withdrawing from the Rome Statute, which was prepared in anticipation of the event that a State Party does not reverse its decision to withdraw from the Rome Statute with effect from 27 October 2017. The Court suggested the following course of action, unless the Committee and the Assembly would indicate otherwise:

(a) *Budget Assessment*: Prorate the assessed annual contribution (excluding the loan) for the withdrawing States on the basis of the number of days of membership in the year in which membership ends. The scale of assessment is to be adjusted accordingly and the resulting shortfall redistributed among other States Parties in 2018. The Court, in this connection, noted this option was in line with the method of assessing new States Parties.

(b) *Working Capital Fund*: Surrender any remaining amount of the advance received by the WCF to the withdrawing States Parties after the end of the fiscal year in which the withdrawal from the Rome Statute becomes effective.

(c) *Budget cash surplus*: The applicable share of any cash surplus in the budget for the years in which withdrawing States were still States Parties is to be surrendered after the amounts for those years' cash surplus are finalized and audited and provided that all outstanding contributions have been paid.

(d) *Contingency Fund*: Surrender the withdrawing States Parties' share of the balance of the reserve set aside to cover possible unforeseen expenses, after the end of the fiscal year in which the withdrawal from the Rome Statute becomes effective.

(e) *Host State loan*: Collect from the withdrawing States the full amount (capital and interest) payable to the host State loan. The Court will pay the instalments due for duration of the loan to the host State.

242. The Committee found no immediate objections to the suggestions made by the Court from the technical point of view; States Parties are obliged to pay their assessed contributions to the extent that Regulation 5.6 of the FRR applies to those States, and the Court is obliged to pay the full amount of the host State loan regardless the payments by States Parties to that account. The Committee, however, pointed out that, in accordance with the FRR,⁸⁰ appropriations shall remain available for 12 months following the end of the financial period to which they relate and only after 1 January following the year in which the audit of the account of the financial period is completed, the amount apportioned to a State Party shall be surrendered. As a result, the balance of the appropriations unobligated to the withdrawing States Parties from the date of withdrawal, would be apportioned to the current States Parties in 2019, rather than 2018.

243. The Committee stressed that the collection of assessed contributions from States Parties withdrawing from the Rome Statute would pose a different set of issues that would go beyond the technical competency of the Committee, as the Rome Statute and the FRR of

⁸⁰ Regulations 4.5 and 4.7 of the FRR.

the Court do not include provisions on the financial obligations of States Parties withdrawing from the Rome Statute.

244. The Committee noted that the effective date of withdrawal of any State Party had not yet arrived and that the amount of money involved with the State Party in question would not pose an immediate financial risk to the Court. The Committee was of the view that the issue would require careful consideration, including from legal and political points of view, by States Parties. The Committee would stand ready to analyze issues arising from the Assembly's discussion, from financial and administrative points of view, at the future session of the Committee.

D. Judgement of the ILO-Administrative Tribunal

245. The Committee recalled that the ILO-AT is the competent jurisdiction for administrative dispute resolution between the Court and its staff (or the judges).

246. On 28 June 2017, ILO-AT delivered a judgement in an action brought by two former judges of the Court. In the specific cases, the two applicants had been elected by the Assembly at its sixth session in 2007, but, in the same session, the Assembly had adopted a new pension plan for judges of the Court and decided that this pension plan would apply to the new judges. On 28 June 2017, ILO-AT approved the appeal of the two complainants who challenged the decision of the Assembly to apply this new scheme to them.

247. This ILO-AT judgement has led to an unexpected financial burden for the Court amounting to €1,758 thousand. The Committee focused on this legal decision and drew the following conclusions:

(a) From an accounting point of view, recording all the financial burden to the 2016 accounts is compliant with the accounting standards (IPSAS 14) and the FRR (Regulation 4.6) since this event took place between the closing date of the financial year and the issuance of certification by the External Auditors;

(b) From a financial point of view, an amount of €1,421 thousand is essentially linked to an additional premium paid to the insurer *Allianz*, and an amount of €337 thousand is due directly to the judges. The Court decided to use a total amount of €1,581 thousand from the surplus budget from 2016 and informed that the remaining €177 thousand would be absorbed within the 2017 budget.

248. The Committee noted that the Court's practice, in preparing its financial statements, is to assess the potential liabilities that may arise in relation to legal cases, such as those before the ILO-AT, in terms of the probability that the Court will be unsuccessful and required to pay. If an adverse outcome is considered as "probable" and the amount is "estimatable", the liability is included in the financial statements as a provision and as an expense. If it is considered that an adverse outcome is not "probable" but is "possible", then a contingent liability is disclosed in the notes to the financial statements, but no provision is made for it.

249. In the case of the claims made by former Judge Cotte and former Judge Nsereko, the Court assumed that an adverse outcome was not "probable" but was only "possible". It was therefore disclosed in the notes of the 2016 financial statement as a contingent liability. Nevertheless, the Committee took note that, in an official document, the Court itself described "the Assembly's decision" as "inconsistent with the Court's statutory framework"⁸¹ inferring explicitly that the ILO-AT outcome would be a probable loss for the organisation, which would have implied to constitute a provision.

250. The Committee was informed that a total of €2,170 thousand was paid for six cases (of which €1,758 thousand related to two former judges) in the 2015-2017 period, and that 21 cases (all cases related to Major Programme III) were currently filed with the ILO-AT by current or former staff members of the Court, with an ongoing assessment by the Court of either provision or contingent liabilities for such claims.

⁸¹ ICC-ASP/10/17.

251. The Committee noted that the Court has to pay a fee roughly between €17-20 thousand for each judgement delivered by the ILO-AT, even if the Court is successful, except for cases which are summarily dismissed as inadmissible or manifestly unfounded.

252. The Committee also noted that mediation and informal dispute resolution systems can be very important tools for both management and staff to resolve disputes, at a lower cost, both financial and personal, to those involved.

253. **The Committee recommended that the Court keep its assessment of the risk of adverse outcome of cases before the ILO-AT under regular review, in order to ensure, to the extent possible, that potential liabilities are identified as early as possible. The Committee resolved to follow up on this issue and to review all potential and associated costs at its thirtieth session in April 2018.**

E. Future meetings of the Committee

254. The Committee decided to tentatively hold its thirtieth session and thirty-first session in The Hague, from 16-20 April 2018 and from 3-14 September 2018, respectively.

Annex I

List of documents

<i>CBF/ASP document symbol</i>	<i>Title</i>	<i>CBF document symbol (if converted to ASP document)</i>
CBF/29/1	Provisional agenda	
CBF/29/1/Add.1	Annotated provisional agenda	
CBF/29/3	Report of the Court on Unliquidated Purchase Orders for 2016	
CBF/29/5	Report on the progress of organizational development plans	
CBF/29/6/Rev.1	Clarification on the performance of the Court's legal aid system in 2016 (revised)	
AC/6/10	Annual Report of the Audit Committee for 2017	
ICC-ASP/16/10	Proposed programme budget for 2018 of the International Criminal Court	
ICC-ASP/16/11	Report on Budget Performance of the International Criminal Court as at 30 June 2017	
ICC-ASP/16/12	Financial statements of the International Criminal Court for the year ended 31 December 2016	
ICC-ASP/16/13	Financial statements of the Trust Fund for Victims for the year ended 31 December 2016	
ICC-ASP/16/14	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 2016 to 30 June 2017	
ICC-ASP/16/21	Report on the progress of the development of proposals for adjustments to the legal aid remuneration system as of 2019	CBF/29/7
ICC-ASP/16/25	Report of the Court on its mechanisms to monitor and control the maintenance costs of its premises	CBF/29/4
ICC-ASP/16/26	Capital replacements at the International Criminal Court's permanent premises	CBF/29/2
ICC/ASP/16/27	Final Audit Report on the Implementation of a Division of External Operations	

Annex II

Status of contributions as at 15 September 2017 (in Euro)

State Party	Prior Years			Year 2017						Outstanding Contributions Contingency Fund	Grand Total Outstanding Contributions	State Party Account Status	Date of Latest Payment
	Outstanding Regular Contributions	Outstanding Host State Loan Contributions	Total Outstanding Contributions	Assessed Regular Contributions	Assessed Host State Loan Contributions	Total Assessed Contributions	Outstanding Regular Contributions	Outstanding Host State Loan Contributions	Total Outstanding Contributions				
1 Afghanistan	-	-	-	14,160	588	14,748	-	-	-	-	-	Fully settled	01/06/2017
2 Albania	-	-	-	19,258	-	19,258	-	-	-	-	-	Fully settled	09/02/2017
3 Andorra	-	-	-	14,443	-	14,443	-	-	-	-	-	Fully settled	07/03/2017
4 Antigua and Barbuda	6,874	-	6,874	4,814	155	4,969	4,814	-	4,814	-	11,688	In arrears	01/10/2016
5 Argentina	-	-	-	2,151,329	-	2,151,329	2,146,569	-	2,146,569	-	2,146,569	Outstanding	20/03/2017
6 Australia	-	-	-	5,636,246	-	5,636,246	-	-	-	-	-	Fully settled	09/01/2017
7 Austria	-	-	-	1,736,441	94,285	1,830,726	-	-	-	-	-	Fully settled	31/01/2017
8 Bangladesh	-	-	-	14,160	744	14,904	-	-	-	-	-	Fully settled	09/02/2017
9 Barbados	-	-	-	16,850	-	16,850	16,850	-	16,850	-	16,850	Outstanding	23/02/2016
10 Belgium	-	-	-	2,134,478	117,912	2,252,390	-	-	-	-	-	Fully settled	02/02/2017
11 Belize	-	-	-	2,407	119	2,526	115	-	115	-	115	Outstanding	26/06/2017
12 Benin	21,071	327	21,398	7,222	355	7,577	7,222	355	7,577	24	28,999	Ineligible to vote	22/09/2016
13 Bolivia (Plurinational State of)	-	-	-	28,886	-	28,886	-	-	-	-	-	Fully settled	10/07/2017
14 Bosnia and Herzegovina	-	-	-	31,294	-	31,294	-	-	-	-	-	Fully settled	23/02/2017
15 Botswana	-	-	-	33,701	1,888	35,589	-	-	-	-	-	Fully settled	08/02/2017
16 Brazil	6,973,575	-	6,973,575	9,220,142	346,652	9,566,794	9,220,142	346,652	9,566,794	-	16,540,369	In arrears	29/12/2016
17 Bulgaria	-	-	-	108,466	5,553	114,019	-	-	-	-	-	Fully settled	14/02/2017
18 Burkina Faso	-	-	-	9,629	137	9,766	8,939	-	8,939	-	8,939	Outstanding	09/08/2017
19 Burundi	2,695	81	2,776	2,407	119	2,526	2,407	119	2,526	-	5,302	In arrears	17/03/2015
20 Cabo Verde	-	-	-	2,407	119	2,526	1,277	-	1,277	-	1,277	Outstanding	02/08/2017
21 Cambodia	-	-	-	9,629	367	9,996	-	-	-	-	-	Fully settled	24/05/2017
22 Canada	-	-	-	7,044,742	-	7,044,742	-	-	-	-	-	Fully settled	11/01/2017
23 Central African Republic	3,117	81	3,198	2,407	119	2,526	2,407	119	2,526	-	5,724	In arrears	09/12/2014
24 Chad	12,307	87	12,394	12,036	128	12,164	12,036	128	12,164	-	24,558	In arrears	13/01/2015
25 Chile	-	-	-	962,314	-	962,314	-	-	-	-	-	Fully settled	09/06/2017
26 Colombia	-	-	-	776,534	-	776,534	776,534	-	776,534	-	776,534	Outstanding	28/08/2017
27 Comoros	16,732	109	16,841	2,407	119	2,526	2,407	119	2,526	46	19,413	Ineligible to vote	no payments
28 Congo	46,821	538	47,359	14,443	588	15,031	14,443	588	15,031	73	62,463	Ineligible to vote	01/06/2011
29 Cook Islands	-	-	-	2,407	119	2,526	-	-	-	-	-	Fully settled	10/02/2017
30 Costa Rica	-	-	-	113,422	-	113,422	-	-	-	-	-	Fully settled	02/02/2017
31 Côte d'Ivoire	-	-	-	21,665	1,302	22,967	-	-	-	-	-	Fully settled	10/04/2017
32 Croatia	-	-	-	238,738	14,883	253,621	-	-	-	-	-	Fully settled	13/02/2017
33 Cyprus	-	-	-	103,651	-	103,651	-	-	-	-	-	Fully settled	25/01/2017
34 Czechia	-	-	-	829,634	-	829,634	-	-	-	-	-	Fully settled	02/02/2017
35 Democratic Republic of the Congo	13,659	19	13,678	14,160	27	14,187	14,160	27	14,187	-	27,865	In arrears	29/10/2015
36 Denmark	-	-	-	1,408,495	-	1,408,495	-	-	-	-	-	Fully settled	02/03/2017
37 Djibouti	4,314	107	4,421	2,407	119	2,526	2,407	119	2,526	-	6,947	Ineligible to vote	05/12/2014
38 Dominica	8,012	109	8,121	2,407	119	2,526	2,407	119	2,526	8	10,655	Ineligible to vote	31/12/2015
39 Dominican Republic	259,540	4,764	264,304	110,873	5,314	116,187	110,873	5,314	116,187	-	380,491	Ineligible to vote	22/03/2016
40 Ecuador	-	-	-	161,566	-	161,566	-	-	-	-	-	Fully settled	07/06/2017
41 El Salvador	18,985	-	18,985	33,701	-	33,701	33,701	-	33,701	-	52,686	In arrears	no payments
42 Estonia	-	-	-	91,615	-	91,615	-	-	-	-	-	Fully settled	05/05/2017
43 Fiji	-	-	-	7,222	355	7,577	-	-	-	-	-	Fully settled	23/01/2017
44 Finland	-	-	-	1,099,807	-	1,099,807	-	-	-	-	-	Fully settled	09/01/2017
45 France	-	-	-	11,718,816	660,815	12,379,631	-	-	-	-	-	Fully settled	31/01/2017
46 Gabon	-	-	-	41,064	1,491	42,555	41,064	1,491	42,555	-	42,555	Outstanding	03/10/2016
47 Gambia	2,322	81	2,403	2,407	119	2,526	2,407	119	2,526	-	4,929	In arrears	02/12/2015
48 Georgia	-	-	-	19,258	-	19,258	-	-	-	-	-	Fully settled	27/01/2017
49 Germany	-	-	-	15,408,770	-	15,408,770	-	-	-	-	-	Fully settled	09/01/2017
50 Ghana	30,200	-	30,200	38,657	1,649	40,306	38,657	1,649	40,306	-	70,506	In arrears	09/04/2015
51 Greece	-	-	-	1,135,915	-	1,135,915	1,135,763	-	1,135,763	-	1,135,763	Outstanding	01/06/2016
52 Grenada	-	-	-	2,407	119	2,526	2,407	119	2,526	-	2,526	Outstanding	18/03/2016
53 Guatemala	-	-	-	67,543	3,190	70,733	-	-	-	-	-	Fully settled	23/11/2016
54 Guinea	14,464	109	14,573	4,814	119	4,933	4,814	119	4,933	84	19,590	Ineligible to vote	20/04/2015
55 Guyana	-	-	-	4,814	119	4,933	144	-	144	-	144	Outstanding	09/03/2017
56 Honduras	17,988	-	17,988	19,258	944	20,202	19,258	944	20,202	-	38,190	In arrears	01/03/2016
57 Hungary	-	-	-	388,267	4,648	392,915	-	-	-	-	-	Fully settled	20/02/2017
58 Iceland	-	-	-	55,507	-	55,507	-	-	-	-	-	Fully settled	06/02/2017
59 Ireland	-	-	-	807,970	-	807,970	-	-	-	-	-	Fully settled	20/01/2017
60 Italy	-	-	-	9,039,319	-	9,039,319	-	-	-	-	-	Fully settled	15/03/2017

State Party	Prior Years			Year 2017						Outstanding Contributions Contingency Fund	Grand Total Outstanding Contributions	State Party Account Status	Date of Latest Payment
	Outstanding Regular Contributions	Outstanding Host State Loan Contribution	Total Outstanding Contributions	Assessed Regular Contribution	Assessed Host State Loan Contribution	Total Assessed Contributions	Outstanding Regular Contributions	Outstanding Host State Loan Contribution	Total Outstanding Contributions				
61 Japan	-	-	-	23,345,875	1,279,688	24,625,563	-	-	-	-	-	Fully settled	01/06/2017
62 Jordan	-	-	-	48,286	-	48,286	-	-	-	-	-	Fully settled	23/02/2017
63 Kenya	-	-	-	43,471	1,538	45,009	-	-	-	-	-	Fully settled	14/02/2017
64 Latvia	-	-	-	120,643	-	120,643	-	-	-	-	-	Fully settled	11/01/2017
65 Lesotho	-	-	-	2,407	119	2,526	2,407	119	2,526	-	2,526	Outstanding	27/01/2017
66 Liberia	145	-	145	2,407	119	2,526	2,407	119	2,526	-	2,671	In arrears	30/05/2016
67 Liechtenstein	-	-	-	16,850	-	16,850	-	-	-	-	-	Fully settled	23/01/2017
68 Lithuania	-	-	-	173,602	-	173,602	-	-	-	-	-	Fully settled	16/12/2016
69 Luxembourg	-	-	-	154,344	-	154,344	-	-	-	-	-	Fully settled	08/02/2017
70 Madagascar	-	-	-	7,222	355	7,577	4,018	-	4,018	-	4,018	Outstanding	30/12/2015
71 Malawi	17,619	218	17,837	4,814	239	5,053	4,814	239	5,053	26	22,916	Ineligible to vote	28/09/2011
72 Maldives	4,782	81	4,863	4,814	119	4,933	4,814	119	4,933	-	9,796	In arrears	11/01/2016
73 Mali	-	-	-	7,222	475	7,697	-	-	-	-	-	Fully settled	15/09/2017
74 Malta	-	-	-	38,657	-	38,657	38,657	-	38,657	-	38,657	Outstanding	08/03/2016
75 Marshall Islands	3,356	81	3,437	2,407	119	2,526	2,407	119	2,526	-	5,963	In arrears	04/03/2015
76 Mauritius	-	-	-	28,886	-	28,886	-	-	-	-	-	Fully settled	16/01/2017
77 Mexico	-	-	-	3,460,846	-	3,460,846	3,460,846	-	3,460,846	-	3,460,846	Outstanding	23/01/2017
78 Mongolia	-	-	-	12,036	-	12,036	-	-	-	-	-	Fully settled	29/06/2017
79 Montenegro	-	-	-	9,629	-	9,629	4	-	4	-	4	Outstanding	18/04/2017
80 Namibia	-	-	-	24,072	-	24,072	-	-	-	-	-	Fully settled	24/03/2017
81 Nauru	-	-	-	2,407	119	2,526	-	-	-	-	-	Fully settled	14/06/2017
82 Netherlands	-	-	-	3,574,267	-	3,574,267	-	-	-	-	-	Fully settled	30/01/2017
83 New Zealand	-	-	-	646,404	29,894	676,298	-	-	-	-	-	Fully settled	16/12/2016
84 Niger	26,513	218	26,731	4,814	239	5,053	4,814	239	5,053	92	31,876	Ineligible to vote	23/11/2009
85 Nigeria	762,370	9,530	771,900	504,096	10,632	514,728	504,096	10,632	514,728	-	1,286,628	Ineligible to vote	25/10/2013
86 Norway	-	-	-	2,047,536	100,547	2,148,083	-	-	-	-	-	Fully settled	13/01/2017
87 Panama	-	-	-	81,986	621	82,607	63,151	-	63,151	-	63,151	Outstanding	30/08/2017
88 Paraguay	-	-	-	33,701	1,183	34,884	29,756	-	29,756	-	29,756	Outstanding	12/07/2017
89 Peru	316,468	9,374	325,842	327,946	13,822	341,768	327,946	13,822	341,768	-	667,610	In arrears	02/08/2016
90 Philippines	-	-	-	397,896	-	397,896	-	-	-	-	-	Fully settled	30/03/2017
91 Poland	-	-	-	2,028,278	-	2,028,278	-	-	-	-	-	Fully settled	20/12/2016
92 Portugal	-	-	-	945,463	-	945,463	-	-	-	-	-	Fully settled	20/04/2017
93 Republic of Korea	-	-	-	4,917,626	191,776	5,109,402	-	-	-	-	-	Fully settled	24/07/2017
94 Republic of Moldova	-	-	-	9,629	-	9,629	-	-	-	-	-	Fully settled	24/05/2017
95 Romania	-	-	-	443,774	-	443,774	-	-	-	-	-	Fully settled	13/02/2017
96 Saint Kitts and Nevis	-	-	-	2,407	119	2,526	-	-	-	-	-	Fully settled	11/07/2017
97 Saint Lucia	-	-	-	2,407	119	2,526	-	-	-	-	-	Fully settled	26/05/2017
98 Saint Vincent and the Grenadines	196	-	196	2,407	119	2,526	2,407	119	2,526	-	2,722	In arrears	14/09/2016
99 Samoa	-	-	-	2,407	-	2,407	-	-	-	-	-	Fully settled	04/05/2017
100 San Marino	-	-	-	7,222	-	7,222	-	-	-	-	-	Fully settled	07/03/2017
101 Senegal	-	-	-	12,036	705	12,741	326	-	326	-	326	Outstanding	12/05/2017
102 Serbia	-	-	-	77,172	-	77,172	-	-	-	-	-	Fully settled	17/02/2017
103 Seychelles	-	-	-	2,407	119	2,526	-	-	-	-	-	Fully settled	24/05/2017
104 Sierra Leone	-	-	-	2,407	119	2,526	-	-	-	-	-	Fully settled	11/11/2015
105 Slovakia	-	-	-	385,860	-	385,860	-	-	-	-	-	Fully settled	20/02/2017
106 Slovenia	-	-	-	202,630	-	202,630	-	-	-	-	-	Fully settled	19/01/2017
107 South Africa	-	-	-	877,920	-	877,920	-	-	-	-	-	Fully settled	08/03/2017
108 Spain	-	-	-	5,891,976	-	5,891,976	-	-	-	-	-	Fully settled	18/04/2017
109 State of Palestine	-	-	-	16,850	588	17,438	-	-	-	-	-	Fully settled	01/08/2017
110 Suriname	-	-	-	14,443	367	14,810	-	-	-	-	-	Fully settled	24/04/2017
111 Sweden	-	-	-	2,305,673	-	2,305,673	-	-	-	-	-	Fully settled	22/05/2017
112 Switzerland	-	-	-	2,749,447	-	2,749,447	-	-	-	-	-	Fully settled	02/02/2017
113 Tajikistan	-	-	-	9,629	355	9,984	1,934	-	1,934	-	1,934	Outstanding	07/03/2017
114 The former Yugoslav Republic of Macedonia	-	-	-	16,850	944	17,794	16,850	944	17,794	-	17,794	Outstanding	28/12/2016
115 Timor-Leste	68	-	68	7,222	-	7,222	7,222	-	7,222	-	7,290	In arrears	15/03/2017
116 Trinidad and Tobago	-	-	-	81,986	-	81,986	-	-	-	-	-	Fully settled	16/02/2017
117 Tunisia	-	-	-	67,543	4,254	71,797	4,254	-	4,254	-	4,254	Outstanding	16/05/2017
118 Uganda	47,349	647	47,996	14,160	705	14,865	14,160	705	14,865	48	62,909	Ineligible to vote	05/12/2012
119 United Kingdom	-	-	-	10,763,724	-	10,763,724	-	-	-	-	-	Fully settled	25/05/2017
120 United Republic of Tanzania	-	-	-	14,160	744	14,904	1,012	-	1,012	-	1,012	Outstanding	05/07/2017
121 Uruguay	-	-	-	190,594	2,449	193,043	190,594	2,449	193,043	-	193,043	Outstanding	22/09/2016
122 Vanuatu	6,212	108	6,320	2,407	119	2,526	2,407	119	2,526	-	8,846	Ineligible to vote	15/11/2016
123 Venezuela (Bolivarian Republic of)	4,688,898	67,865	4,756,763	1,377,060	74,079	1,451,139	1,377,060	74,079	1,451,139	4,983	6,212,885	Ineligible to vote	04/09/2012
124 Zambia	13,659	480	14,139	14,160	705	14,865	14,160	705	14,865	-	29,004	In arrears	29/06/2015
<i>Rounding difference</i>				713	3,695	4,408							
Total	13,340,311	95,014	13,435,325	141,600,000	2,987,306	144,587,306	19,706,747	462,628	20,169,375	5,384	33,610,084		

Annex III

Budgetary implications of the recommendations of the Committee (in thousands of Euro)

Table 1: Total of all Major Programmes for 2018

Total ICC	2017 Approved Budget	Resource changes	Proposed 2018 Budget Before CBF recommendations	Proposed 2018 Budget After CBF recommendations	Difference After CBF Recommendations
Judges	5,369.1	732.9	6,102.0	6,102.0	-
Professional staff	60,656.3	3,410.4	64,066.7	61,684.6	(2,382.1)
General service staff	24,431.2	940.5	25,371.7	25,357.4	(14.3)
<i>Subtotal staff</i>	85,087.5	4,350.9	89,438.4	87,042.0	(2,396.4)
General temporary assistance	15,074.4	(489.2)	14,585.1	15,498.1	913.0
Temporary assistance for meetings	1,168.4	134.3	1,302.7	1,302.7	-
Overtime	363.5	(2.7)	360.8	360.8	-
<i>Subtotal other staff</i>	16,606.2	(357.6)	16,248.6	17,161.6	913.0
Travel	5,838.3	182.1	6,020.4	5,850.5	(169.9)
Hospitality	29.0	4.0	33.0	33.0	-
Contractual services	3,355.9	204.1	3,560.0	3,560.0	-
Training	890.0	123.0	1,013.0	1,013.0	-
Consultants	695.3	(44.9)	650.4	630.4	(20.0)
Council for defence	3,528.2	194.8	3,723.0	3,383.0	(340.0)
Council for victims	1,002.8	162.2	1,165.0	1,165.0	-
General operating expenses	19,925.9	992.2	20,918.1	19,618.1	(1,300.0)
Supplies and materials	962.7	65.3	1,028.0	1,028.0	-
Furniture and equipment	1,296.3	279.5	1,575.8	1,425.8	(150.0)
<i>Subtotal non-staff</i>	37,524.4	2,162.3	39,686.7	37,706.8	(1,979.9)
Total	144,587.3	6,888.4	151,475.7	148,012.4	(3,463.3)

Table 2: Major Programme I: Judiciary

Major Programme I Judiciary	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Judges	5,369.1	732.9	6,102.0	6,102.0	-
Professional staff	4,577.6	113.8	4,691.4	4,667.7	(23.7)
General service staff	917.9	9.3	927.2	927.2	-
<i>Subtotal staff</i>	<i>5,495.5</i>	<i>123.1</i>	<i>5,618.6</i>	<i>5,594.9</i>	<i>(23.7)</i>
General temporary assistance	1,411.2	(124.8)	1,286.4	1,286.4	-
Temporary assistance for meetings	-	-	-	-	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>1,411.2</i>	<i>(124.8)</i>	<i>1,286.4</i>	<i>1,286.4</i>	-
Travel	117.8	39.4	157.2	152.2	(5.0)
Hospitality	12.0	4.0	16.0	16.0	-
Contractual services	5.0	-	5.0	5.0	-
Training	22.0	-	22.0	22.0	-
Consultants	1.0	4.0	5.0	5.0	-
General operating expenses	97.4	7.0	104.4	104.4	-
Supplies and materials	5.0	-	5.0	5.0	-
Furniture and equipment	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>260.2</i>	<i>54.4</i>	<i>314.6</i>	<i>309.6</i>	<i>(5.0)</i>
Total	12,536.0	785.6	13,321.6	13,292.9	(28.7)

Table 3: Programme 1100: The Presidency

1100 The Presidency	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Judges	28.0	-	28.0	28.0	-
Professional staff	721.7	135.4	857.1	833.4	(23.7)
General service staff	292.0	0.3	292.3	292.3	-
<i>Subtotal staff</i>	<i>1,013.8</i>	<i>135.6</i>	<i>1,149.4</i>	<i>1,125.7</i>	<i>(23.7)</i>
General temporary assistance	122.8	(122.8)	-	-	-
Temporary assistance for meetings	-	-	-	-	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>122.8</i>	<i>(122.8)</i>	-	-	-
Travel	113.7	36.7	150.4	145.4	(5.0)
Hospitality	10.0	4.0	14.0	14.0	-
Contractual services	-	-	-	-	-
Training	6.0	-	6.0	6.0	-
Consultants	1.0	4.0	5.0	5.0	-
General operating expenses	-	-	-	-	-
Supplies and materials	-	-	-	-	-
Furniture and equipment	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>130.7</i>	<i>44.7</i>	<i>175.4</i>	<i>170.4</i>	<i>(5.0)</i>
Total	1,295.3	57.5	1,352.8	1,324.1	(28.7)

Table 4: Programme 1200: Chambers

1200 Chambers	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Judges	5,341.1	732.9	6,074.0	6,074.0	-
Professional staff	3,644.8	(22.0)	3,622.8	3,622.8	-
General service staff	549.1	5.3	554.4	554.4	-
<i>Subtotal staff</i>	<i>4,193.9</i>	<i>(16.7)</i>	<i>4,177.2</i>	<i>4,177.2</i>	-
General temporary assistance	1,288.4	(2.0)	1,286.4	1,286.4	-
Temporary assistance for meetings	-	-	-	-	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>1,288.4</i>	<i>(2.0)</i>	<i>1,286.4</i>	<i>1,286.4</i>	-
Travel	-	-	-	-	-
Hospitality	1.0	-	1.0	1.0	-
Contractual services	-	-	-	-	-
Training	16.0	-	16.0	16.0	-
Consultants	-	-	-	-	-
General operating expenses	-	-	-	-	-
Supplies and materials	-	-	-	-	-
Furniture and equipment	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>17.0</i>	-	<i>17.0</i>	<i>17.0</i>	-
Total	10,840.4	714.2	11,554.6	11,554.6	-

Table 5: Programme 1300: Liaison Offices

1300 Liaison Offices	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	211.1	0.4	211.5	211.5	-
General service staff	76.7	3.8	80.5	80.5	-
<i>Subtotal staff</i>	<i>287.8</i>	<i>4.2</i>	<i>292.0</i>	<i>292.0</i>	-
General temporary assistance	-	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	-
Travel	4.1	2.7	6.8	6.8	-
Hospitality	1.0	-	1.0	1.0	-
Contractual services	5.0	-	5.0	5.0	-
Training	-	-	-	-	-
Consultants	-	-	-	-	-
General operating expenses	97.4	7.0	104.4	104.4	-
Supplies and materials	5.0	-	5.0	5.0	-
Furniture and equipment	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>112.5</i>	<i>9.7</i>	<i>122.2</i>	<i>122.2</i>	-
Total	400.3	13.9	414.2	414.2	-

Table 6: Major Programme II: Office of the Prosecutor

Programme II Office of The Prosecutor	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	26,153.1	2,361.6	28,514.6	26,666.0	(1,848.6)
General service staff	4,926.5	304.6	5,231.1	5,231.1	-
<i>Subtotal staff</i>	<i>31,079.5</i>	<i>2,666.2</i>	<i>33,745.7</i>	<i>31,897.1</i>	<i>(1,848.6)</i>
General temporary assistance	9,386.1	(820.3)	8,565.8	9,446.3	880.5
Temporary assistance for meetings	-	-	-	-	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>9,386.1</i>	<i>(820.3)</i>	<i>8,565.8</i>	<i>9,446.3</i>	<i>880.5</i>
Travel	2,764.0	329.8	3,093.8	2,928.9	(164.9)
Hospitality	5.0	-	5.0	5.0	-
Contractual services	579.5	-	579.5	579.5	-
Training	290.0	-	290.0	290.0	-
Consultants	100.0	(30.0)	70.0	70.0	-
General operating expenses	480.0	50.0	530.0	530.0	-
Supplies and materials	110.0	-	110.0	110.0	-
Furniture and equipment	180.0	-	180.0	135.0	(45.0)
<i>Subtotal non-staff</i>	<i>4,508.5</i>	<i>349.8</i>	<i>4,858.3</i>	<i>4,648.4</i>	<i>(209.9)</i>
Total	44,974.2	2,195.6	47,169.8	45,991.8	(1,178.0)

Table 7: Sub-programme 2110: Immediate Office of the Prosecutor

2110 Immediate Office of the Prosecutor	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	1,421.1	194.2	1,615.3	1,444.7	(170.6)
General service staff	276.7	6.3	283.0	283.0	-
<i>Subtotal staff</i>	<i>1,697.8</i>	<i>200.5</i>	<i>1,898.3</i>	<i>1,727.7</i>	<i>(170.6)</i>
General temporary assistance	278.6	(59.8)	218.8	259.3	40.5
Temporary assistance for meetings	-	-	-	-	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>278.6</i>	<i>(59.8)</i>	<i>218.8</i>	<i>259.3</i>	<i>40.5</i>
Travel	184.4	0.2	184.6	184.6	-
Hospitality	5.0	-	5.0	5.0	-
Contractual services	30.0	-	30.0	30.0	-
Training	290.0	-	290.0	290.0	-
Consultants	100.0	(30.0)	70.0	70.0	-
General operating expenses	-	-	-	-	-
Supplies and materials	-	-	-	-	-
Furniture and equipment	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>609.4</i>	<i>(29.8)</i>	<i>579.6</i>	<i>579.6</i>	<i>-</i>
Total	2,585.8	110.9	2,696.7	2,566.6	(130.1)

Table 8: Sub-programme 2120: Services Section

2120 Services Section	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	2,321.0	146.3	2,467.3	2,375.3	(92.0)
General service staff	1,495.6	47.7	1,543.3	1,543.3	-
<i>Subtotal staff</i>	<i>3,816.6</i>	<i>194.0</i>	<i>4,010.6</i>	<i>3,918.6</i>	<i>(92.0)</i>
General temporary assistance	2,759.4	169.3	2,928.7	2,794.6	(134.1)
Temporary assistance for meetings	-	-	-	-	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>2,759.4</i>	<i>169.3</i>	<i>2,928.7</i>	<i>2,794.6</i>	<i>(134.1)</i>
Travel	355.6	30.1	385.6	385.6	-
Hospitality	-	-	-	-	-
Contractual services	549.5	-	549.5	549.5	-
Training	-	-	-	-	-
Consultants	-	-	-	-	-
General operating expenses	-	-	-	-	-
Supplies and materials	110.0	-	110.0	110.0	-
Furniture and equipment	180.0	-	180.0	135.0	(45.0)
<i>Subtotal non-staff</i>	<i>1,195.1</i>	<i>30.0</i>	<i>1,225.1</i>	<i>1,180.1</i>	<i>(45.0)</i>
Total	7,771.1	393.3	8,164.4	7,893.3	(271.1)

Table 9: Programme 2200: Jurisdiction, Complementarity and Cooperation Division

2200 Jurisdiction, Complementarity and Cooperation Division	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	2,786.4	175.6	2,961.9	2,832.1	(129.8)
General service staff	260.1	75.4	335.5	335.5	-
<i>Subtotal staff</i>	<i>3,046.5</i>	<i>250.9</i>	<i>3,297.4</i>	<i>3,167.6</i>	<i>(129.8)</i>
General temporary assistance	470.0	(166.0)	304.0	392.6	88.6
Temporary assistance for meetings	-	-	-	-	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>470.0</i>	<i>(166.0)</i>	<i>304.0</i>	<i>392.6</i>	<i>88.6</i>
Travel	440.4	0.6	441.0	441.0	-
Hospitality	-	-	-	-	-
Contractual services	-	-	-	-	-
Training	-	-	-	-	-
Consultants	-	-	-	-	-
General operating expenses	-	-	-	-	-
Supplies and materials	-	-	-	-	-
Furniture and equipment	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>440.4</i>	<i>0.6</i>	<i>441.0</i>	<i>441.0</i>	<i>-</i>
Total	3,956.9	85.6	4,042.4	4,001.2	(41.2)

Table 10: Programme 2300: Investigation Division

2300 Investigation Division	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	10,733.3	1,036.8	11,770.1	10,951.5	(818.6)
General service staff	2,373.9	158.6	2,532.5	2,532.5	-
<i>Subtotal staff</i>	<i>13,107.2</i>	<i>1,195.4</i>	<i>14,302.6</i>	<i>13,484.0</i>	<i>(818.6)</i>
General temporary assistance	4,094.2	(284.0)	3,810.2	4,302.2	492.0
Temporary assistance for meetings	-	-	-	-	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>4,094.2</i>	<i>(284.0)</i>	<i>3,810.2</i>	<i>4,302.2</i>	<i>492.0</i>
Travel	1,409.6	298.9	1,708.5	1,543.6	(164.9)
Hospitality	-	-	-	-	-
Contractual services	-	-	-	-	-
Training	-	-	-	-	-
Consultants	-	-	-	-	-
General operating expenses	480.0	50.0	530.0	530.0	-
Supplies and materials	-	-	-	-	-
Furniture and equipment	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>1,889.6</i>	<i>348.9</i>	<i>2,238.5</i>	<i>2,073.6</i>	<i>(164.9)</i>
Total	19,091.0	1,260.3	20,351.3	19,859.8	(491.5)

Table 11: Programme 2400: Prosecution Division

2400 Prosecution Division	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	8,891.3	808.7	9,700.0	9,062.4	(637.6)
General service staff	520.2	16.6	536.8	536.8	-
<i>Subtotal staff</i>	<i>9,411.5</i>	<i>825.3</i>	<i>10,236.8</i>	<i>9,599.2</i>	<i>(637.6)</i>
General temporary assistance	1,783.9	(479.8)	1,304.1	1,697.6	393.5
Temporary assistance for meetings	-	-	-	-	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>1,783.9</i>	<i>(479.8)</i>	<i>1,304.1</i>	<i>1,697.6</i>	<i>393.5</i>
Travel	374.1	-	374.1	374.1	-
Hospitality	-	-	-	-	-
Contractual services	-	-	-	-	-
Training	-	-	-	-	-
Consultants	-	-	-	-	-
General operating expenses	-	-	-	-	-
Supplies and materials	-	-	-	-	-
Furniture and equipment	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>374.1</i>	<i>-</i>	<i>374.1</i>	<i>374.1</i>	<i>-</i>
Total	11,569.5	345.5	11,915.0	11,670.9	(244.1)

Table 12: Major Programme III: Registry

Programme III Registry	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	27,526.5	368.3	27,894.8	27,834.8	(60.0)
General service staff	18,017.5	627.9	18,645.4	18,631.1	(14.3)
<i>Subtotal staff</i>	<i>45,543.9</i>	<i>996.3</i>	<i>46,540.2</i>	<i>46,465.9</i>	<i>(74.3)</i>
General temporary assistance	3,181.9	322.9	3,504.8	3,287.5	(217.3)
Temporary assistance for meetings	1,028.4	134.3	1,162.7	1,162.7	-
Overtime	325.5	(2.7)	322.8	322.8	-
<i>Subtotal other staff</i>	<i>4,535.8</i>	<i>454.5</i>	<i>4,990.3</i>	<i>4,773.0</i>	<i>(217.3)</i>
Travel	2,106.5	(90.0)	2,016.5	2,016.5	-
Hospitality	4.0	-	4.0	4.0	-
Contractual services	2,192.4	94.4	2,286.8	2,286.8	-
Training	498.4	124.8	623.2	623.2	-
Consultants	434.3	(38.9)	395.4	395.4	-
Council for defence	3,528.2	194.8	3,723.0	3,383.0	(340.0)
Council for victims	1,002.8	162.2	1,165.0	1,165.0	-
General operating expenses	14,859.9	293.7	15,153.6	13,853.6	(1,300.0)
Supplies and materials	830.0	65.3	895.3	895.3	-
Furniture and equipment	1,096.3	289.5	1,385.8	1,280.8	(105.0)
<i>Subtotal non-staff</i>	<i>26,552.9</i>	<i>1,095.7</i>	<i>27,648.6</i>	<i>25,903.6</i>	<i>(1,745.0)</i>
Total	76,632.6	2,546.5	79,179.1	77,142.5	(2,036.6)

Table 13: Programme 3100: Office of the Registrar

3100 Office of the Registrar	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	1,474.1	18.4	1,492.5	1,492.5	-
General service staff	143.4	2.1	145.5	145.5	-
<i>Subtotal staff</i>	<i>1,617.4</i>	<i>20.6</i>	<i>1,638.0</i>	<i>1,638.0</i>	<i>-</i>
General temporary assistance	-	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>
Travel	73.6	(15.4)	58.2	58.2	-
Hospitality	4.0	-	4.0	4.0	-
Contractual services	-	-	-	-	-
Training	6.4	15.0	21.4	21.4	-
Consultants	5.0	-	5.0	5.0	-
General operating expenses	-	-	-	-	-
Supplies and materials	-	-	-	-	-
Furniture and equipment	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>89.0</i>	<i>(0.4)</i>	<i>88.6</i>	<i>88.6</i>	<i>-</i>
Total	1,706.4	20.2	1,726.6	1,726.6	-

Table 14: Programme 3200: Division of Management Services

3200 Division of Management Services	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	3,761.3	65.2	3,826.5	3,826.5	-
General service staff	8,972.9	255.9	9,228.8	9,228.8	-
<i>Subtotal staff</i>	<i>12,734.1</i>	<i>321.2</i>	<i>13,055.3</i>	<i>13,055.3</i>	-
General temporary assistance	481.9	123.7	605.6	532.7	(72.9)
Temporary assistance for meetings	-	20.0	20.0	20.0	-
Overtime	310.5	(2.7)	307.8	307.8	-
<i>Subtotal other staff</i>	<i>792.4</i>	<i>141.0</i>	<i>933.4</i>	<i>860.5</i>	<i>(72.9)</i>
Travel	170.1	-	170.1	170.1	-
Hospitality	-	-	-	-	-
Contractual services	643.5	-	643.5	643.5	-
Training	332.8	29.9	362.7	362.7	-
Consultants	38.0	(26.0)	12.0	12.0	-
General operating expenses	3,475.1	(215.2)	3,259.9	3,259.9	-
Supplies and materials	278.0	26.9	304.8	304.8	-
Furniture and equipment	334.5	31.5	366.0	366.0	-
<i>Subtotal non-staff</i>	<i>5,272.0</i>	<i>(153.0)</i>	<i>5,119.0</i>	<i>5,119.0</i>	-
Total	18,798.5	309.2	19,107.7	19,034.8	(72.9)

Table 15: Programme 3300: Division of Judicial Services

3300 Division of Judiciary Services	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	11,950.4	140.8	12,091.2	12,091.2	-
General service staff	4,928.2	151.6	5,079.8	5,079.8	-
<i>Subtotal staff</i>	<i>16,878.6</i>	<i>292.4</i>	<i>17,171.0</i>	<i>17,171.0</i>	-
General temporary assistance	1,689.7	111.1	1,800.8	1,800.8	-
Temporary assistance for meetings	800.2	26.7	826.9	826.9	-
Overtime	15.0	-	15.0	15.0	-
<i>Subtotal other staff</i>	<i>2,504.9</i>	<i>137.8</i>	<i>2,642.7</i>	<i>2,642.7</i>	-
Travel	414.5	(16.8)	397.7	397.7	-
Hospitality	-	-	-	-	-
Contractual services	328.0	112.4	440.4	440.4	-
Training	93.0	(1.9)	91.1	91.1	-
Consultants	391.3	(12.9)	378.4	378.4	-
Council for defence	3,528.2	194.8	3,723.0	3,383.0	(340.0)
Council for victims	1,002.8	162.2	1,165.0	1,165.0	-
General operating expenses	5,953.6	336.1	6,289.7	5,989.7	(300.0)
Supplies and materials	262.4	4.0	266.4	266.4	-
Furniture and equipment	715.5	294.5	1,010.0	905.0	(105.0)
<i>Subtotal non-staff</i>	<i>12,689.3</i>	<i>1,072.4</i>	<i>13,761.7</i>	<i>13,016.7</i>	<i>(745.0)</i>
Total	32,072.9	1,502.5	33,575.4	32,830.4	(745.0)

Table 16: Programme 3800: Division of External Operations

3800 Division of External Operations	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	10,340.7	143.9	10,484.6	10,424.6	(60.0)
General service staff	3,973.1	218.2	4,191.3	4,177.0	(14.3)
<i>Subtotal staff</i>	<i>14,313.8</i>	<i>362.1</i>	<i>14,675.9</i>	<i>14,601.6</i>	<i>(74.3)</i>
General temporary assistance	1,010.3	88.1	1,098.4	954.0	(144.4)
Temporary assistance for meetings	228.1	87.7	315.8	315.8	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>1,238.4</i>	<i>175.8</i>	<i>1,414.2</i>	<i>1,269.8</i>	<i>(144.4)</i>
Travel	1,448.2	(57.7)	1,390.5	1,390.5	-
Hospitality	-	-	-	-	-
Contractual services	1,220.9	(18.0)	1,202.9	1,202.9	-
Training	66.2	81.8	148.0	148.0	-
Consultants	-	-	-	-	-
General operating expenses	5,431.2	172.8	5,604.0	4,604.0	(1,000.0)
Supplies and materials	289.7	34.4	324.1	324.1	-
Furniture and equipment	46.3	(36.5)	9.8	9.8	-
<i>Subtotal non-staff</i>	<i>8,502.5</i>	<i>176.8</i>	<i>8,679.3</i>	<i>7,679.3</i>	<i>(1,000.0)</i>
Total	24,054.7	714.7	24,769.4	23,550.7	(1,218.7)

Table 17: Major Programme IV: Secretariat of the Assembly of States Parties

Programme IV Secretariat of the Assembly of States Parties	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	661.5	(9.3)	652.2	652.2	-
General service staff	309.8	(18.8)	291.0	291.0	-
<i>Subtotal staff</i>	<i>971.3</i>	<i>(28.1)</i>	<i>943.2</i>	<i>943.2</i>	<i>-</i>
General temporary assistance	493.3	110.7	604.0	604.0	-
Temporary assistance for meetings	140.0	-	140.0	140.0	-
Overtime	38.0	-	38.0	38.0	-
<i>Subtotal other staff</i>	<i>671.3</i>	<i>110.7</i>	<i>782.0</i>	<i>782.0</i>	<i>-</i>
Travel	528.1	(96.0)	432.1	432.1	-
Hospitality	5.0	-	5.0	5.0	-
Contractual services	389.0	112.7	501.7	501.7	-
Training	10.1	-	10.1	10.1	-
Consultants	-	-	-	-	-
General operating expenses	24.4	-	24.4	24.4	-
Supplies and materials	14.7	-	14.7	14.7	-
Furniture and equipment	5.0	-	5.0	5.0	-
<i>Subtotal non-staff</i>	<i>976.3</i>	<i>16.7</i>	<i>993.0</i>	<i>993.0</i>	<i>-</i>
Total	2,618.8	99.4	2,718.2	2,718.2	-

Table 18: Programme 4100: Conference

4100 Conference	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	-	-	-	-	-
General service staff	-	-	-	-	-
<i>Subtotal staff</i>	-	-	-	-	-
General temporary assistance	236.5	114.3	350.8	350.8	-
Temporary assistance for meetings	80.0	-	80.0	80.0	-
Overtime	20.0	-	20.0	20.0	-
<i>Subtotal other staff</i>	<i>336.5</i>	<i>114.3</i>	<i>450.8</i>	<i>450.8</i>	-
Travel	63.7	(63.7)	-	-	-
Hospitality	-	-	-	-	-
Contractual services	313.0	100.0	413.0	413.0	-
Training	-	-	-	-	-
Consultants	-	-	-	-	-
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>	<i>397.7</i>	<i>36.3</i>	<i>434.0</i>	<i>434.0</i>	-
Total	734.2	150.6	884.8	884.8	-

Table 19: Programme 4200: Secretariat of the Assembly

4200 Secretariat of the Assembly	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	507.5	(4.7)	502.8	502.8	-
General service staff	228.2	(17.1)	211.1	211.1	-
<i>Subtotal staff</i>	<i>735.7</i>	<i>(21.8)</i>	<i>713.9</i>	<i>713.9</i>	-
General temporary assistance	84.6	(84.6)	-	-	-
Temporary assistance for meetings	-	-	-	-	-
Overtime	18.0	-	18.0	18.0	-
<i>Subtotal other staff</i>	<i>102.6</i>	<i>(84.6)</i>	<i>18.0</i>	<i>18.0</i>	-
Travel	59.7	(43.2)	16.5	16.5	-
Hospitality	1.0	-	1.0	1.0	-
Contractual services	-	-	-	-	-
Training	5.4	0.1	5.5	5.5	-
Consultants	-	-	-	-	-
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>	<i>75.8</i>	<i>(43.1)</i>	<i>32.7</i>	<i>32.7</i>	-
Total	914.0	(149.4)	764.6	764.6	-

Table 20: Programme 4400: Office of the President of the Assembly

4400 Office of the President of the Assembly	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	-	-	-	-	-
General service staff	-	-	-	-	-
<i>Subtotal staff</i>	-	-	-	-	-
General temporary assistance	121.0	0.5	121.5	121.5	-
Temporary assistance for meetings	-	-	-	-	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>121.0</i>	<i>0.5</i>	<i>121.5</i>	<i>121.5</i>	-
Travel	86.7	13.2	99.9	99.9	-
Hospitality	-	-	-	-	-
Contractual services	-	12.0	12.0	12.0	-
Training	-	-	-	-	-
Consultants	-	-	-	-	-
General operating expenses	-	-	-	-	-
Supplies and materials	-	-	-	-	-
Furniture and equipment	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>86.7</i>	<i>25.2</i>	<i>111.9</i>	<i>111.9</i>	-
Total	207.7	25.7	233.4	233.4	-

Table 21: Programme 4500: Committee on Budget and Finance

4500 Committee on Budget and Finance	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	154.0	(4.6)	149.4	149.4	-
General service staff	81.6	(1.7)	79.9	79.9	-
<i>Subtotal staff</i>	<i>235.6</i>	<i>(6.3)</i>	<i>229.3</i>	<i>229.3</i>	-
General temporary assistance	51.2	80.5	131.7	131.7	-
Temporary assistance for meetings	60.0	-	60.0	60.0	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>111.2</i>	<i>80.5</i>	<i>191.7</i>	<i>191.7</i>	-
Travel	317.9	(2.2)	315.7	315.7	-
Hospitality	4.0	-	4.0	4.0	-
Contractual services	76.0	0.7	76.7	76.7	-
Training	4.7	(0.1)	4.6	4.6	-
Consultants	-	-	-	-	-
General operating expenses	13.4	-	13.4	13.4	-
Supplies and materials	-	-	-	-	-
Furniture and equipment	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>416.0</i>	<i>(1.6)</i>	<i>414.4</i>	<i>414.4</i>	-
Total	762.8	72.6	835.4	835.4	-

Table 22: Major Programme V: Premises

5100 Premises	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</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	-	-	-	-	-
General operating expenses	1,454.9	43.6	1,498.5	1,498.5	-
Supplies and materials	-	-	-	-	-
Furniture and equipment	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>1,454.9</i>	<i>43.6</i>	<i>1,498.5</i>	<i>1,498.5</i>	-
Total	1,454.9	43.6	1,498.5	1,498.5	-

Table 23: Major Programme VI: Secretariat of the Trust Fund for Victims

6100 Secretariat of the Trust Fund for Victims	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	884.1	558.6	1,442.6	992.8	(449.8)
General service staff	130.1	1.1	131.2	131.2	-
<i>Subtotal staff</i>	<i>1,014.1</i>	<i>559.7</i>	<i>1,573.8</i>	<i>1,124.0</i>	<i>(449.8)</i>
General temporary assistance	479.1	23.5	502.5	752.3	249.8
Temporary assistance for meetings	-	-	-	-	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>479.1</i>	<i>23.5</i>	<i>502.5</i>	<i>752.3</i>	<i>249.8</i>
Travel	300.4	(0.4)	300.0	300.0	-
Hospitality	3.0	-	3.0	3.0	-
Contractual services	190.0	(3.0)	187.0	187.0	-
Training	34.9	(2.7)	32.2	32.2	-
Consultants	120.0	-	120.0	120.0	-
General operating expenses	20.0	-	20.0	20.0	-
Supplies and materials	3.0	-	3.0	3.0	-
Furniture and equipment	10.0	(10.0)	-	-	-
<i>Subtotal non-staff</i>	<i>681.3</i>	<i>(16.1)</i>	<i>665.2</i>	<i>665.2</i>	-
Total	2,174.5	567.0	2,741.5	2,541.5	(200.0)

Table 24: Major Programme VII-2: Host State Loan

7200 Host State Loan	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</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	-	-	-	-	-
General operating expenses	2,987.3	597.9	3,585.2	3,585.2	-
Supplies and materials	-	-	-	-	-
Furniture and equipment	-	-	-	-	-
<i>Subtotal non-staff</i>	2,987.3	597.9	3,585.2	3,585.2	-
Total	2,987.3	597.9	3,585.2	3,585.2	-

Table 25: Major Programme VII-5: Independent Oversight Mechanism

7500 Independent Oversight Mechanism	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	389.4	23.1	412.5	412.5	-
General service staff	57.3	15.7	72.9	72.9	-
<i>Subtotal staff</i>	446.7	38.7	485.4	485.4	-
General temporary assistance	-	-	-	-	-
Temporary assistance for meetings	-	-	-	-	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	-	-	-	-	-
Travel	10.0	0.6	10.6	10.6	-
Hospitality	-	-	-	-	-
Contractual services	-	-	-	-	-
Training	11.1	0.4	11.5	11.5	-
Consultants	40.0	-	40.0	20.0	(20.0)
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>	68.1	1.0	69.1	49.1	(20.0)
Total	514.8	39.7	554.5	534.5	(20.0)

Table 26: Major Programme VII-6: Office of Internal Audit

7600 Office Of Internal Audit	<i>2017 Approved Budget</i>	<i>Resource changes</i>	<i>Proposed 2018 Budget Before CBF recommendations</i>	<i>Proposed 2018 Budget After CBF recommendations</i>	<i>Difference After CBF Recommendations</i>
Professional staff	464.2	(5.6)	458.6	458.6	-
General service staff	72.3	0.7	72.9	72.9	-
<i>Subtotal staff</i>	<i>536.5</i>	<i>(5.0)</i>	<i>531.5</i>	<i>531.5</i>	-
General temporary assistance	122.8	(1.2)	121.6	121.6	-
Temporary assistance for meetings	-	-	-	-	-
Overtime	-	-	-	-	-
<i>Subtotal other staff</i>	<i>122.8</i>	<i>(1.2)</i>	<i>121.6</i>	<i>121.6</i>	-
Travel	11.5	(1.3)	10.2	10.2	-
Hospitality	-	-	-	-	-
Contractual services	-	-	-	-	-
Training	23.5	0.5	24.0	24.0	-
Consultants	-	20.0	20.0	20.0	-
General operating expenses	-	-	-	-	-
Supplies and materials	-	-	-	-	-
Furniture and equipment	-	-	-	-	-
<i>Subtotal non-staff</i>	<i>35.0</i>	<i>19.3</i>	<i>54.2</i>	<i>54.2</i>	-
Total	694.2	13.1	707.3	707.3	-

Annex IV

Requests to access the Contingency Fund (as at 15 September 2017)

<i>Number</i>	<i>Date</i>	<i>Justification</i>	<i>Amount requested</i>
1	11/09/2017	Unforeseen and unavoidable costs with regards to a Trial Chamber decision appointing experts on reparations in the case of <i>The Prosecutor v. Jean-Pierre Bemba Gombo in the situation in the Central African Republic</i> .	€226,900.00
2	11/09/2017	Unforeseen and unavoidable costs in Legal Aid in the cases of <i>Jean-Pierre Bemba et al.</i> (Article 70) in the situation in the Central African Republic, <i>The Prosecutor v. Al Mahdi</i> in the situation in Mali and <i>The Prosecutor v. Dominic Ongwen</i> in the situation in Uganda. In addition, the Court has to meet unforeseen and unavoidable costs in Legal Aid in the case of <i>The Prosecutor v. Bosco Ntaganda</i> in the situation in the Democratic Republic of the Congo.	€1,305,600.00
Total amount of notifications			€1,532,500.00

Annex V

Annual Report of the Audit Committee for 2017

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Executive Summary

1. In accordance with its Charter,¹ the Audit Committee (“the AC”) submits the present “Annual Report of the Audit Committee for 2017” to the Assembly of States Parties (“the Assembly”) through the Committee on Budget and Finance (“the CBF”). This report covers the four sessions of the AC, which were held during the reporting period from September 2016 to September 2017. The annual report provides a summary of the work performed and the recommendations made by the AC in its interim reports of the third,² fourth,³ fifth⁴ and sixth⁵ session.
2. At its third session, which was held remotely through exchange of e-mails in November 2016, the AC focused on internal audit matters. Following the recent move into the permanent premises and after suggesting an additional audit on the modifications made to the physical inventory, the AC approved the 2017 Internal Audit Plan submitted by the Office of Internal Audit (“the OIA”). In addition, the AC approved the OIA 2017-2019 IT Audit Plan.
3. At its fourth session, the AC focused on the values and ethics of the International Criminal Court (“the Court”), the internal control framework and the implementation of previous recommendations made by the OIA, the External Auditors and the AC.
4. The AC scrutinized the comprehensive regulatory framework on Court-wide and organ-specific values and ethical standards. In this regard the AC emphasized the need to unite all staff working for the Court around the same values, while acknowledging at the same time the reasonability of having organ-specific texts to describe the professional conduct expected from staff members in the exercise of specific activities. Therefore, the AC requested the Court, by using in-house capacity, for example the Independent Oversight Mechanism (“the IOM”), to submit a revised values and ethics framework, based on the Court’s values and general code of conduct applicable for all staff members and setting out the professional conduct expected from each staff member in the performance of activities in advance of its eighth session in 2018.
5. In relation to the governance structure, the AC noted at its fourth session the progress made by the Court in collaborating more closely with the OIA and reiterated its previous recommendation on the participation of the Director of the Office of Internal Audit, as appropriate, in inter-organ coordination mechanisms.
6. Concerning the management of risks, the AC recalled its previous recommendation to the Court to conduct specific training sessions for different line managers with the aim to cultivate a culture of risk management. Furthermore, the AC noted with satisfaction that under the lead of the Court in close consultation with the OIA, there has been an effort to exchange and to consolidate the identified risks with the aim to maintain a register of the Court’s key risks.
7. In the context of the AC’s assessment of the adequacy of the Court’s internal control framework, the representative of the External Auditors provided assurance to the AC that the internal financial control in place is sufficient and working effectively, in particular, as regards the production of the financial statements of the Court and the TFV.
8. With a view to putting an effective mechanism for the implementation of recommendations in place, the AC welcomed the elaboration of a Standard Operating Procedure on Participation in Audits and Follow-up of Audit Recommendations. While noting the progress made in implementing outstanding recommendations, the AC recommended the Court to review, in consultation with the OIA, all recommendations that have remained unimplemented and to establish for accepted recommendations an action plan with a deadline for implementation, as well as to provide a justification for those recommendations that the Court is not willing to accept in order to reduce the considerable backlog of unimplemented recommendations.

¹ § 64 AC Charter.

² Interim Report of the Audit Committee on the work at its third session (AC/3/5).

³ Interim Report of the Audit Committee on the work at its fourth session (AC/4/10).

⁴ Interim Report of the Audit Committee on the work at its fifth session (AC/5/5).

⁵ Interim Report of the Audit Committee on the work at its sixth session (AC/6/5).

9. At its fifth session, the AC focused on the Court's governance structure, risk management and external audit matters. In relation to the governance structure of the Court, the AC stressed that an organizational manual is a key tool for the description of the entire organizational structure and the general framework that highlights organizational relations between all organs, units, outlines key processes and procedures and, as such, contributes to the efficient management of the Court. In light of the need for further clarification of mandates, roles and responsibilities, the AC reiterated that the Court include within its priorities the preparation of an organizational manual and provide a status update at its eighth session.

10. As regards risk management, the AC was looking forward to the outcomes of the activities performed by the Risk Management Committee and requested a progress update at its seventh session. The AC further requested that the Court provide a status report on the conduct of risk management trainings and recommended that the Court and the Secretariat of Trust Fund for Victims with the assistance of the OIA explore possibilities for organizing additional trainings on risk management. The AC further requested that the Court include in its risk register a concise description of risk mitigating measures. In addition, the AC recommended that the Court, in close cooperation with the External Auditors and the OIA, formulate the risk appetite of the organization, while keeping in mind the remaining areas requiring improvement for an appropriate risk management framework at the Court.

11. The AC recommended that the Assembly approve the financial statements of the Court for the year ending 31 December 2016. The AC endorsed the three recommendations of the External Auditors, made several observations in relation to the establishment of a fund for capital replacements, internal controls for the payment of benefits and salaries and the clarity of the presentation of the financial statements by the Court. The AC took note of the explanations provided by the Court on the implications of the judgement of the International Labour Organization Administrative Tribunal. The AC further recommended that the Assembly approve the financial statements of the TFV for the year ending 31 December 2016 and endorsed the two recommendations of the External Auditors.

12. The AC considered at its fifth session the performance audit report on the Division of External Operations noting that it includes a positive assessment of the two key points related to the establishment of the division; i.e., consolidation of reporting lines and strengthening of the position of the heads of the field offices. The AC was of the view that further work on the clarification of roles was required to ensure efficient and effective operations and requested a status update on the implementation of the six recommendations made by the External Auditors.

13. The AC participated at its fifth session in an informal budget meeting convened by the focal point on Budget Management Oversight of The Hague Working Group. The meeting was attended by States Parties, the CBF, the IOM, the representative of the External Auditors, the OIA and the Court. The Chairperson of the AC delivered a statement providing an overview of the function of audit committees, as well as the specific mandate of the AC and its achievements so far. The AC wished to thank The Hague Working Group for its interest and will continue working towards the effective fulfilment of its comprehensive mandate and stands available to deliver on any specific requests of the Assembly.

14. The AC focused at its sixth session on internal audit matters and its internal governance. In the context of its follow-up on outstanding recommendations made by the OIA, the Court provided an overview on the status of the procurement process for the health insurance plan. The AC requested another update on the outcome of the procurement process and expressed its expectation that, following the conclusion of the process, the unimplemented recommendations would be effectively addressed.

15. The AC took note of the quality of the audit reports presented and the relevance of the recommendations in terms of risks addressed. The AC looked forward to discussing the outcomes of the future IT audits at its forthcoming sessions and encouraged the Court to reflect the outcome of all IT audits in the implementation of its five-year IT/IM Strategy for the Court (2017-2021). The AC further approved the Provisional Audit Plan of the OIA for 2018 and further approved the revised OIA Charter.

16. With regard to the external quality assessment of the OIA, the AC resolved that in the interest of transparency and independence the selection of the assessor should be conducted by the AC. To this end, the AC recommended that the Executive Secretary to the Audit Committee be tasked with the analysis of bids and preparation of the assessment matrix. It is envisaged that the AC would receive the results of the independent assessment of the OIA with the aim of considering and discussing the outcome of the quality assessment with the external assessor and the OIA at its eighth session.

17. At its sixth session, the AC agreed on the amendment of paragraphs 10 and 40 of the AC Charter proposed by the CBF. The AC further invited the CBF to complement these amendments by regulating cases, where the conditions in paragraph 10 of its amended version are no longer met during the mandate of an Audit Committee member.

18. The AC discussed its working methods and explored possibilities for further increasing its efficiency and effectiveness.

19. The AC thanked the Court representatives and the OIA and for their availability and input in the discussion, as well as the Secretary to the Audit Committee and his team for servicing the sessions.

I. Introduction

1. The “Annual Report of the Audit Committee for 2017” covers the time period from September 2016 until September 2017 and provides a summary of the activities and recommendations of the AC at its third, fourth, fifth and sixth session with a view to fully discharging the AC of its responsibilities.

2. In accordance with its Charter,⁶ the AC submits its annual report to the Assembly through the CBF, following the conclusion of its sixth session. Furthermore, the annual report will be shared with the Court’s management, the IOM, the External Auditors and the OIA for the purpose of information and follow-up and made publicly available on the AC’s webpage.⁷

II. Consideration of issues during the reporting period

A. Governance structure of the Court

3. Part L.2 of the AC Charter specifies the AC’s role with regard to providing advice on the issue of governance. In particular, the AC shall review and provide advice on the governance arrangements established and maintained within the Court and the procedures in place to ensure that they are operating as intended.⁸

1. Governance aspects related to public information and outreach, human resources and translation services

4. At its fourth session, the AC received the Report of the Court on posts directly relevant to public information, outreach, human resources and translation services,⁹ as requested by the AC at its second session.¹⁰ The AC enquired about the rationale and justifications for having the same functions in the areas of public information, outreach, human resources and translation services, all services which, *a priori*, could be shared.

5. The AC took note of the explanations provided by the Court for having more than one section/unit dealing with responsibilities related to public information, outreach, human resources and translation services, such as guaranteeing the protection of the independence of various organs. The AC expressed its concern that this practice may affect the optimal utilization of resources and lead to a fragmentation of responsibilities and policies among the organs, and decided to continue monitoring the situation as appropriate.

2. Manual of the International Criminal Court

6. In its annual report for 2016, the AC, while taking due account of the need to guarantee the independence of the organs of the Court and cognizant of its complex governance structure deriving from the Rome Statute, and the progress recently made with regard to the Court’s governance arrangements, stressed the need for a clearer definition of roles and responsibilities of the three main organs within the framework of the Court as a whole, in particular, in all key areas where the Court needs to have one voice when addressing its stakeholders or public audience (e.g. external communication, public information, outreach), ensure equality of treatment (e.g. human resources) or optimize the use of resources (e.g. translation services). In this regard, the AC recommended the Court to prepare an organization’s manual, as it is found in most international organizations, at the AC’s fifth session.¹¹

⁶ § 64 AC Charter.

⁷ https://asp.icc-cpi.int/en_menus/asp/AuditCommittee/Pages/default.aspx.

⁸ § 54 AC Charter.

⁹ AC/4/17.

¹⁰ *Official Records of the Assembly of States Parties of the Rome Statute of the International Criminal Court, Fifteenth Session, The Hague, 16-24 November 2016* (ICC-ASP/15/20), vol. II, part B.2, annex VII, para. 10.

¹¹ Annual Report of the Audit Committee (AC/2/15), para. 10.

7. The Court submitted the “Report of the Court on its organizational manual”¹² to the attention of the AC. Therein, while recognizing the importance of formalizing a fully fleshed organizational manual, the Court explained that the current level of resources did not permit it at this time to embark on the preparation of an organizational manual. However, the Court stressed that relevant information, such as information on policies, regulations and rules, objectives, processes and procedures of the Court, had been developed over the years and was available from different sources. In this regard, the Court provided the relevant links to the Court’s website and Intranet.

Findings and recommendations

8. The AC took note of the information provided in the Court’s report and stressed that the organizational manual is one of the key tools that describes the entire organizational structure of any organization in a holistic manner. An organizational manual is the general framework that highlights organizational relations between all organs and, units, outlines key processes and procedures in a concise manner and, as such, contributes to the effective and efficient management and functioning of the organization. In addition, it contributes to identifying duplications and fragmentations, as well as shortcomings.

9. The AC noted with satisfaction that the Court concurred with the AC on the importance of an organisational manual. The AC observed once more that in many areas of the Court’s structure there is an unclear division of responsibilities, as evidenced in the reports of the OIA¹³ and the External Auditors.¹⁴ Such lack of clarity constitutes a risk to the operation and, in part, to personal security.¹⁵ The AC further noted that the interplay amongst the various functions is frequently unclear and sometimes left to the initiative of the staff involved. The AC also stressed that the primary beneficiary of an organizational manual would be the Court management and the staff themselves.

10. In this context, the AC observed that although it was provided with the requested list of posts and job descriptions at its fourth session, the mandate and responsibility of functions listed should be reviewed in order to clarify functional reporting and the communication lines.¹⁶ Therefore, the AC reiterated its request made at its second session and recommended that the Court include within its priorities the preparation of an organizational manual. Therefore, the AC resolved to follow-up on this pending recommendation and requested to be kept informed by the Court of the progress in the preparation of the manual and to receive a status update at its eighth session.

3. Inter-organ coordination mechanisms

11. In its annual report for 2016, the AC had welcomed the strengthening of the role of the Coordination Council and other inter-organ coordination mechanisms in the budgetary process, with a view to pursuing a greater top-down approach and strategic guidance, in line with the recommendations of the CBF and the resolution¹⁷ of the Assembly adopted at its fourteenth session. In this regard, the AC had recommended the Court to work on terms of reference for the Coordination Council and for all other existing coordinating bodies and to submit them to the attention of the AC at its fourth session”.¹⁸

12. At its fourth session in March 2017, the AC took note that the Coordination Council of the Court, which is composed of the three Principals of the Court; the President, the Prosecutor and the Registrar, meets once a month, or whenever necessary, to tackle issues of strategic importance, as well as of other *ad-hoc* inter-organ coordination mechanisms on specific topics, such as the annual budget, the lessons learnt exercise and synergies.

¹² AC/5/3.

¹³ AC/6/8.

¹⁴ AC/5/7, para. 30.

¹⁵ *Ibid.*, para. 30 and 42.

¹⁶ AC/5/7, page 19.

¹⁷ ICC-ASP/14/Res.1, section J, para. 4(a).

¹⁸ *Official Records ... Fifteenth Session ... 2016* (ICC-ASP/15/20), vol. II, part B.2, annex VII, para. 12.

Findings and recommendations

13. The AC noted that the Court did not consider it necessary to provide for terms of reference for the Coordination Council.¹⁹

14. At its fourth session, the AC further noted the progress made by the Court in collaborating more closely with the OIA, and reiterated its recommendation to the Court to invite the Director of the OIA, as appropriate, to attend the meetings of the Coordination Council and other inter-organ coordination mechanisms, especially when risk management and internal control matters are discussed, and by sharing minutes of such meetings in relation to matters that are relevant to the work of the OIA, with a view to ensuring better cooperation.²⁰

B. Risk management of the Court

1. Administrative Instruction on Risk Management and Risk Management Committee

15. At its second session in August 2016, the AC had encouraged the Court to establish the envisaged Risk Management Committee (RMC) and to explore the appropriateness of entrusting a staff member from existing human resources as a Court-wide Risk Coordinator, and requested to be updated on the progress made at its fourth session.²¹

Findings and recommendations

16. At its fourth session in March 2017, the AC noted with satisfaction that risk management had been identified as one of the priority areas of the Court in 2017 and expressed its expectations that the ongoing efforts would continue to be strengthened once the newly established RMC becomes operational.

17. At its fourth session, the AC noted that the Administrative Instruction on risk management was promulgated on 31 March 2017²² and that the terms of reference for the RMC were under preparation, whereby the Court was in the process of appointing the Risk Coordinator and the members of the RMC. The AC welcomed the inclusion of the Director of the OIA in the RMC, as well as the mechanism in place for sharing the outcomes of the risk management exercise with the OIA and the three Principals of the Court. The AC also clarified that internal audit be involved in the progress of risk management to the maturity of the organization in this area, and that contributing to the establishment of the Court's new risk management process would definitely not impair its independence.

18. At its fourth session, the AC noted with satisfaction that the Court was planning to provide training sessions to managers and other staff members on the identification and management of risks. **In this context, the AC reiterated its previous recommendation to the Court to conduct training sessions on risk management for different line managers with the aim to cultivate a culture of risk management throughout the Court and the TFV, to embedding risk management in its existing processes and to avail itself in this respect, as far as possible, of in-house expertise, in particular of the OIA, and to report on such training sessions to the AC at its seventh session.**²³

2. Annual review of the Court's risk profile in 2017

19. At its fifth session, the AC undertook its annual review of the Court's risk profile in accordance with its Charter²⁴. In this context, the Court submitted a report entitled "The Court's corporate risk profile"²⁵ for consideration by the AC, which provides an update on the Court's initiatives on risk management, including the modification of the Risk

¹⁹ AC/4/10, para. 21.

²⁰ AC/4/10, para. 22.

²¹ *Ibid.*, para. 21.

²² Administrative Instruction, ICC/AI/2007/003 of 31 March 2017.

²³ AC/4/10, para. 28.

²⁴ § 55(c) AC Charter.

²⁵ AC/5/4.

Management Roadmap 2017-2018. The Court announced its plans to embark on the gradual implementation of risk management (phase-in approach). In an annex to the Report,²⁶ the major risks have been prioritized and owners for major risks have been identified.

20. The AC took note with appreciation that the Court made significant progress in the area of risk management, in particular with regard to maintaining a corporate risk register and by organizing training workshops on risk management for the OTP with the assistance of the OIA. The AC further took note of the promulgation of the Information Circular on the Composition of the Risk Management Committee,²⁷ issued on 30 August 2017, while also noting that no risk management coordinator had been appointed yet.²⁸

21. The AC noted the limited resources allocated to implementing the Administrative Instruction on risk management, whereby one P-3 staff member within the Office of the Director of the Division of Management Services is entrusted with this task, in addition to his other responsibilities.²⁹

22. The AC welcomed the intention of the Court to organize a training session on basic risk management awareness for the identified owners of major risks during the last quarter of 2017, which would enable the Court to operationalize major risks at a strategic level.³⁰

23. The AC discussed what had been identified by the Court as a risk on “Budget constraints adversely affect the Court’s ability to carry out its investigative, prosecutorial and judicial mandates”.³¹ The AC was of the view that this factor constituted a constraint rather than a risk, bearing in mind that the element of uncertainty, which defines the risk,³² is not present.

Findings and recommendations

24. **The AC was looking forward to the operationality of the RMC and the outcomes of its activities and requested a progress update on the work performed, as well as on the appointment of a Court-wide risk coordinator at its seventh session.**

25. **The AC requested that the Court provide a status report on the planned trainings to be organized for the owners of major risks in the last quarter of 2017 at its seventh session. Furthermore, the AC recommended that the Court and the TFV with the assistance of the OIA explore possibilities for organizing additional training workshops on risk management and requested an update thereon at its seventh session.**

26. **The AC requested that the Court include in its risk register a concise description of risk mitigating measures that it has put in place in order to address the risks identified.**

27. **The AC invited the Court to review its risk register with a view to reformulating the risk “Budget constraints adversely affect the Court’s ability to carry out its investigative, prosecutorial or judicial mandates” as well as to better capturing other financial risks, such as the failure or late payment of contributions. Furthermore, the AC recommended that the Court assess whether the referral of a situation by the United Nations Security Council without appropriate funding, should be included in the risk register and report on this at its eighth session as part of the risk profile discussion.**

²⁶ AC/5/4, annex 1.

²⁷ Information Circular on the Composition of the Risk Management Committee (ICC/INF/2017/005), dated 30 August 2017.

²⁸ *Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Fifteenth Session, The Hague, 16-24 November 2016* (ICC-ASP/15/20), vol. II, part B.2, annex VII, para. 21.

²⁹ AC/6/6, para. 10.

³⁰ AC/5/4, para. 7.

³¹ AC/5/4/ annex 1.

³² Administrative Instruction on Risk Management (ICC/AI/2017/003), para. 2.2.

3. Maintenance of an appropriate integrated risk management process

28. In accordance with its Charter,³³ the AC considered the annual report of the OIA entitled “Report on risk management by the International Criminal Court”³⁴ dated 30 June 2017. Therein, the OIA stressed the areas where the Court has recently made progress, including in relation to establishing a strategic framework through the promulgation of the Administrative Instruction on risk management in March 2017, which remains to be implemented at an operational level. This exercise is expected to take place in the second half of 2017 starting with some pilot projects.³⁵

29. The AC noted that the OIA considered that certain aspects, which following the applicable standards should be part of the risk management framework, have been implemented by the Court. However, at the same time the OIA also identified some fields, which have not yet been implemented by the Court and where additional efforts are needed, including:

- (a) A statement by the organisation on its risk appetite broken down into risk tolerance at each operational level;
- (b) Financial and human resources allocated to the project;
- (c) Structured and consistent communication;
- (d) Analysis of the internal and external environment;
- (e) Guidance and regular examination of the risk management framework;
- (f) Integration of risk management in strategy and operational processes; and
- (g) Appropriate management of high risk by senior management.³⁶

Findings and recommendations

30. **As a starting point, the AC requested that the Court, in close cooperation with the External Auditors and the OIA, formulate the risk appetite of the organization by considering the recommendations rejected by the Court’s management and report thereon at the AC’s ninth session in March 2019, while keeping in mind the remaining areas requiring improvement for an appropriate risk management framework, as identified by the OIA.**

C. Values and ethics

31. At its fourth session, the AC focused, *inter alia*, on the values and ethics of the Court.

32. The Head of the IOM delivered a presentation on the Court’s values and ethics and explained the derivation of these values from sources such as the Rome Statute. Furthermore, the UN Common System and the UN International Civil Service Commission have set standards of conduct for international civil servants, which the Court has in part integrated into its own legal framework. The presentation also underlined organ-specific core values and ethics as well as various regulatory instruments promulgated by the Registrar, such as Rules and Regulations, Administrative Instructions and Information Circulars etc.

33. On the implementation of these core values and ethics, it was stressed that the Court tries to build the core competencies in its recruitment procedures, and is introducing them through its on-boarding sessions for new staff members, as well as through the future development of specific ethics and values training sessions. Such formalised sessions have already been introduced by the Office of the Prosecutor (“the OTP”).

34. The Head of IOM underlined the preventive, as well as the investigatory aspect of the work of the IOM. He expressed his willingness, in the absence of a formally designated

³³ § 55(d) AC Charter.

³⁴ AC/6/6.

³⁵ AC/6/6, para. 34.

³⁶ AC/6/6, para. 8 and para. 4.

Ethics Office or Ombudsman function, to act, subject to its resource and other constraints, as an independent body that would formally assume a Court-wide Ombudsman or Ethics Office role, if this was considered appropriate and requested by the Assembly.

Findings and recommendations

35. The AC scrutinized the comprehensive framework on Court-wide values and ethical standards applicable across the Court and examined organ-specific texts in place. While acknowledging the considerable efforts invested by various organs of the Court in establishing and promoting organ-specific values and ethics, including through specific training sessions, the AC stressed that such efforts should be aimed at complementing the Court-wide values and ethics in place.

36. In line with the “One-Court principle”, the AC emphasized the need to unite all staff working for the Court around the same values, while acknowledging at the same time the reasonability of having organ-specific texts to describe the professional conduct expected from staff members in the exercise of specific activities. **Therefore, the AC requested that the Court, by using in-house capacity, for example the IOM, submit a revised values and ethics framework for the consideration of the AC, based on the Court’s values and general code of conduct applicable for all staff members³⁷ and set out the professional conduct expected from each staff member in the performance of activities in advance of its eight session in 2018. The AC further invited the organs of the Court, and their services, wherever appropriate, to draft specific code of conduct for specific activities,³⁸ which would articulate with and make reference to the Court’s values and code of conduct. In this regard, the AC requested that the Court ensure homogeneity and the consistent application of rules relating to values and ethics, in particular by avoiding incoherence or conflict between the Court-wide framework and organ-specific approaches.³⁹**

D. Internal financial control framework

37. Internal control is the process by which management structures an organization to provide assurance that an entity operates effectively and efficiently, has a reliable financial reporting system and complies with applicable laws and regulations.

38. At the fourth session, the AC, in the presence of the representative of the External Auditors, assessed the adequacy of the financial internal control framework that is in place at the Court, specifically in relation to the financial statements of the Court. The External Auditor confirmed his overall view that the internal financial control in place is working effectively, as outlined in the unqualified opinion issued on the financial statements of the Court and the Trust Fund for Victims. However, he mentioned that there was some room for improvements in internal control effectiveness, as outlined in the recommendations issued in his last audit reports. The External Auditor mentioned that the system used; i.e. SAP (Systems, Applications & Products), has effective control embedded in the processes.⁴⁰

39. At the fourth session of the AC, the External Auditors stressed the need for capacity building in the production of the financial statements by emphasizing that only very few staff members in the Finance Section of the Court are acquainted with the production of the financial statements based on IPSAS. Thus, according to the External Auditors, there is a risk of having adverse impacts on the quality of the financial statements and potentially the risk of having a qualified opinion, should one or more staff members involved in the production of the financial statements decide to leave the Court or be unexpectedly unavailable.⁴¹

³⁷ Cf. Administrative Instruction, ICC/AI/2011 of 4 April 2011.

³⁸ For example, the AC was provided with the Code of Conduct for Investigators.

³⁹ AC/4/11.

⁴⁰ AC/4/10, para. 38.

⁴¹ *Ibid.*, para. 35.

40. At the fourth session, the External Auditors emphasized the need for training in relation to the internal financial control and highlighted, in particular, the necessity to make such training available to field officers.⁴²

E. Oversight of internal audit matters

1. External quality assessment of the Office of Internal Audit

41. According to the International Standards for the Professional Practice of Internal Auditing of the Institute of Internal Auditors, each internal audit service requires an external quality assessment every five years by an independent reviewer.

42. At its fourth session in March 2017, the AC recommended to the OIA to conduct a full external assessment, where a qualified company, auditor or a team from another organization performs the quality assessment, following the recommended methodology.

43. In advance of its sixth session, the AC requested the Director of the Office of Internal Audit to conduct a procurement process with a view to obtaining various bids and identifying an adequate external assessor.

44. During its sixth session, the AC was informed by the Director of the Office of Internal Audit about the status of the procurement process and the estimated budget for an external quality assessment.

Findings and recommendations

45. At its sixth session, the AC took note that the procurement process has been launched, and all of the bids will be received by the end of September 2017. The AC resolved to include the external quality assessment of the OIA as an agenda item at its seventh session in order to finalize the selection of the assessor.

46. The AC resolved at its sixth session that in the interest of transparency and independence the process of selecting the assessor should be conducted by the AC with a view to identifying the assessor at its seventh session. To this end, the AC recommended that the Executive Secretary to the Audit Committee be tasked with the analysis of bids and preparation of the assessment matrix and further requested the Procurement Unit to provide the Executive Secretary with all relevant information to perform this task.

47. As to the way forward, it is envisaged that the AC would receive the results of the independent assessment of the OIA with the aim of considering and discussing the outcome of the quality assessment with the external assessor and the OIA at its eighth session.

2. Amendments to the Charter of the Office of Internal Audit

48. At its fourth session, the AC considered the Draft Charter of the Office of Internal Audit, which incorporated recent changes related to professional standards for internal auditors. The AC took note of the changes proposed and recommended the OIA to resubmit its draft Charter to the AC at its fifth session by taking into consideration the amendments discussed during the session and to provide the AC with the new Auditing Standards issued by the Institute of Internal Auditors in this regard.⁴³

49. During its sixth session, the AC considered again the proposed amendments to the OIA Charter and made several recommendations, such as with respect to the access of information to the OIA.

Findings and recommendations

50. The AC approved the revised version of the OIA Charter submitted to its attention by the OIA.

⁴² *Ibid.*, para. 36.

⁴³ *Ibid.*, para. 86.

3. Audit plan of the OIA for 2017

51. At its third session, the AC considered the OIA 2017 Internal Audit Plan, which in addition to an advisory service⁴⁴ foresees for the following eight audits in 2017:

- (a) Temporary personnel of the Language Services Section;
- (b) Victims and Witnesses Section;
- (c) Travel management;
- (d) Management of the contracts of consultants, sub-contractors, as well as short-term appointments;
- (e) IT Projects management;
- (f) Outsourced IT Environments;
- (g) Incidents response; and
- (h) Risk assessment facilitation / OTP Services Section.⁴⁵

52. **At its third session in November 2016, the AC had approved the OIA 2017 Internal Audit Plan⁴⁶ with the amendment that the annual audit plan should not be regarded as a rigid plan and after suggesting an additional audit on the modifications made to the physical inventory list in light of the Court's recent move to the permanent premises, which involved the purchase of a large number of new asset items, the transferal of certain items from the interim premises, as well as the discontinuation of use of certain other asset items.⁴⁷**

53. At its fourth session in March 2017, the AC took note of the revised OIA 2017 Internal Audit Plan,⁴⁸ which reflected the comments made by the AC at its third session. The AC further observed that, as requested, the revised OIA 2017 Internal Audit Plan had been changed to include the audit of the quality and integrity of the physical inventory of registered assets amounting to 70 days in the second semester of 2017.⁴⁹ In order to avoid that the OIA embark on a full scale audit of registered inventory, the AC decided at its fourth session to limit the scope of the additional audit as follows: "Audit of the modifications to the registry of physical assets related to the move to the new permanent premises and the integrity of these assets".⁵⁰

54. At its fourth session, the AC received a "Report on the activities of the Office of Internal Audit⁵¹" and was briefed by the Director of the Office of Internal Audit on the status of work performed so far in 2017.⁵² The AC took note of the OIA's reassurance that the AC would be informed of any situation that would require changing the Office's work plan.

4. OIA 2017-2019 IT Audit Plan

55. At its third session, the AC considered the OIA 2017-2019 IT Audit Plan, according to which the OIA is planning to undertake a total of 12 audits amounting to 180 working days.

56. In 2017, the following IT audits will be carried out:

- (a) Systems Development and Project Management;
- (b) Outsourced IT Environments;
- (c) Incidents Response; and
- (d) Ad hoc requests from management and sections.

⁴⁴ This advisory service covers a risk assessment facilitation /OTP Services Section.

⁴⁵ AC/3/5, para. 14.

⁴⁶ AC/3/2.

⁴⁷ AC/3/5, para. 15.

⁴⁸ AC/3/2/Rev.1.

⁴⁹ *Ibid.*, page 3 and 13.

⁵⁰ AC/4/10, para. 52.

⁵¹ AC/4/11.

⁵² AC/4/10, para. 49.

57. In 2018, the following IT audits will be carried out:
- (a) IT Risk Management;
 - (b) Logical access controls;
 - (c) Physical and Environmental Protection; and
 - (d) Information Security – Awareness and Training.
58. In 2019, the following IT audits will be carried out:
- (a) Change management;
 - (b) Disaster Recovery;
 - (c) Social Media Protection; and
 - (d) Ad hoc requests from management and sections.⁵³

Findings and recommendations

59. **At its third session, the AC approved the OIA 2017-2019 IT Audit Plan⁵⁴ with the amendment that the audit plan should not be considered as a rigid plan, as the work plan must be able to adapt to changing risk situations over the considered time period.⁵⁵**

60. At its fourth session, the AC took note of the revised OIA 2017-2019 IT Audit Plan,⁵⁶ which was submitted to its attention on 19 December 2016 and reflected the comments made by the AC at its third session. The AC took note of the OIA's reassurance that the AC would be informed of any situation that would require changing the office's work plan.

5. Audit reports of the Office of Internal Audit and progress on the 2016 and 2017 audit plans

61. At its fourth session in March 2017, the AC considered the following audit reports submitted to its attention by the OIA: the Audit of the Field Security,⁵⁷ the Audit on Crisis Management⁵⁸ and the Audit on IT Governance.⁵⁹ The AC considered the risks identified in the audit report on field security and discussed with the OIA and the representatives of the Court in particular the issue of reporting lines between the field and the Headquarters.⁶⁰ At its fourth session, the AC further took note of the OIA's conclusion that the Court's crisis management framework is weak and is not effective, and that detailed procedures are absent. The AC further noted that the Court is in the process of developing a Court-wide Crisis Management Framework.⁶¹

62. At its fourth session, the AC further took note of the OIA's recommendations in relation to the IT Governance, of which seven are rated as high risk, twelve are rated as medium risk and one is rated as low risk. It further noted that six recommendations had not been accepted and asked for assurance that rejections of these risks mitigation measures had been decided at the appropriate level of the Court's management.⁶² At its fourth session, the AC also welcomed the inclusion of examples of best practices in the audit reports.⁶³

63. At its sixth session, the AC had before it the "Final Report of the Audit on the Systems Development and Project Management⁶⁴", the "Final Audit Report on the Audit of

⁵³ AC/3/3. paras. 16-19.

⁵⁴ *Ibid.*

⁵⁵ AC/3/5, para. 20.

⁵⁶ AC/3/3/Rev.1.

⁵⁷ AC/4/4.

⁵⁸ AC/4/5.

⁵⁹ AC/4/6.

⁶⁰ AC/4/10, para. 44.

⁶¹ *Ibid.*, para. 45.

⁶² *Ibid.*, para. 46.

⁶³ *Ibid.*, para. 47.

⁶⁴ AC/5/2.

the Victims and Witnesses Section⁶⁵” and the “Final Audit Report on the Audit on IT Outsourced Environments⁶⁶”.

64. The AC observed that most audit reports displayed great clarity in the formulation of recommendations, specifically the Final Audit Report on the Audit on IT Outsourced Environments, while in other audit reports there was room for improvement, in particular as regards the formulation of recommendations in a way to facilitate the assignment of responsibilities and follow-up.

65. At its fourth session, the AC recommended the Director of the Office of Internal Audit to submit in the future quarterly reports on the status of the approved internal audit plan showing the audit assignments that have been completed, those in process, and those not executed by specifying the reasons for not conducting them.⁶⁷ In this regard, the AC considered the “Implementation Status of the 2017 Audit Plan (30 June 2017)⁶⁸” at its sixth session.

Findings and recommendations

66. At its sixth session, the AC took note of the quality of the audit reports presented and the relevance of the recommendations formulated in terms of risks addressed. **The AC recommended that the formulation of audit recommendations should follow and reflect the S.M.A.R.T. approach, i.e., specific, measurable, assignable, realistic and time-related.**

67. **At its sixth session, the AC was looking forward to discussing the outcomes of the future IT audits at its forthcoming sessions and encouraged the Court to reflect the outcome of all IT audits in its five-year IT/IM Strategy for the Court (2017-2021).**

6. Provisional audit plan of the Office of Internal Audit for 2018

68. At its fourth session in March 2017, the AC recommended the OIA to submit the OIA Audit Plan for 2018 in advance of the AC’s fifth session for its consideration.⁶⁹

69. The AC considered the “OIA 2018 Internal Audit Plan⁷⁰”, as requested at its fourth session.⁷¹ It noted that in 2018 the OIA is expecting to conduct the following eight audits:

- (a) Classification and dissemination of information;
- (b) Travel management;
- (c) Field Offices operations: administrative and financial controls;
- (d) Training program of investigators: Investigation Division;
- (e) Information Security – Awareness and Training;
- (f) Logical access controls;
- (g) Physical and Environmental Protection; and
- (h) IT Risk management.⁷²

Findings and recommendations

70. **The AC took note of the risk-based approach in identifying the audits, and approved the Provisional Audit Plan of the OIA for 2018, as submitted to its attention by the OIA.**

⁶⁵ AC/6/8.

⁶⁶ AC/6/9.

⁶⁷ AC/4/10, para. 68.

⁶⁸ AC/6/3.

⁶⁹ AC/4/10, para. 69.

⁷⁰ AC/6/4.

⁷¹ AC/4/10, para. 69.

⁷² AC/6/4, 4.

F. Oversight of external audit matters

71. The Charter of the AC⁷³ sets out the comprehensive oversight role of the AC in relation to external audit matters. The AC is tasked to meet with external assurance providers, such as the External Auditors, during the planning of the audit, the presentation of the audited financial statements, and the discussion of the letter to management on recommendations⁷⁴ and, further, to examine and monitor the independence of the External Auditors and of their recommendations, as well as of any other questions raised by him or by any other external assurance provider.⁷⁵

1. Audit Plan of the External Auditors for 2017

72. At its fourth session in March 2017, the AC took note of the External Auditors' audit plan for 2017, which includes three audits:

- (a) audit of the financial statements of the Court;
- (b) audit of the financial statement of the Trust Fund for Victims; and
- (c) performance audit of the External Operations Division.

73. At its fourth session in March 2017, the representative of the External Auditor made a comprehensive presentation to the AC on the audit assignments conducted in 2016, namely the auditing of the financial statements of the Court and of the Trust Fund for Victims, in addition to the audit report on the ReVision project, as requested by the Assembly. The AC appreciated the work performed by the External Auditors.

2. Provisional audit plan of the External Auditors for 2018

74. At the AC's fifth session, the representative of the External Auditors discussed with the AC the subjects of the audit plan for 2018. The representative of the External Auditors presented the focus areas of the audit of the financial statements of the Court for next year, which included ASHI liabilities.

75. The AC provided input and discussed with the representative of the External Auditors possible subjects for the External Auditors' performance audit to be carried out in 2018.

Findings and recommendations

76. The AC looked forward to obtaining the finalized audit plan for 2018, after internal discussion within the Cour des Comptes, and supported the plans of the External Auditors to focus in its performance audit on high-risk areas, such as human resources and/or budget management.

G. Financial statements and public accountability reporting

1. Financial statements of the Court

77. In accordance with its mandate, the AC considered at its fifth session the "Financial Statements of the International Criminal Court for the year ended 31 December 2016".⁷⁶

78. The AC took note of the clean opinion that was given by the External Auditors to the Court for the financial year ended 31 December 2016. Based on their audit, the External Auditors concluded that the financial statements gave a fair view of the financial position of the Court as at 31 December 2016, 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 month

⁷³ Part M.2 AC Charter.

⁷⁴ § 58 AC Charter.

⁷⁵ § 59 AC Charter.

⁷⁶ ICC-ASP/16/12.

period ending 31 December 2016 in conformity with the International Public Sector Accounting Standards (IPSAS).

79. The External Auditors recommended that:

(a) the Court, in order to strengthen the internal control dedicated to the administration of salaries and benefits, incorporate 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.⁷⁷

(b) 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.⁷⁸

(c) for easier monitoring of *ex gratia* payments, to create a specific general ledger account in the trial balance and respectively classifying the related expenses.⁷⁹

Findings and recommendations

Establishment of a fund for capital replacements

80. **The AC noted that a fund for capital replacements, as originally foreseen by Resolution ICC-ASP/14/Res. 5, had not yet been established and recommended that the Assembly remain seized of this matter.**

General Temporary Assistance

81. **The AC noted with surprise when analyzing the External Auditors report that, contrary to past assurances by the Court, conversions of GTA contracts to established posts led to an increase in costs related to entitlements and requested that the Court provide further explanation at its seventh session.**⁸⁰

The International Labour Organisation Administrative Tribunal

82. The AC was informed that a total of €2.6 million in contingent liabilities was foreseen for a total of 15 cases pending before the International Labour Organisation Administrative Tribunal (ILO-AT). The AC noted that out of the €2.6 million, €362 thousand was highlighted in a note 30 to the financial statement as contingent liabilities for potential claims of two former judges. During its session the AC obtained assurances from the representative of the External Auditors and the Court that liabilities in the amount of €1.8 million resulting from the judgement of the ILO-AT had been recorded in the financial year 2016, of which €1.5 million would be charged to the 2016 budget, while the remaining €177 thousand is expected to be absorbed within the 2017 budget. The AC requested and obtained assurance from the Court that no other litigations are pending in relation to judges pensions before the ILO-AT.

83. **The AC recommended that the Court should avail itself of other alternatives, such as mediation and other forms of settlements to avoid disputes ending-up as litigation before the ILO-AT in the future.**

Internal control on payroll

84. **Bearing in mind that salaries and benefits constitute a significant part of the resources (more than 70 per cent of its revenues) available to the Court, the AC stressed the importance of having a strong and effective internal control in place for the monthly payrolls. In this regard, the AC requested an update from the Court at its eighth session on the measures taken by the Court to strengthen the internal control for the payroll system.**

⁷⁷ *Ibid.*, para. 37.

⁷⁸ *Ibid.*, para. 39.

⁷⁹ *Ibid.*, para. 52.

⁸⁰ *Ibid.*, para. 32.

Financial statements of the Court

85. The AC observed that there are differences between the financial statements⁸¹ prepared under IPSAS 24 and the “Report on activities and programme performance of the International Criminal Court for the 2016⁸²”, when comparing the appropriations approved and the actual expenditures. Despite the different formats and submission timelines of the above-mentioned documents, information about appropriations approved and actual total expenditure shall be consistent. **Therefore, the AC recommended that in the future a table with information on the approved budget against total expenditure be included in the financial statements of the Court with a view to ensuring consistency of the same information presented in different documents, taking into account the timeline of issuance.**

86. **The AC endorsed the three recommendations of the External Auditors and recommended that the Assembly approve the Financial Statements of the Court for the year ending 31 December 2016.**

2. Financial statements of the Trust Fund for Victims

87. In accordance with its mandate, the AC considered the “Financial Statements of the Trust Fund for Victims for the year ended 31 December 2016⁸³” at its fifth session.

88. The AC examined the clean opinion that was given to the TFV by the External Auditors for the financial year ended 31 December 2016. Based on their audit, the External Auditors concluded that the financial statements give a fair view of the financial position of the TFV as at 31 December 2016, 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 month period ending 31 December 2016 in conformity with IPSAS.

89. The External Auditors made two recommendations to the Secretariat of the TFV, namely:

(a) to add an extra note to the financial statements giving a fair view of each project’s status, detailing the following information:

- (i) the annual budget allocated to each project;
- (ii) the advances paid, including those justified and those yet to be justified;
- (iii) the actual expenditure over the period; and
- (iv) with a view to reconciling actual amounts paid out during the year with those included in the financial statements;⁸⁴ and

(b) to systematically require its local partners to provide audit reports, and to conduct methodical formalised monitoring of recommendations set out in these reports, in order to continually improve the quality of action taken by the implementing partners.⁸⁵

Findings and recommendations

90. **The AC endorsed the two recommendations of the External Auditors and recommended that the Court implement them entirely. Therefore, the AC recommended that the Assembly approve the Financial Statements of the TFV for the year ending 31 December 2016.**

3. Performance audit report

91. Following best practices of international organizations, the Assembly decided at its fourteenth session in 2015 to expand the scope of the External Auditors’ mandate by including performance audits.⁸⁶

⁸¹ ICC-ASP/16/12, para. 10, Statement V.

⁸² ICC-ASP/16/2.

⁸³ ICC-ASP/16/13.

⁸⁴ *Ibid.*, para. 22.

⁸⁵ *Ibid.*, para. 29.

92. The “Final Audit Report on the Implementation of a Division of External Operations”⁸⁷ was submitted for the attention of the AC. The AC noted that the audit report includes a positive assessment of the two key points related to the establishment of the DEO, namely the clarification and consolidation of reporting lines and the strengthening of the position and authority of the heads of the field offices.⁸⁸ In addition, the audit report includes six recommendations made to the Registry with a view to assisting the DEO in achieving its priority objectives:

(a) when the effects of the ReVision project are stabilized, 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;

(b) 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;

(c) 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 organisational 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;

(d) 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;

(e) to adopt an interim rule applicable in absence of the P-5 Head of a field office; and

(f) 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.

Findings and recommendations

93. **Despite some positive outcomes of the implementation of the ReVision project, the AC was of the opinion that only the reporting lines between the field and headquarters were clarified, while further work on the clarification of roles and responsibilities was needed and constituted work in progress. In this context, the AC requested a status update on the implementation of the recommendations made by the External Auditors at the AC’s ninth session in March 2019. Furthermore, the AC was of the view that the preparation of the organizational manual would equally constitute an opportunity for the Court to further clarify the respective functions, reporting lines and interplays between the actors involved in order to ensure efficient and effective operations.**

⁸⁶ ICC-ASP/14/Res.1, section K, para. 2.

⁸⁷ AC/5/7.

⁸⁸ *Ibid.*, para. 118.

H. Follow-up on the implementation of previous recommendations

1. Mechanism for the implementation of recommendations

94. At previous sessions, the AC had explored different ways to ensure the timely implementation of recommendations. At its second session, the AC had recommended that the implementation of recommendations process should start with a clear acceptance or rejection of recommendations and the identification of an owner with a specific timeline for the implementation of each recommendation, to be included in the final audit report.

95. In its Annual Report for 2016, the AC had urged the Court to further expand the efforts for a reduction of the backlog of recommendations, in close consultation with the OIA, and to put an effective mechanism for the implementation of recommendations in place.⁸⁹

96. As laid down in its Charter,⁹⁰ the AC is mandated to oversee the Court's management practices in key governance areas, including in relation to action plans of management. The Court is expected to respond in written action plans to significant comments and recommendations contained in audit reports. The AC is tasked to review regularly reports on the progress of implementing approved management action plans and audit recommendations resulting from completed audits.⁹¹

Findings and recommendations

97. At its fourth session the elaboration of an SOP on Participation in Audits and Follow-up of Audit Recommendations by the Office of the Director of the Division of Management Services ("the DMS"), as described in the Report on the mechanisms for the implementation of audit recommendations.⁹² **The AC further encouraged the consolidation of the efforts aimed at familiarizing the Court's management with this SOP and requested the Court to provide training on the monitoring of implementation and follow-up of audit recommendations to all section chiefs and to provide an update thereon at the AC's seventh session.**⁹³

2. Follow-up on the recommendations of the OIA

98. In its Annual Report in 2016, the AC was looking forward to receiving information by the OIA about the status of the implementation of recommendations for the time period 2012-2014 at its fourth session.⁹⁴

99. At its fourth session in March 2017, the OIA submitted the Annual Report of the Office of Internal Audit: Implementation of audit recommendations (Situation as at 23/02/2017),⁹⁵ the OIA Recommendations with status in progress as at 23 February 2017⁹⁶ and the OIA Recommendations for which the status was changed from in progress to 'implemented', 'closed', 'risk accepted' or 'not accepted'⁹⁷ to the AC.

Findings and recommendations

100. At its fourth session, the Director of the Office of Internal Audit informed the AC that there has been progress in implementing the outstanding recommendations. However, the overall rate of implementation is around 50 per cent, i.e. about 100 recommendations are still not implemented.

101. With a view to reducing the considerable backlog of unimplemented recommendations and with the aim to closing recommendations that are no longer

⁸⁹ *Official Records ... Fifteenth Session ... 2016* (ICC-ASP/15/20), vol. II, part B.2, annex VII, para. 36.

⁹⁰ § 5(g) AC Charter.

⁹¹ § 61 AC Charter.

⁹² AC/4/9.

⁹³ AC/4/10, para. 60.

⁹⁴ *Official Records...Fifteenth Session...2016* (ICC-ASP/15/20), vol. II, part B.2, annex VII, para. 34.

⁹⁵ AC/4/13.

⁹⁶ AC/4/15.

⁹⁷ AC/4/14.

relevant, have become outdated or for which the context may have changed, the AC recommended the Court at its fourth session in March 2017, to review, in consultation with the OIA, in advance of the AC's seventh session, all recommendations that have remained unimplemented to date and to establish for accepted recommendations an action plan with a deadline for implementation, as well as to provide a justification for those recommendations that the Court is not willing to accept. Bearing in mind that numerous pending recommendations were linked to the same few audits, the AC was confident that an efficient review of pending recommendations could be made.

102. At its fourth session, the AC considered the report of the OIA: Audit on IT Governance – Planning & Organisation.⁹⁸ The AC enquired about whether the recommendations raised by the OIA have been all accepted by the Registry's Management, and in case of rejecting any recommendation whether Management has accepted the risk for non-implementation. The Registry informed the AC that the SOP issued by the Court in February 2017 aimed to formalize the responsibilities of various managers in the process of accepting and implementing the recommendations raised by the auditors. According to the SOP the chief of section under audit seeks endorsement by his/her director and informs the Director of DMS on any rejected recommendation, and then the Director of DMS informs the Registrar, who then decides on taking the risk in case a recommendation is rejected.

103. At its fourth session, the AC recommended that the OIA add a column to the register of recommendations stating who the owner of a recommendation is and whether the owner has accepted or rejected the recommendation. In addition, the AC recommended that a deadline should be communicated to the auditee on the response to recommendations and when issuing the final audit report, in order to obtain a clear response (endorsement or rejection) within a reasonable time frame of maximum two weeks after issuance of the report.

104. At its fourth session, the AC received and considered the report: OIA Recommendations with status in progress at 23 February 2017.⁹⁹ The AC focused on the recommendations related to the group health insurance plan for the Court, their status of progress, the development of a risk-based strategic approach to the administration of the group health insurance plan, as well as a comparative review of the health insurance benefits and premiums to other United Nation's organizations and examination of different models. The AC noticed that since 2013, no concrete progress has been made on this matter and was informed that the procurement process is ongoing. Therefore, the AC recommended that the Court provide an update on the status of procurement for the health insurance plan at its sixth session.¹⁰⁰

105. At its sixth session, the AC took note of a report entitled "Report on the Procurement Process for the Group Health and Service-Incurred Death and Disability Insurance Plans of the Court¹⁰¹". In accordance with Staff Rule 106.2 concerning Medical Insurance, the Court has, since October 2002, provided staff members with a group health insurance plan subsidised at a rate of 50 per cent. The Court has also secured insurance to cover medical and disability benefits in case of death, injury or illness in the performance of official duties on behalf of the Court. Both plans have been provided by the insurance provider (*Cigna*), in a single policy, which has been tacitly renewed over the years, with coverage levels and premiums having been regularly negotiated. Since the adoption of Staff Rule 106.2, a number of negotiated and endorsed health plans have been extended to the staff of the Court.

106. The Court put the insurance plans out to tender with the objective to improve the current insurance coverage. The AC noted that the tendering process is expected to be completed by the end of September 2017, following the approval by the Procurement Review Committee.

⁹⁸ AC/4/6.

⁹⁹ AC/4/15.

¹⁰⁰ AC/4/10, paras. 70-71.

¹⁰¹ AC/6/7.

Findings and recommendations

107. **The AC requested the Court to provide an update on the outcome of the procurement process for the health insurance plan at its seventh session in March 2018 and expected that, following the conclusion of the process, the unimplemented recommendations in relation to the health insurance plan would be effectively addressed.**

3. Follow-up on the recommendations of the External Auditor

108. At its fourth session, the External Auditor submitted upon request of the AC a report entitled “External Auditor – Follow-up on recommendations of previous reports¹⁰²”, which contains a list of all external audit recommendations that have remained unimplemented.

Findings and recommendations

109. The AC noted with appreciation that the External Auditors is in a continuous dialogue and cooperation with the OIA as regards the assessment of the effectiveness of internal control and planning for performance audits.

110. **At its fourth session, the AC requested the External Auditors to be informed in a timely manner on any matter of relevance that could potentially lead to the issuance of a qualified opinion before the issuance of the audit reports on the financial statements of the Court and the Trust Fund for Victims.**¹⁰³

111. **At its fourth session, the AC further recommended that the External Auditors also consult with the IOM as regards its appreciation of the internal control environment and the risks linked to fraud or other breaches of the code of conduct.**¹⁰⁴

4. Follow-up on the recommendations of the Audit Committee

112. At the fourth AC session in March 2017, the Secretary of the Audit Committee submitted a report entitled “Follow-up on the recommendations of the Audit Committee¹⁰⁵”, which represents a register of all recommendations that have been issued so far by the AC with an indication of the recommendation holder, the deadline for implementation and the implementation status for each recommendation.

113. At the fifth session, the Secretary to the Audit Committee submitted a follow-up report¹⁰⁶ on the implementation of AC recommendations with an update recommendation log. According to the report, out of the 40 recommendations made so far by the AC, 21 recommendations (or 53 per cent) have been implemented, whereas four recommendations (or 10 per cent) have not been implemented. The implementation of the remaining recommendations was pending at the time of the drafting of the report, as the deadline for their implementation had not yet expired.¹⁰⁷

Findings and recommendations

114. At its fourth session, the AC took note of the report on the follow-up on the recommendations of the AC with appreciation indicating that such document would be used as a reference material for all recommendations issued by the AC and would facilitate following-up on their implementation.

115. **At its fourth session, the AC recommended the Secretary to the Audit Committee to add a column in the register of recommendations of the AC to indicate whether the Court’s management has accepted or rejected the recommendation.**¹⁰⁸

¹⁰² AC/4/8.

¹⁰³ AC/4/10, para. 79.

¹⁰⁴ *Ibid.*, para. 80.

¹⁰⁵ AC/4/12.

¹⁰⁶ AC/5/6.

¹⁰⁷ *Ibid.*, para. 2.

¹⁰⁸ AC/4/10, para. 83.

116. At its fifth session, the AC noted that the column on the acceptance/rejection of recommendations, which had been added, could contribute to providing greater clarity on the risk appetite of the Court to be formulated.

I. Internal governance, working methods of the Committee and other internal matters

1. Amendments to the Charter of the Audit Committee

117. At its twenty-eight session in May 2017, the CBF recognized the added value of active interactions with the AC, as well as the necessity of keeping the AC Charter as a living document reflecting the actual needs of the AC. In this context, the CBF proposed the following amendments to paragraphs 10 and 40 of the AC Charter:

(a) Composition of the AC: Paragraph 10 of the AC Charter should read: “The Audit Committee shall consist of three to five external members from States Parties to the Rome Statute. Members of the AC shall be independent of the Court and its organs, whereby two out of the five members shall be active members of the Committee on Budget and Finance.”

(b) Number of meetings: Paragraph 40 of the AC Charter should reduce the minimum number of meetings from three to two, and read as follows: “The Audit Committee shall meet at least two times annually, or more frequently, as the Audit Committee deems necessary.”¹⁰⁹

118. The CBF invited the AC to consider these proposals in order to enable the CBF to submit these amendments to the AC Charter to the Assembly for approval at its sixteenth session.

Findings and recommendations

119. **At its sixth session, the AC agreed on the amendment of paragraphs 10 and 40 of the AC Charter proposed by the CBF. The Committee further invited the CBF to complement these amendments to regulate the cases, where the conditions in paragraph 10 of its amended version are no longer met during the mandate of an Audit Committee member.**

2. Working methods of the Audit Committee

120. At its sixth session, the Committee discussed its working methods and explored possibilities for further increasing its efficiency and effectiveness.

3. Formal orientation and training

121. As foreseen in the AC Charter,¹¹⁰ the AC members shall receive formal orientation on the purpose and mandate of the AC and the Court’s objectives. At its second session, the AC requested the Secretary to the Audit Committee to identify training possibilities on the Court’s operation and structure. At its fourth session, the AC welcomed the session that was organized in the presence of Court representatives on the values and ethics of the Court, as well as on organ-specific approaches in relation to values and ethics. The AC expressed its appreciation to the Head of the IOM, for conducting the session and to the representatives of the Court for their contributions.

¹⁰⁹ ICC-ASP/16/5, paras. 136-137.

¹¹⁰ § 39 AC Charter.

III. Other matters

A. Documentation

122. The AC regretted having received some documents only shortly before the beginning of the session. **In light of the need for careful preparation of the session and informed decision-making, the AC recommended that, in principle, all documentation shall be submitted no later than six weeks before the beginning of the session, in accordance with the AC Charter.**¹¹¹ The AC further requested that audit reports of the OIA, which follow the schedule determined by the audit plans, be sent to the AC members upon their release.

B. Informal meeting of the Hague Working Group on Budget Management Oversight

123. The AC members participated in an informal budget meeting convened by Ambassador Eduardo Rodríguez Veltzé (Bolivia), focal point for the topic of Budget Management Oversight. The Chairperson of the AC gave an overview to States Parties and the Court on the functions of audit committees in general, as well as the specific mandate of the AC of the Court and its achievements since its re-establishment.

124. The AC wished to thank The Hague Working Group for its interest. The AC will continue to work towards the effective and efficient fulfilment of its comprehensive mandate and stands available to assume additional tasks or focus on specific matters, if so requested by the Assembly.

C. Future sessions of the Audit Committee

125. At its sixth session, the AC determined the work plan and the priorities for 2018. It set up a draft provisional agenda for its seventh session.

126. The AC decided to tentatively hold its seventh session from 22 to 23 March 2018 and its eighth session from 30 July to 1 August 2018 in The Hague, taking into consideration the Court calendar.

¹¹¹ § 34 AC Charter.

Appendix I

Opening of the session, election of officers, adoption of the agenda and participation of observers

A. Opening of the sessions

1. In accordance with its Charter, the AC shall meet at least three times annually, or more frequently as the AC deems necessary. The AC held a total of four sessions in the reporting period: the third session of the AC, which was organized remotely through exchange of e-mails, took place in November 2016; the fourth session of the AC was held from 30-31 March 2017; the fifth session of the AC took place from 4-5 September 2017; and the sixth session was conducted on 6 September 2017.

2. During the reporting period, the AC considered the documentation as listed in annex I of this report.

B. Election of officers

3. At its fourth session, on 30 March 2017, the AC elected Mr. Samir Abu Lughod (Jordan) as Chairperson and Ms. Elena Sopková (Slovakia) as Vice-Chairperson, by consensus, in accordance with its Charter. The AC further appointed Ms. Laure Esteveny (France) as Rapporteur.

4. The Executive Secretary to the Committee on Budget and Finance, Mr. Fakhri Dajani, acted as the Secretary to the Audit Committee and the Secretariat provided the logistical servicing to all sessions.

C. Adoption of the agenda

5. At its third session, the AC adopted the following agenda:

1. Internal audit matters
 - (a) OIA 2017 Internal Audit Plan
 - (b) OIA 2017-2019 IT Audit Plan
2. External audit matters
3. Proposed agenda items for the fourth session of the AC
4. Other matters.¹

6. At its fourth session, the AC adopted the following agenda:

1. Opening of the session
 - (a) Election of officers
 - (b) Adoption of the agenda and organization of work
 - (c) Participation of observers
2. Values and Ethics
 - (a) Court-wide values and ethics
 - (b) Organ-specific values and ethics
 - (c) Performance management in relation to values and ethics
3. Follow up on previous recommendations
 - (a) Recommendations of the Office of Internal Audit
 - (b) Recommendations of the External Auditor
 - (c) Recommendations of the Audit Committee
4. Action plans of management
5. Governance structure of the Court
 - (a) The governance structure in three focus areas

¹ AC/3/1/Rev.1.

- (b) Terms of reference of inter-organ coordination mechanisms
- 6. Risk management
 - (a) Update on risk management
 - (b) Internal control framework
- 7. Other matters
 - (a) Work plan of the AC for 2017.²
- 7. At its fifth session, the AC adopted the following agenda:
 - 1. Opening of the session
 - (a) Adoption of the agenda and organization of work
 - (b) Participation of observers
 - 2. Governance structure of the Court
 - (a) Consideration of the Organizational Manual of the International Criminal Court
 - 3. Risk management
 - (a) Annual review of the Court's corporate risk profile
 - (b) Annual report of the OIA on management's implementation and maintenance of an appropriate integrated risk management process
 - 4. External audit matters
 - (a) Financial Statements of the Court
 - (b) Financial statements of the Trust Fund for Victims
 - (c) Performance audit of the External Auditor
 - (d) External Auditor's 2018 provisional audit plan
 - 5. Other matters
 - (a) HWG on budget: Budget management oversight
 - (b) Follow-up on recommendations of the Audit Committee.³
- 8. At its sixth session, the AC adopted the following agenda:
 - 1. Internal Audit matters:
 - (a) Update on the status of procurement for the health insurance plan
 - (b) Audit reports of the Office of Internal Audit and progress on 2016 and 2017 audit plans
 - (c) Approval of the Charter of the Office of Internal Audit
 - (d) External quality assessment of the Office of Internal Audit
 - (e) Office of Internal Audit 2018 provisional audit plan
 - 2. Internal governance matters:
 - (a) Amendments to the Charter of the Audit Committee
 - 3. Other matters
 - (a) Work plan of the Audit Committee for 2018.⁴
- 9. The following members attended the sessions held in the reporting period:
 - (a) Mr. Samir Abu Lughod (Jordan);
 - (b) Mr. David Banyanka (Burundi);
 - (c) Mr. Jorge Duhalt (Mexico);
 - (d) Ms. Laure Esteveny (France); and
 - (e) Ms. Elena Sopková (Slovakia).

D. Participation of observers

10. The AC wished to thank all Court representatives, the External Auditor, the Head of the Independent Oversight Mechanism ("the IOM") and the Director of the OIA for their participation in the sessions held during the reporting period and their input into the discussion.

² AC/4/1.

³ AC/5/1/Rev.2.

⁴ AC/6/1/Rev.1.

Appendix II

List of documents

<i>Document symbol</i>	<i>Title</i>
AC/3/1/Rev.1	Provisional agenda and annotated agenda for the third session of the Audit Committee
AC/3/2	Office of the Internal Audit (OIA) 2017 Internal Audit Plan
AC/3/3	Office of the Internal Audit (OIA) 2017-2019 IT Audit Plan
AC/3/4	OIA Draft Audit Plan for 2018
AC/3/5	Interim Report of the Audit Committee on the work at its third session
AC/3/2/Rev.1	Office of Internal Audit (OIA) 2017 Internal Audit Plan
AC/3/3/Rev. 1	Office of Internal Audit (OIA) 2017-2019 IT Audit Plan
AC/4/1	Provisional agenda for the fourth session of the Audit Committee
AC/4/1/Add.1	Annotated agenda for the fourth session of the Audit Committee
AC/4/2	Code of conduct for staff members
AC/4/3	Code of conduct for investigators
AC/4/4	Audit of the Field Security
AC/4/5	Audit on Crisis Management
AC/4/6	Audit on IT Governance
AC/4/7/	List of internal audit recommendations in progress as at 31 January 2017
AC/4/8	External Auditor - Follow-up on recommendations of previous reports
AC/4/9	Report on the mechanisms for the implementation of audit recommendations
AC/4/10	Interim Report of the Audit Committee on the work at its fourth session
AC/4/11	Report on the activities of the Office of Internal Audit
AC/4/12	Follow-up on the recommendations of the Audit Committee
AC/4/13	Annual Report of the Office of Internal Audit: Implementation of audit recommendations: Situation as at 23 February 2017
AC/4/14	OIA Recommendations for which the status was changed from in progress to implemented, closed, risk accepted or not accepted
AC/4/15	OIA Recommendations with status in progress as at 23 February 2017
AC/4/16	Report of the Court on its governance structure
AC/4/17	Report of the Court on posts directly relevant to public information, outreach, human resources and translation services
AC/4/18	Report of the Court on risk management
AC/5/1/Rev.2	Provisional agenda for the fifth session of the Audit Committee
AC/5/1/Add.1	Annotated provisional agenda for the fifth session of the Audit Committee
AC/5/2	Final Report of the Audit on the Systems Development & Project Management
AC/5/3	Report of the Court on its organizational manual
AC/5/4	The Court's corporate risk profile
AC/5/5	Interim Report of the Audit Committee on the work at its fifth session
AC/5/6	Follow-up on the recommendations for the Audit Committee
AC/5/7	Final Audit Report on the Implementation of a Division of External Operations
AC/6/1/Rev.2	Provisional agenda for the sixth session of the Audit Committee
AC/6/1/Add.1	Annotated provisional agenda for the sixth session of the Audit Committee
AC/6/2	Office of Internal Audit: Status of implementation of the 2016 Audit Plan (May 2017)
AC/6/3	Office of Internal Audit: Status of implementation of the 2017 Audit Plan (30 June 2017)
AC/6/4	Office of Internal Audit: 2018 Internal Audit Plan
AC/6/5	Interim Report of the Audit Committee on the work at its sixth session
AC/6/6	Office of Internal Audit: Report on risk management by the International Criminal Court (30 June 2017)
AC/6/7	Report on the Procurement Process for the Group Health and Service-Incurred Death and Disability Insurance Plans of the Court
AC/6/8	Final Audit Report on the Audit of the Victims and Witnesses Section
AC/6/9	Final Audit Report on the Audit on IT Outsourced Environments
ICC-ASP/16/5	Report of the Committee on Budget and Finance of the work at its twenty-eight session
ICC-ASP/16/12	Financial statements of the International Criminal Court for the year ended 31 December 2016
ICC-ASP/16/13	Financial statements of the Trust Fund for Victims for the year ended 31 December 2016

Part C

Related documents

1. Financial statements of the International Criminal Court for the year ended 31 December 2016*

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Letter of transmittal

21 July 2017

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 2016.

Gela Abesadze
Chief of Finance Section

Herman von Hebel
Registrar

Lionel Vareille
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 Rule 101.1(b) of the Financial Regulations and Rules of the International Criminal Court (“the Court”), 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 article 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, 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 2016.

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 Regulations and Rules is informed by the work of the internal auditors to date, the work of the operational managers within the Registry who have responsibility for the maintenance of the internal control framework, and comments made to date 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 2016.

Herman von Hebel
Registrar

21 July 2017

Independent auditor's opinion

Opinion

We have audited the Financial Statements of the International Criminal Court (“the Court”), for the 12 month period ended 31 December 2016. These financial statements include a Statement of Financial Position as at 31 December 2016, a Statement of Financial Performance, a Statement of Changes in Net Assets, a Statement of Cash Flow, a Statement of Comparison of Budget and Actual Amounts and Notes including a summary of the accounting principles and other information. A set of eight schedules presenting some additional information under United Nations System Accounting Standards (UNSAS) standards, outside of 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 Court as at 31 December 2016, 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 month period ending 31 December 2016 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 Regulation 12 of the Financial Regulations and Rules of the Court. 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 Regulation 11 of the Financial Regulations and Rules, 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.

(Signed) Didier Migaud

Statement I

International Criminal Court - Statement of financial position as at 31 December 2016 (in thousands of euros)

	<i>Note.</i>	<i>2016</i>	<i>2015</i>
Assets			
<i>Current assets</i>			
Cash and cash equivalents	3	20,404	23,026
Accounts receivable (non-exchange transactions)	4	13,932	20,510
Other accounts receivable	5	3,206	2,422
Prepayments and other current assets	6	2,905	2,360
<i>Total current assets</i>		<i>40,447</i>	<i>48,318</i>
<i>Non-current assets</i>			
Accounts receivable (non-exchange transactions)	4	41	-
Property, plant and equipment	7	199,728	208,570
Intangible assets	8	1,342	1,353
Reimbursement right	10	25,529	23,235
<i>Total non-current assets</i>		<i>226,640</i>	<i>233,158</i>
Total assets		267,087	281,476
Liabilities			
<i>Current liabilities</i>			
Accounts payable	9	5,696	9,926
Employee benefit liabilities	10	9,728	9,322
Host State loan	11	1,759	891
Deferred revenue and accrued expenses	12	11,229	17,066
Provisions	13	2,257	2,255
<i>Total current liabilities</i>		<i>30,669</i>	<i>39,460</i>
<i>Non-current liabilities</i>			
Accounts payable	9	586	50
Employee benefit liabilities	10	47,471	37,372
Host State loan	11	72,509	77,120
<i>Total non-current liabilities</i>		<i>120,566</i>	<i>114,542</i>
Total liabilities		151,235	154,002
Net assets/equity			
Contingency Fund	14	5,791	5,791
Working Capital Fund	14	3,664	1,616
Other fund balances	14	106,397	120,067
Total net assets/equity		115,852	127,474
Total liabilities and net assets/equity		267,087	281,476

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 2016 (in thousands of euros)

	Note.	2016	2015
Revenue			
Assessed contributions	15	133,061	167,119
Voluntary contributions	15	1,789	4,243
Financial revenue	15	45	179
Other revenue	15	1,488	21,952
Total revenue		136,383	193,493
Expenses			
Employee benefit expenses	16	100,433	99,263
Travel and hospitality	17	5,331	6,683
Contractual services	18	5,352	9,059
Counsel fees	19	5,546	5,777
Operating expenses	20	11,292	17,057
Supplies and materials	21	2,473	2,346
Depreciation and amortization	22	12,093	3,308
Financial expenses	23	2,221	2,996
Total expenses		144,741	146,489
<i>Surplus/(deficit) for the period</i>		<i>(8,358)</i>	<i>47,004</i>

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 2016 (in thousands of euros)

	<i>General</i>								<i>Total Net Assets/ equity</i>
	<i>General Fund</i>							<i>Trust Funds</i>	
	<i>Working Capital Fund</i>	<i>Contin- gency Fund</i>	<i>Funds for Employee Benefit Liabilities</i>	<i>Cash Surplus/ (Deficit)</i>	<i>Remeasur- ement of post- employ- ment related plans</i>	<i>Other General Fund Balances</i>	<i>Perma- nent Premises Project</i>		
Opening balance as at 1 January 2015	7,406	7,500	11,227	(2,269)		(7,948)	65,356	1,016	82,288
Movement in net assets/equity in 2015									
Surplus/(deficit)	-	-	-	-	-	(6,736)	53,227	513	47,004
Transfers	(5,790)	(1,709)	(4,832)	-	-	12,341		(10)	-
Prior year cash surplus/(deficit)	-	-	-	4,432	-	(4,432)	-	-	-
Adjustment of 2015 assessed contributions (ICC-ASP/13/Res.1)	-	-	-	(2,068)	-	-	-	-	(2,068)
2013 Trust Fund for Victims surplus	-	-	-	-	-	250	-	-	250
Total movements during the year	(5,790)	(1,709)	(4,832)	2,364	-	1,423	53,227	503	45,186
Total net assets/equity as at 31 December 2015	1,616	5,791	6,395	95	-	(6,525)	118,583	1,519	127,474
Movement in net assets/equity in 2016									
Surplus/(deficit)	-	-	-	-	-	62	(8,524)	104	(8,358)
Remeasurement gains/(losses) post-employment plans	-	-	-	-	(3,419)	-	-	-	(3,419)
Transfers	2,048	-	(6,223)	(95)	-	(5,262)	9,532	-	-
Prior year cash surplus/(deficit)	-	-	-	5,394	-	(5,394)	-	-	-
2014 Trust Fund for Victims Secretariat's surplus	-	-	-	-	-	154	-	-	154
Total movements during the year	2,048	-	(6,223)	5,299	(3,419)	(10,440)	1,008	104	(11,623)
Total net assets/equity as at 31 December 2016	3,664	5,791	172	5,394	(3,419)	(16,964)	119,591	1,623	115,852

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 2016 (in thousands of euros)

	Note.	2016	2015
Cash flows from operating activities			
Surplus/(deficit) for the period (Statement II)		(8,358)	47,004
Unrealized foreign exchange differences		5	5
Discount on host State loan		(649)	(17,963)
Depreciation and amortization		12,093	3,308
(Gain)/loss on disposal of property, plant and equipment		-	8
Interest expense		2,133	2,860
(Increase)/decrease in accounts receivable from non-exchange transactions		6,537	(6,019)
(Increase)/decrease in other accounts receivable		(784)	(1,247)
(Increase)/decrease in prepayments and other current assets		(864)	16
(Increase)/decrease in reimbursement right		(2,294)	188
Increase/(decrease) in accounts payable		(2,416)	3,403
Increase/(decrease) in employee benefit liabilities		10,505	1,023
Remeasurement (gain)/loss of post-employment related plans		(3,419)	-
Increase/(decrease) in deferred revenue and accrued expenses		(1,570)	(14,039)
Increase/(decrease) in provisions		3	(473)
Less: Interest income		(45)	(179)
Net cash flows from operating activities		10,877	17,895
Cash flows from investing activities			
Plus: Interest received		113	197
Purchase of property, plant and equipment		(9,160)	(58,268)
Purchase of intangible assets		(27)	(1,052)
Net cash flows from investing activities		(9,074)	(59,123)
Cash flows from financing activities			
Credits to States Parties		-	(2,068)
Interest paid		-	(1,061)
Receipts/(repayment) of host State loan		(4,429)	10,693
Net cash flows from financing activities		(4,429)	7,564
Net increase/(decrease) in cash and cash equivalents		(2,626)	(33,664)
Cash and cash equivalents at beginning of financial period	3	23,026	56,693
Unrealized foreign exchange gains/(losses) on cash and cash equivalents		4	(3)
Cash and cash equivalents as at 31 December (Statement I)	3	20,404	23,026

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 2016 (in thousands of euros)

Major Programme	Appropriation approved	Contingency Fund application	Transfers	Final budget	Expenditures charged against		Total expenditure	Surplus/ (deficit) General Fund	Surplus/ (deficit) Contingency Fund	Total surplus/ (deficit)
					General Fund	Contingency Fund				
	<i>i</i>	<i>ii</i>	<i>iii</i>	<i>iv=i+ii+iii</i>	<i>v</i>	<i>vi</i>	<i>vii=v+vi</i>	<i>viii=i+iii-v</i>	<i>ix=ii-vi</i>	<i>x=viii+ix</i>
Judiciary	12,431	-	272	12,703	12,703	-	12,703	-	-	-
Office of the Prosecutor	43,234	1,060	(792)	43,502	40,941	1,021	41,962	1,501	39	1,540
Registry	72,759	1,950	520	75,229	71,698	1,581	73,279	1,581	369	1,950
Secretariat of the Assembly of States Parties	2,808	-		2,808	2,741	-	2,741	67	-	67
Premises	2,824	-		2,824	2,824	-	2,824	-	-	-
Secretariat of the Trust Fund for Victims	1,885	-		1,885	1,641	-	1,641	244	-	244
Project Director's office (permanent premises)	452	-		452	265	-	265	187	-	187
Permanent Premises Project - Interest	2,201	-		2,201	2,186		2,186	15		15
Independent Oversight Mechanism	315	-		315	182	-	182	133	-	133
Office of Internal Audit	682	-	-	682	611	-	611	71	-	71
Total	139,591	3,010	-	142,601	135,792	2,602	138,394	3,799	408	4,207
Cost overrun of the Permanent Premises Project (ICC-ASP/15/Res.2)	(1,197)	-		(1,197)	-	-	-	(1,197)	-	(1,197)
Total after cost overrun	138,394	3,010	-	141,404	135,792	2,602	138,394	2,602	408	3,010

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(g).

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 field offices and one field presence to enable it to conduct its field operations. These field offices are operational in Uganda, the Democratic Republic of the Congo (2), the Central African Republic, the Republic of Côte d’Ivoire and Kenya. A small administrative field presence was established in Mali in 2014.

1.2 Programme budget:

For the purposes of the 2016 financial period, appropriations were divided into ten 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, the Project Director’s Office (permanent premises), Permanent Premises Project - Interest, 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) The Presidency:
 - (i) comprises the President and the First and Second Vice-Presidents;
 - (ii) ensures the proper administration of the Court through managerial oversight, coordination and cooperation;
 - (iii) oversees and supports the fair, open and effective conduct of proceedings and performs all judicial functions within its preserve; and
 - (iv) broadens global understanding of and support for the work of the Court by representing it in the international arena.
- (b) Chambers:
 - (i) comprise 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 is composed of not less than six judges, as is the Pre-Trial Division;
 - (ii) ensure the conduct of fair, effective and open proceedings, safeguarding the rights of all parties.
- (c) The Office of the Prosecutor:
 - (i) acts independently as a separate organ of the Court and is responsible for the investigation and prosecution of crimes within the jurisdiction of the Court;
 - (ii) promotes national efforts and international cooperation to prevent and punish genocide, crimes against humanity, war crimes and aggression; and
 - (iii) builds universal consensus on the principles and purposes of the Rome Statute.

(d) 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) manages the internal security of the Court; and

(iii) implements mechanisms to assist and safeguard the rights of victims, witnesses and the defence.

(e) 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.

The Secretariat:

(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; and

(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.

(f) Premises:

Stakeholders are provided with an overview of the resources required by the Court for its permanent premises.

(g) 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 2016.

(h) Project Director’s Office (permanent premises):

In annex IV and V of resolution ICC-ASP/6/Res.1, the Assembly established the Project Director’s Office within the annual proposed programme budget of the Court to cover the staff costs and other operational costs related to the Permanent Premises Project. The Project Director’s Office operates under the full authority of the Assembly and reports directly and is accountable to the Assembly through the Oversight Committee.

(i) Permanent Premises Project – Interest:

The Court established the Permanent Premises Project – Interest in the 2011 Approved Programme Budget to report on the interest expected 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, in 2008, from the Assembly’s acceptance of 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.

(j) 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.

(k) 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.

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 court cases 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 particular accused person to whom the Court is 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 (see note 2.56) 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 The Court has instituted prudent risk management policies and procedures in accordance with its Financial Regulations and Rules. The Court makes short-term investments of moneys not needed for immediate requirements. The judges' pension scheme is insured, administered and invested by Allianz Nederland Levensverzekering N.V. ("Allianz NL"). 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 from States Parties, 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 from any one financial institution.

2.17 Liquidity risk: this risk arises from the general funding of the Court's activities. The Court holds short-term liquid assets to ensure continuous operations and maintains a Working Capital Fund established to ensure capital for the Court to meet short-term liquidity issues pending receipt of assessed contributions.

Receivables

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.

Prepayments and other current assets

2.19 Other current assets comprise interest accrued on bank accounts and deposits. Prepayments comprise education grants and software maintenance prepayments 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

2.20 Property, plant and equipment are tangible assets that are held for use in the supply of services, for rental to others or for administrative purposes.

2.21 Items of property, plant and equipment are measured at cost less accumulated depreciation and impairment losses.

2.22 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.

2.23 The costs capitalized as part of the permanent premises asset under construction include project management fees, architect fees, legal fees, other directly related consultant and expert fees, fees for permits, direct labour and material costs.

2.24 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.

2.25 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.

2.26 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.

2.27 Estimated useful lives are as follows:

	<i>2016</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

Leases

2.28 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

2.29 Intangible assets mainly consist of computer software and licences. They are stated at cost incurred to acquire and render operational the specific software, less amortization and impairment losses. These assets are amortized using the straight-line method based on an expected useful life of five years or over the licence validity period.

Impairment of non-cash generating assets

2.30 The assets that the Court holds are normally not held to generate commercial returns and are therefore non-cash generating assets.

2.31 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.

2.32 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.

2.33 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.

2.34 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.

2.35 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.

2.36 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

2.37 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

2.38 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

2.39 Deferred revenue includes pledged contributions for future financial periods and other revenue received but not yet earned.

2.40 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

2.41 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.

2.42 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

2.43 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.

2.44 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.

2.45 Annual leave: is recognized as an expense as employees render services that increase their entitlement to future compensated absences.

2.46 Post-employment benefits: include pension benefits and after-service health insurance (ASHI).

2.47 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 UNJSPF is a funded defined multi-employer benefit plan. Since there is no consistent and reliable basis for allocating the obligation, plan assets and cost of UNJSPF to individual organizations participating in the plan, contributions paid to UNJSPF are accounted for as if it were a defined contribution plan. Obligations for contributions to defined contribution pension plans are recognized as an expense in the Statement of financial performance as incurred.

2.48 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.

2.49 ASHI: the Court's group health insurance plan is administered by Cigna. The 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.

2.50 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.

2.51 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. Actuarial gains and losses are recognized in full in the period in which they occur in the Statement of financial performance.

2.52 Post-employment benefits and other long-term benefits are calculated by independent actuaries.

2.53 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

2.54 The loan described in note 2.72(a) is 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

2.55 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. The estimate is discounted where the effect of the time value of money is material. If the outflow of economic benefits to settle the obligations is no longer probable, the provision is reversed.

2.56 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

2.57 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.

2.58 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. New States Parties to the Rome Statute are assessed in respect of the year in which they became States Parties for their contributions to the Working Capital Fund and the regular budget, in accordance with Regulation 5.10.

2.59 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.

2.60 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.

2.61 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.

2.62 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

2.63 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.

2.64 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

2.65 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.

2.66 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

2.67 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 three segments: General, Trust Funds and Permanent Premises Project funds.

2.68 Fund accounting: the Court's accounts are maintained on a fund accounting basis. Separate funds for general or special purposes may be established by the Assembly, and trust funds and special accounts funded wholly by voluntary contributions may be established and closed by the Registrar.

2.69 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.

(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.

2.70 The trust funds segment: accounts for various activities funded by voluntary contributions including relocation of witnesses, development of the Legal Tools matrix and the organization of seminars. 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. They are funded wholly by voluntary contributions in accordance with specific terms and agreements with the donors. 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.

2.71 The Permanent Premises Project segment: accounts for activities related to the construction of the Court's permanent premises as well as transition activities not funded through the regular programme budget.

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.

In its resolution ICC-ASP/15/Res.2, the Assembly authorized an increase of the unified budget envelope in the amount of €1.75 million, bringing the total project budget to €205.75 million.

The Permanent Premises Project is 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. In resolution ICC-ASP/14/Res. 5 the Assembly requested those States Parties which elected by 31 December

2014 the option of a full or partial one-time payment of their assessed share in the project, to consult with the Project Director so as to determine the scheduling thereof, taking into account that said one-time payments are to be received in full by no later than 29 June 2016 or any earlier date.

(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.

(d) Other resources as per the Assembly decisions ICC-ASP/14/Res.1 and ICC-ASP/15/Res.2.

Net assets/equity

2.72 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, the Permanent Premises Project Fund and the trust funds.

2.73 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.

2.74 Reserve accounts and special accounts: funded wholly or in part by assessed contributions may be established by the Assembly.

Budget comparison

2.75 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.

2.76 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.

Change in accounting policy

2.77 In 2016 the Court has implemented IPSAS 39 "Employee Benefits", which was approved by the IPSAS Board and replaced IPSAS 25. The main difference between IPSAS 39 and IPSAS 25 is removal of an option that allowed deferring the recognition of changes in the net defined benefit liability (the "corridor approach").

Changes in presentation

2.78 Starting from 2016 expenses related to individual contractors and consultants are disclosed under contractual services in the statement of Financial Performance.

3. Cash and cash equivalents

<i>In thousands of euros</i>	2016	2015
Cash on hand	51	58
Cash at bank	20,353	22,968
Total	20,404	23,026

3.1 Cash and cash equivalents contain restrictions on their availability for use depending upon the Fund to which they relate (see note 25 for segment information). Cash and cash equivalents include an amount equivalent to €5 thousand (2015: €178 thousand) held in currencies other than the euro.

4. Accounts receivable from non-exchange transactions

4.1 Interest-bearing bank accounts and term deposits yielded interest at an average annual rate of 0.15 per cent.

<i>In thousands of euros</i>	2016	2015
Assessed contributions receivable (regular budget)	18,405	20,786
Assessed contributions receivable (other)	86	7
Voluntary contributions receivable	16	129
Total accounts receivable, gross	18,507	20,922
Provision for doubtful debt	(4,534)	(412)
Total accounts receivable, net	13,973	20,510

4.2 Assessed contributions receivable (regular budget): the outstanding balance of €18,405 thousand comprises €4,345 thousand due for prior financial periods and €14,060 thousand due for 2016 (Schedule 1). Contributions received from States Parties in excess of contributions due in an amount of €4,379 thousand are reported as contributions received in advance (note 12.1).

4.3 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.

4.4 Voluntary contributions receivable: the amount of €16 thousand represents an outstanding amount receivable from donors for 2016-2017 projects.

4.5 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 31 December 2015	412
Increase in provision	4,122
Provision for doubtful debt as at 31 December 2016	4,534

4.6 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)	-	14,060	4,291	54	18,405
Assessed contributions receivable (other)	46	34	5	1	86
Voluntary contributions receivable	-	16	-	-	16
Total accounts receivable, gross	46	14,110	4,296	55	18,507

5. Other accounts receivable

<i>In thousands of euros</i>	<i>2016</i>	<i>2015</i>
Receivable from governments	2,949	1,907
Other receivables	1,663	1,498
Other accounts receivable, gross	4,612	3,405
Provision for doubtful debt	(1,406)	(983)
Other accounts receivable, net	3,206	2,422

5.1 Receivables from governments represent receivables for refundable energy tax and VAT.

5.2 Provision for doubtful debt: Under other accounts receivable and on the basis of a judicial decision dated 20 October 2011 (Trial Chamber III, no. ICC-01/05-01/08-568), in 2016 the Court advanced an amount of €448 thousand for legal costs to cover the legal representation of an accused person whose assets have been frozen, which has not been recovered and has been charged to legal aid costs because recovery is uncertain.

Changes in provision for doubtful debt

<i>In thousands of euros</i>	<i>Other receivables</i>	<i>Receivables from Government</i>	<i>Total</i>
Provision for doubtful debt as at 1 January 2016	958	25	983
Increase in provision	448	(25)	423
Provision for doubtful debt as at 31 December 2016	1,406	-	1,406

5.3 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	2,937	12	-	2,949
Other receivables	666	997	-	1,663
Other accounts receivable, gross	3,603	1,009	-	4,612

6. Prepayments and other current assets

<i>In thousands of euros</i>	2016	2015
Advances to staff	2,273	1,612
Advances to vendors	84	52
Prepaid expenses	540	620
Accrued interest	8	76
Total	2,905	2,360

6.1 Advances to staff comprise €1,329 thousand of education grant advances for the portion of the school year to be completed during 2017, €23 thousand of travel advances for trips in 2017, and €21 thousand of advances for field operations.

6.2 Advances to vendors mostly represent the amounts paid to vendors for travel-related expenses such as tickets and shipments.

6.3 Prepaid expenses relate to payments to vendors for software maintenance for periods after 31 December 2016.

7. Property, plant and equipment

<i>In thousands of euros</i>	<i>Land</i>	<i>Asset under 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 2016	9,741	-	195,756	2,587	561	11,493	2,472	222,610
Additions	-	1,225	-	690	50	726	246	2,937
Capitalization	-	(1,225)	1,225	-	-	-	-	-
Reclassification	-	-	-	-	(5)	(30)	(118)	(153)
Disposals/Write-offs	-	-	-	(190)	(9)	(1,863)	(64)	(2,126)
At 31 December 2016	9,741	-	196,981	3,087	597	10,326	2,536	223,268
Accumulated depreciation								
Accumulated depreciation at 1 January 2016	-	-	1,704	2,113	468	8,177	1,578	14,040
Depreciation Charge	-	-	10,227	210	29	1,016	170	11,652
Reclassification	-	-	-	-	-	(12)	(14)	(26)
Disposals/Write-offs	-	-	-	(190)	(9)	(1,863)	(64)	(2,126)
At 31 December 2016	-	-	11,931	2,133	488	7,318	1,670	23,540
Net book value								
at 1 January 2016	9,741	-	194,052	474	93	3,316	894	208,570
At 31 December 2016	9,741	-	185,050	954	109	3,008	866	199,728

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>Total</i>
Cost			
At 1 January 2016	10,125	402	10,527
Additions	433	-	433
Capitalization	402	(402)	-
Reclassification	(3)	-	(3)
At 31 December 2016	10,957	-	10,957
Accumulated Amortization			
At 1 January 2016	9,174	-	9,174
Amortization charge	441	-	441
At 31 December 2016	9,615	-	9,615
Net book value			
At 1 January 2016	951	402	1,353
At 31 December 2016	1,342	-	1,342

9. Accounts payable

<i>In thousands of euros</i>	<i>2016</i>	<i>2015</i>
Current		
Counsel payables	452	1,228
Suppliers	5,073	6,653
Secretariat of the Trust Fund for Victims	67	153
Other payables	104	1,892
<i>Total current</i>	<i>5,696</i>	<i>9,926</i>
Non-current		
Secretariat of the Trust Fund for Victims	586	50
<i>Total non-current</i>	<i>586</i>	<i>50</i>
Total accounts payable	6,282	9,976

10. Employee benefit liabilities

10.1 Liability towards the Secretariat of the Trust Fund for Victims represents a surplus in Major Programme VI which is consolidated in the Court's programme budget but is part of the net assets/equity of the Trust Fund for Victims and is pending credit to States Parties (see note 1.2 (g)).

<i>In thousands of euros</i>	<i>2016</i>	<i>2015</i>
Current		
Salaries and entitlements	1,004	798
Annual leave accrual	6,089	5,791
Other long-term benefits	1,419	1,605
Post-employment benefits	1,216	1,128
<i>Sub-total current</i>	<i>9,728</i>	<i>9,322</i>

<i>In thousands of euros</i>	2016	2015
Non-current		
Other long-term benefits	9,332	5,740
Post-employment benefits	38,139	31,632
<i>Sub-total non-current</i>	<i>47,471</i>	<i>37,372</i>
Total	57,199	46,694

Current employee benefit liabilities

10.2 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.

10.3 Annual Leave Accrual: At 31 December 2016, €6,089 thousand represents the accumulated annual leave accrual for all staff members of the Court. The cost related to untaken annual leave incurred in 2016 has been recognized as an expense of €98 thousand in the Statement of financial performance.

Non-current employee benefit liabilities

10.4 Actuarial assumptions used to determine the value of other long-term benefits and post-employment benefits are as follows:

Financial assumptions

Discount rate:

Judges pension scheme	1.50%
Relocation allowance and other benefits of judges	0.13%
Home leave and family visit of staff	0.13%
ASHI	1.80%
Staff repatriation grant	1.30%
Other benefits of staff	1.20%
Wage inflation	1.50%
Price inflation	2.00%
Medical cost trend rate	5.00%
Individual salary increase rate	1.20%

Demographic assumptions

Individual turnover rates	From 0% to 7% depending on age group
Disability rates	Based on UNJSPF
Mortality tables	UNJSPF active and inactive (2007-2013)
Age corrections	Generational improvement scale (for inactive)
Age difference M/F	+3

10.5 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.

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 2016	23,235	646	10,709	6,699	41,289
Service cost	717	232	1,297	1,620	3,866
Interest expense	514	3	324	112	953
Remeasurement (gains)/losses	2,210	(41)	1,517	2,734	6,420
Benefits paid	(1,147)	(137)	(21)	(1,117)	(2,422)
Present value of the defined benefit obligation as at 31 December 2016	25,529	703	13,826	10,048	50,106

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 2016	23,235
Interest revenue	511
Remeasurement gains/(losses)	1,643
Contributions by employer	1,395
Benefits paid	(1,147)
Administration cost	(108)
Reimbursement right as at 31 December 2016	25,529

10.6 The fair value of the reimbursement rights is deemed to be the present value of the related obligation.

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	717	232	1,297	1,620	3,866
Net interest on the net defined benefit liability/(asset)	3	3	324	112	442
Administration costs	108	-	-	-	108
Remeasurement of the net defined benefit liability	-	(41)	-	2,734	2,693
Defined benefit cost recorded in profit or loss	828	194	1,621	4,466	7,109
Remeasurement of the net defined benefit liability	567	-	1,517	-	2,084
Defined benefit cost recorded in net assets/equity	567	-	1,517	-	2,084
Total defined benefit cost	1,395	194	3,138	4,466	9,193

Sensitivity analysis

10.7 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>Discount rate %</i>	<i>Defined benefit obligation</i>	<i>Discount rate plus 0.25%</i>	<i>Defined benefit obligation</i>	<i>Discount rate less 0.25%</i>	<i>Defined benefit obligation</i>
Judges						
Pension scheme	1.50	25,529	1.75	24,784	1.25	26,310
Home leave benefits	0.13	54	0.38	54	0	54
Removal/travel on separation	0.13	104	0.38	103	0	104
Relocation allowance	0.13	539	0.38	535	0	541
Survivors benefit	0.13	6	0.38	6	0	6
Staff						
Home leave benefits	0.13	893	0.38	892	0	894
Family visit	0.13	10	0.38	10	0	10
Removal/Travel on separation	1.20	2,197	1.45	2,147	0.95	2,249
Repatriation grant	1.30	6,542	1.55	6,374	1.05	6,709
Death grant	1.20	403	1.45	395	0.95	411
ASHI	1.80	13,826	2.05	12,850	1.55	14,891

10.8 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>	<i>4%</i>	<i>5%</i>	<i>6%</i>
Defined benefit obligation as at 31/12/2016	11,797	13,826	16,323
Current Service cost for Fiscal year 2017	1,420	1,660	1,954

United Nations Joint Staff Pension Fund

10.9 The financial obligation of the Court to the Fund 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 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.

10.10 The actuarial valuation performed as of 31 December 2015 revealed an actuarial surplus of 0.16% (a deficit of 0.72% in the 2013 valuation) of pensionable remuneration, implying that the theoretical contribution rate required to achieve balance as of 31 December 2015 was 23.54% of pensionable remuneration, compared to the actual contribution rate of 23.70%. The next actuarial valuation will be conducted as of 31 December 2017 in 2018.

10.11 At 31 December 2015, the funded ratio of actuarial assets to actuarial liabilities, assuming no future pension adjustments, was 141.1% (127.5% in the 2013 valuation). The

funded ratio was 100.9% (91.2% in the 2013 valuation) when the current system of pension adjustments was taken into account.

10.12 After assessing the actuarial sufficiency of the Fund, the Consulting Actuary concluded that there was no requirement, as of 31 December 2015, 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 Fund. 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.

10.13 The Fund exposes participating organizations to actuarial risks associated with current and former employees of other organizations, with the result that there is no consistent and reliable basis for allocating the obligation and plan assets among participating organizations in the plan. The Court, as well as other participating organizations, is not in a position to identify its 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.

10.14 During 2016, total contributions paid to UNJSPF amounted to €20,512 thousand.

Service-incurred injury

10.15 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 2016 for this insurance was €786 thousand.

Secretariat of the Trust Fund for Victims

10.16 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 €211 thousand.

10.17 The value of annual leave due to employees of the Secretariat of the Trust Fund for Victims as at 31 December 2016, also provided on a pooled basis, are included in the Court's liabilities and amounted to €68 thousand.

11. Host State loan

<i>In thousands of euros</i>	<i>2016</i>	<i>2015</i>
Host State loan current	1,759	891
Host State loan non-current	72,509	77,120
Total	74,268	78,011

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	2,984	10,755	95,006	108,745

12. Deferred revenue and accrued expenses

<i>In thousands of euros</i>	<i>2016</i>	<i>2015</i>
Assessed contributions in advance	4,379	280
Deferred voluntary contributions	387	805
Accrued expenses	3,479	13,795
Accrual on host State loan	2,984	2,186
Total	11,229	17,066

12.1 Assessed contributions received in advance: €4,379 thousand was received from States Parties to be applied to the next financial period.

12.2 Deferred voluntary contributions represent contributions of European Commission (€375 thousand) and other donors (€14 thousand) for period 2017 activities of the Trust Fund "Building Legal Expertise and Fostering Cooperation".

13. Provisions

<i>In thousands of euros</i>	<i>2016</i>	<i>2015</i>
Provision for ILOAT cases	2,171	251
Provision for US tax	86	131
Provision for termination benefits	-	117
Provision for early termination of Headquarters lease	-	1,756
Total	2,257	2,255

Changes in provisions

<i>In thousands of euros</i>	<i>ILOAT provision</i>	<i>US tax provision</i>	<i>Termination benefits provision</i>	<i>Early termination of lease</i>	<i>Total</i>
Provision as at 1 January 2016 (restated)	251	131	117	1,756	2,255
Increase in provision	2,011	65	-	-	2,076
Decrease due to payments	(58)	(75)	(72)	(1,239)	(1,444)
Decrease due to reversals	(33)	(35)	(45)	(517)	(630)
Provision as at 31 December 2016	2,171	86	-	-	2,257

13.1 Provision for ILOAT cases: At the end of 2016, twenty one cases were filed with the Administrative Tribunal of the International Labour Organization (ILOAT) by current or former staff members of the Court. A total of €2,171 thousand is earmarked for six cases. Other cases pending as at 31 December 2016 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 €86 thousand estimated for the year 2016 for nine United States taxpayers on the payroll of the Court during this period.

14. Net assets/equity

<i>In thousands of euros</i>	2016	2015
General		
Contingency Fund	5,791	5,791
Working Capital Fund	3,664	1,616
General Funds		
Funds for Employee Benefit Liabilities	172	6,395
Cash Surplus / (Deficit)	5,394	95
Other General Fund	(16,964)	(6,525)
Remeasurement of post-employment related plans	(3,419)	-
Total General balances	(5,362)	7,372
Other fund balances		
Permanent Premises Project	119,591	118,583
Trust Funds	1,623	1,519
Total other fund balances	121,214	120,102
Total	115,852	127,474

14.1 Contingency Fund: the amount of €9,169 thousand representing the cash surplus for the 2002 and 2003 financial periods was credited to establish the Contingency Fund in accordance with resolution ICC-ASP/ICC/Res.4(b). The level of the Contingency Fund was subsequently reduced and established at €7 million (Schedule 2).

14.2 Working Capital Fund: the Assembly, in its resolution ICC-ASP/14/Res.1, established the Working Capital Fund for the financial period 1 January to 31 December 2016 at €7,406 thousand, the same level as in the previous financial period. In 2016 the amount of €3,837 thousand was used from the Working Capital Fund to fund permanent premises costs and the 2014 cash surplus of €5 thousand was used to replenish the Working Capital Fund (ICC-ASP/14/Res.1).

14.3 Funds for Employee Benefit Liabilities: were reduced by €6,223 thousand in 2016 to fund 2016 employee benefits and a part of permanent premises costs (ICC-ASP/14/Res.1).

15. Revenue

<i>In thousands of euros</i>	Note	2016	2015
Assessed contributions			
To programme budget	15.1	136,886	125,850
To Permanent Premises Project		246	41,365
To total cost of Permanent Premises	15.2	51	-
Change in provision for doubtful debt		(4,122)	(96)
<i>Sub-total assessed contributions</i>		<i>133,061</i>	<i>167,119</i>
Voluntary contributions			
To programme budget	15.3	805	2,834
To trust funds		984	1,409
<i>Sub-total voluntary contributions</i>		<i>1,789</i>	<i>4,243</i>

<i>In thousands of euros</i>	Note	2016	2015
Financial revenue			
Interest revenue		45	179
<i>Sub-total financial revenue</i>		45	179
Other revenue			
Host State contribution to Permanent Premises Project		652	21,463
Other miscellaneous revenue		836	489
<i>Sub-total other revenue</i>		1,488	21,952
Total revenue		136,383	193,493

15.1 Assessed contributions to programme budget: the Assembly, in its resolution ICC-ASP/14/Res.1, approved the funding of the appropriations of the Court for the financial period 1 January to 31 December 2016 in a total amount of €139,591 thousand, €1,885 thousand of which related to contributions to the Secretariat of the Trust Fund for Victims. The assessed contributions have been further adjusted by €805 thousand of the voluntary contribution from the host State for the costs of the interim premises (Major Programme V) and by €15 thousand of difference between actual and budgeted interest for the host State loan.

15.2 Assessed contributions to total cost of permanent premises: relate to contributions from new States Parties that joined the Court after 2015, which are assessed against the total cost of the permanent premises (ICC-ASP/14/Res.5, paragraph 55).

15.3 Voluntary contributions to the programme budget: represents a contribution from the host State for the costs of the interim premises.

Contributions in kind

15.4 In 2016, the Court hired a number of short term pro-bono personnel, representing receipt of services in kind at a value of €284 thousand.

15.5 In 2016 the fifteenth 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 €290 thousand.

16. Employee benefit expenses

<i>In thousands of euros</i>	2016	2015
Judges' salaries	3,250	2,971
Judges' entitlements and allowances	3,148	1,553
Staff salaries	47,627	44,329
Staff entitlements and allowances	24,981	25,076
Temporary assistance	21,427	25,334
Total	100,433	99,263

16.1 In 2016 one ex-gratia payment for €193 was made.

17. Travel and hospitality expenses

<i>In thousands of euros</i>	2016	2015
Hospitality	36	32
Travel	5,295	6,651
Total	5,331	6,683

18. Expenses for contractual services

<i>In thousands of euros</i>	2016	2015
Public information	425	666
External translation	683	1,031
Training	759	761
Consultants and individual contractors	1,719	-
Other contractual services	1,766	6,601
Total	5,352	9,059

19. Expenses for counsel fees

<i>In thousands of euros</i>	2016	2015
Counsel for defence	4,601	4,761
Counsel for victims	945	1,016
Total	5,546	5,777

20. Operating expenses

<i>In thousands of euros</i>	2016	2015
Rental, utility and maintenance	4,501	8,994
Communications and software maintenance	2,993	2,817
Witness-related expenses	2,166	2,889
Other operating expenses	1,632	2,357
Total	11,292	17,057

21. Supplies and materials expenses

<i>In thousands of euros</i>	2016	2015
Office supplies	570	385
Library books, magazines and subscriptions	150	140
Other supplies	475	534
Low value asset purchases	1,278	1,287
Total	2,473	2,346

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>	2016	2015
Depreciation	11,652	2,894
Amortization	441	414
Total	12,093	3,308

22.1 No material impairment losses were incurred in 2016.

23. Financial expenses

<i>In thousands of euros</i>	2016	2015
Bank charges	55	58
Net foreign exchange loss	33	77
Interest expense on the host State loan	2,133	2,861
Total	2,221	2,996

23.1 Interest expense on the host State loan amounting to €2,133 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 Permanent Premises Project funds and 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 2016 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)	3,010	-	-	3,010
Basis differences	11,393	(410)	-	10,983
Presentation differences	-	109	(9,532)	(9,423)
Entity differences	(3,526)	(8,773)	5,103	(7,196)
Actual amount in the Statement of cash flows (Statement IV)	10,877	(9,074)	(4,429)	(2,626)

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 Permanent Premises Project funds and 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 2016.

25. Segment Reporting

Statement of financial position by segment as at 31 December 2016

<i>In thousands of euros</i>	<i>General</i>	<i>Trust Funds</i>	<i>Permanent Premises Project Funds</i>	<i>Inter- segment</i>	<i>Total</i>
Assets					
<i>Current assets</i>					
Cash and cash equivalents	18,060	2,344	-	-	20,404
Accounts receivable (non-exchange transactions)	13,815	16	101	-	13,932
Other accounts receivable	3,202	2	934	(932)	3,206
Prepayments and other current assets	2,861	44	-	-	2,905
<i>Total current assets</i>	<i>37,938</i>	<i>2,406</i>	<i>1,035</i>	<i>(932)</i>	<i>40,447</i>
<i>Non-current assets</i>					
Accounts receivable (non-exchange transactions)	41	-	-	-	41
Property, plant and equipment	2,790	-	196,938	-	199,728
Intangible assets	1,291	-	51	-	1,342
Reimbursement right	25,529	-	-	-	25,529
<i>Total non-current assets</i>	<i>29,651</i>	<i>-</i>	<i>196,989</i>	<i>-</i>	<i>226,640</i>
Total assets	67,589	2,406	198,024	(932)	267,087
Liabilities					
<i>Current liabilities</i>					
Accounts payable	6,039	367	222	(932)	5,696
Employee benefit liabilities	9,716	12	-	-	9,728
Host State loan	-	-	1,759	-	1,759
Deferred revenue and accrued expenses	6,882	404	3,943	-	11,229
Provisions	2,257	-	-	-	2,257
<i>Total current liabilities</i>	<i>24,894</i>	<i>783</i>	<i>5,924</i>	<i>(932)</i>	<i>30,669</i>
<i>Non-current liabilities</i>					
Accounts payable	586	-	-	-	586
Employee benefit liabilities	47,471	-	-	-	47,471
Host State loan	-	-	72,509	-	72,509
<i>Total non-current liabilities</i>	<i>48,057</i>	<i>-</i>	<i>72,509</i>	<i>-</i>	<i>120,566</i>
Total liabilities	72,951	783	78,433	(932)	151,235

<i>In thousands of euros</i>	<i>General</i>	<i>Trust Funds</i>	<i>Permanent Premises Project Funds</i>	<i>Inter- segment</i>	<i>Total</i>
Net assets/equity					
Contingency Fund	5,791	-	-	-	5,791
Working Capital Fund	3,664	-	-	-	3,664
Other fund balances	(14,817)	1,623	119,591	-	106,397
Total net assets/equity	(5,362)	1,623	119,591	-	115,852
Total liabilities and net assets/equity	67,589	2,406	198,024	(932)	267,087

Statement of financial position by segment as at 31 December 2015

<i>In thousands of euros</i>	<i>General</i>	<i>Trust Funds</i>	<i>Permanent Premises Project Funds</i>	<i>Inter- segment</i>	<i>Total</i>
Assets					
<i>Current assets</i>					
Cash and cash equivalents	13,795	2,153	7,078	-	23,026
Accounts receivable (non-exchange transactions)	20,380	130	-	-	20,510
Other accounts receivable	2,892	7	1,062	(1,539)	2,422
Prepayments and other current assets	2,334	26	-	-	2,360
<i>Total current assets</i>	<i>39,401</i>	<i>2,316</i>	<i>8,140</i>	<i>(1,539)</i>	<i>48,318</i>
<i>Non-current assets</i>					
Property, plant and equipment	2,037	-	206,533	-	208,570
Intangible assets	1,290	-	63	-	1,353
Reimbursement right	23,235	-	-	-	23,235
<i>Total non-current assets</i>	<i>26,562</i>	<i>-</i>	<i>206,596</i>	<i>-</i>	<i>233,158</i>
Total assets	65,963	2,316	214,736	(1,539)	281,476
Liabilities					
<i>Current liabilities</i>					
Accounts payable	4,782	612	6,071	(1,539)	9,926
Employee benefit liabilities	9,304	9	9	-	9,322
Host State loan	-	-	891	-	891
Deferred revenue and accrued expenses	4,828	176	12,062	-	17,066
Provisions	2,255	-	-	-	2,255
<i>Total current liabilities</i>	<i>21,169</i>	<i>797</i>	<i>19,033</i>	<i>(1,539)</i>	<i>39,460</i>
<i>Non-current liabilities</i>					
Accounts payable	50	-	-	-	50
Employee benefit liabilities	37,372	-	-	-	37,372
Host State loan	-	-	77,120	-	77,120
Provisions	-	-	-	-	-
<i>Total non-current liabilities</i>	<i>37,422</i>	<i>-</i>	<i>77,120</i>	<i>-</i>	<i>114,542</i>
Total liabilities	58,591	797	96,153	(1,539)	154,002

<i>In thousands of euros</i>	<i>General</i>	<i>Trust Funds</i>	<i>Permanent Premises Project Funds</i>	<i>Inter-segment</i>	<i>Total</i>
Net assets/equity					
Contingency Fund	5,791	-	-	-	5,791
Working Capital Fund	1,616	-	-	-	1,616
Other fund balances	(35)	1,519	118,583	-	120,067
Total net assets/equity	7,372	1,519	118,583	-	127,474
Total liabilities and net assets/equity	65,963	2,316	214,736	(1,539)	281,476

Statement of financial performance by segment for the year ended 31 December 2016

<i>In thousands of euros</i>	<i>General</i>	<i>Trust Funds</i>	<i>Permanent Premises Project Fund</i>	<i>Total</i>
Revenue				
Assessed contributions	129,433	-	3,628	133,061
Voluntary contributions	805	984	-	1,789
Financial revenue	43	2	-	45
Other revenue	835	1	652	1,488
Total revenue	131,116	987	4,280	136,383
Expenses				
Employee benefit expenses	100,218	187	28	100,433
Travel and hospitality	4,999	332	-	5,331
Contractual services	5,288	295	(231)	5,352
Counsel fees	5,546	-	-	5,546
Operating expenses	11,253	67	(28)	11,292
Supplies and materials	2,386	-	87	2,473
Depreciation and amortization	1,279	-	10,814	12,093
Financial expenses	85	2	2,134	2,221
Total expenses	131,054	883	12,804	144,741
Surplus/(deficit) for the period	62	104	(8,524)	(8,358)

Statement of financial performance by segment for the year ended 31 December 2015

<i>In thousands of euros</i>	<i>General</i>	<i>Trust Funds</i>	<i>Permanent Premises Project Fund</i>	<i>Inter-segment</i>	<i>Total</i>
Revenue					
Assessed contributions	124,685	-	42,434	-	167,119
Voluntary contributions	2,831	1,400	12	-	4,243
Financial revenue	157	3	19	-	179
Other revenue	542	-	21,463	(53)	21,952
Total revenue	128,215	1,403	63,928	(53)	193,493

<i>In thousands of euros</i>	<i>General</i>	<i>Permanent</i>		<i>Inter segment</i>	<i>Total</i>
		<i>Trust Funds</i>	<i>Premises Project Fund</i>		
Expenses					
Employee benefit expenses	98,809	157	297	-	99,263
Travel and hospitality	6,419	264	-	-	6,683
Contractual services	4,781	167	4,111	-	9,059
Counsel fees	5,777	-	-	-	5,777
Operating expenses	16,355	298	457	(53)	17,057
Supplies and materials	1,405	2	939	-	2,346
Depreciation and amortization	1,300	-	2,008	-	3,308
Financial expenses	105	2	2,889	-	2,996
Total expenses	134,951	890	10,701	(53)	146,489
Surplus/(deficit) for the period	(6,736)	513	53,227	-	47,004

26. Commitments and operating leases

Operating leases

26.1 Operating costs include lease payments in an amount of €3,347 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 2016, the Court had no material contractual commitments for the acquisition of property plant and equipment contracted but not delivered.

27. Contingent liabilities

27.1 At the end of 2016, fifteen 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 €2.6 million is disclosed as contingent liabilities for these cases.

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	2,472	103

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	233	535	1039	1,807

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 2016, the Assembly approved an appropriation of €1,885 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 unspent amount of appropriations for the current and prior period in an amount of €653 thousand is recognized as a liability towards the Trust Fund for Victims and is pending credit to States Parties. 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 2016 as stated in note 7 above, a total amount of €7 thousand was written off as the value of receivables deemed to be irrecoverable.

30. Events after the reporting date

30.1 On 27 June 2017 the Administrative Tribunal of the International Labour Organization (ILOAT) delivered the judgement on two disputed cases which were disclosed as part of contingent liabilities, at an estimated amount of €862 thousand, at the time the financial statements were authorised for issuance.

30.2 According to the ILOAT decision of 27 June 2017, the Court is ordered to pay the complainants an amount equal to the difference between the pensions the complainants were paid and the pensions they would have been paid under the original Pension Scheme Regulations together with interest thereon at the rate of 5 per cent per annum and the costs in the amount of €7,000. The total amount thus payable to the complainants is €344 thousand and the amount payable to the Court's pension administrator Allianz NL is €1,467 thousand. As a result of this event the contingent liabilities are reduced by the original estimate of €862 thousand, and the provision for ILOAT cases is increased by €1,811 thousand.

Annex

Schedule 1

International Criminal Court - Status of contributions as at 31 December 2016 (in euros)

States Parties	Outstanding as at 31-12-2015			Assessed	Credits from 2015			Total outstanding	Receipts relating to 2017
	Collections	Outstanding	Prior years		2016	Collections	Outstanding		
Afghanistan	-	-	-	14,058	-	14,058	-	-	-
Albania	45	45	-	18,576	-	18,576	-	-	-
Andorra	-	-	-	13,952	-	13,952	-	-	-
Antigua and Barbuda	7,816	5,487	2,329	4,749	-	105	4,644	6,973	254
Argentina	858,214	858,214	-	2,084,682	-	1,039,866	1,044,816	1,044,816	-
Australia	-	-	-	5,437,180	-	5,437,180	-	-	1,048
Austria	-	-	-	1,739,207	-	1,739,207	-	-	295
Bangladesh	-	-	-	14,165	-	14,165	-	-	675
Barbados	-	-	-	16,254	-	16,254	-	-	-
Belgium	-	-	-	2,139,216	-	2,139,216	-	-	296
Belize	-	-	-	2,403	-	2,403	-	-	-
Benin	21,584	7,395	14,189	7,209	-	-	7,209	21,398	-
Bolivia	-	-	-	28,035	-	28,035	-	-	-
Bosnia and Herzegovina	-	-	-	30,185	-	30,185	-	-	-
Botswana	-	-	-	33,872	-	33,872	-	-	144
Brazil	11,413,371	11,413,371	-	9,130,333	-	2,156,758	6,973,575	6,973,575	-
Bulgaria	-	-	-	108,538	6,578	101,960	-	-	5,044
Burkina Faso	-	-	-	9,381	1,396	4,406	3,579	3,579	-
Burundi	373	-	373	2,403	-	-	2,403	2,776	-
Cabo Verde	3,918	-	3,918	2,403	-	-	2,403	6,321	-
Cambodia	-	-	-	9,537	7,602	1,935	-	-	-
Canada	-	-	-	6,795,928	-	6,795,928	-	-	1,045
Central African Republic	795	-	795	2,403	-	-	2,403	3,198	-
Chad	697	-	697	11,697	-	-	11,697	12,394	-
Chile	-	-	-	928,369	-	928,369	-	-	7
Colombia	313,510	-	313,510	753,920	-	-	753,920	1,067,430	-
Comoros	14,438	-	14,438	2,403	-	-	2,403	16,841	-
Congo	33,028	-	33,028	14,331	-	-	14,331	47,359	-
Cook Islands	19	19	-	2,403	-	2,375	28	28	-
Costa Rica	-	-	-	109,487	16,795	84,608	8,084	8,084	-
Côte d'Ivoire	-	-	-	21,783	-	21,783	-	-	-
Croatia	-	-	-	240,405	9,849	230,556	-	-	145
Cyprus	-	-	-	101,671	-	101,671	-	-	145
Czech Republic	-	-	-	804,884	-	804,884	-	-	7
Democratic Republic of the Congo	-	-	-	13,678	-	-	13,678	13,678	-
Denmark	-	-	-	1,364,037	-	1,364,037	-	-	151
Djibouti	2,018	-	2,018	2,403	-	-	2,403	4,421	-
Dominica	5,718	-	5,718	2,403	-	-	2,403	8,121	-
Dominican Republic	255,882	102,276	153,606	110,698	-	-	110,698	264,304	-
Ecuador	-	-	-	155,844	-	155,844	-	-	-
El Salvador	-	-	-	18,985	-	-	18,985	18,985	-
Estonia	-	-	-	88,656	-	88,656	-	-	-
Fiji	-	-	-	7,209	920	6,289	-	-	-
Finland	-	-	-	1,060,856	-	1,060,856	-	-	12,352
France	-	-	-	11,754,325	8	11,754,317	-	-	1,643
Gabon	77,681	77,681	-	40,624	-	40,624	-	-	-
Gambia	-	-	-	2,403	-	-	2,403	2,403	-
Georgia	-	-	-	18,576	-	18,576	-	-	-
Germany	-	-	-	14,920,566	15	14,920,551	-	-	2,551
Ghana	-	-	-	38,411	8,211	-	30,200	30,200	-
Greece	-	-	-	1,118,773	-	1,118,773	-	-	152
Grenada	6,185	6,185	-	2,403	-	2,403	-	-	-
Guatemala	50,655	50,655	-	67,320	-	67,320	-	-	74,540
Guinea	9,848	-	9,848	4,725	-	-	4,725	14,573	-
Guyana	-	-	-	4,725	3,549	1,176	-	-	1,707
Honduras	8,396	8,396	-	19,218	-	1,230	17,988	17,988	-
Hungary	-	-	-	377,677	1,363	376,314	-	-	2,006
Iceland	-	-	-	53,541	-	53,541	-	-	18,166
Ireland	-	-	-	779,355	-	779,355	-	-	143
Italy	-	-	-	8,720,003	8	8,719,995	-	-	666,084

States Parties	Outstanding as at 31-12-2015			Assessed	Credits from 2015			Total outstanding	Receipts relating to 2017
	Collections	Outstanding			Collections	Outstanding			
	Prior years			2016					
Japan	-	-	-	23,391,916	4,244	23,387,672	-	-	-
Jordan	-	-	-	46,576	-	46,576	-	-	-
Kenya	-	-	-	42,979	267	42,712	-	-	1,396
Latvia	-	-	-	118,795	-	118,795	-	-	-
Lesotho	750	678	72	2,403	-	-	2,403	2,475	-
Liberia	1,788	1,788	-	2,403	-	2,258	145	145	-
Liechtenstein	-	-	-	16,254	-	16,254	-	-	716
Lithuania	-	-	-	168,533	168,533	-	-	-	173,602
Luxembourg	-	-	-	148,878	-	148,878	-	-	-
Madagascar	-	-	-	7,209	7,209	-	-	-	3,559
Malawi	13,031	-	13,031	4,806	-	-	4,806	17,837	-
Maldives	2,187	2,049	138	4,725	-	-	4,725	4,863	-
Mali	15,672	15,672	-	7,290	-	7,211	79	79	-
Malta	-	-	-	37,288	-	37,288	-	-	-
Marshall Islands	1,034	-	1,034	2,403	-	-	2,403	3,437	-
Mauritius	-	-	-	27,863	-	27,863	-	-	-
Mexico	3,645,451	3,645,451	-	3,338,686	-	662,770	2,675,916	2,675,916	-
Mongolia	-	-	-	11,610	-	11,610	-	-	-
Montenegro	-	-	-	9,288	-	9,288	-	-	-
Namibia	-	-	-	23,219	-	23,219	-	-	-
Nauru	-	-	-	2,403	-	2,388	15	15	-
Netherlands	-	-	-	3,447,954	8	3,447,946	-	-	199,218
New Zealand	-	-	-	643,843	-	643,843	-	-	676,298
Niger	21,925	-	21,925	4,806	-	-	4,806	26,731	-
Nigeria	278,426	-	278,426	493,474	-	-	493,474	771,900	-
Norway	-	-	-	2,043,678	-	2,043,678	-	-	302
Panama	51,538	51,538	-	79,506	-	19,491	60,015	60,015	-
Paraguay	23,459	23,459	-	33,311	-	33,311	-	-	733
Peru	13,455	13,455	-	325,868	-	26	325,842	325,842	-
Philippines	-	-	-	385,802	-	385,802	-	-	128
Poland	-	-	-	1,956,718	-	1,956,718	-	-	2,028,278
Portugal	-	-	-	911,979	-	911,979	-	-	38,370
Republic of Korea	-	-	-	4,875,871	-	4,875,871	-	-	175,396
Republic of Moldova	-	-	-	9,288	-	9,288	-	-	-
Romania	-	-	-	436,189	-	436,189	-	-	144
Saint Kitts and Nevis	2,018	2,018	-	2,403	-	2,403	-	-	-
Saint Lucia	-	-	-	2,403	50	2,353	-	-	-
Saint Vincent and the Grenadines	7,321	7,321	-	2,403	-	2,207	196	196	-
Samoa	-	-	-	2,323	-	2,323	-	-	-
San Marino	-	-	-	6,973	-	6,973	-	-	-
Senegal	-	-	-	12,090	-	12,090	-	-	-
Serbia	-	-	-	76,087	711	75,376	-	-	711
Seychelles	-	-	-	2,403	-	2,403	-	-	-
Sierra Leone	-	-	-	2,403	2,403	-	-	-	4,198
Slovakia	-	-	-	374,018	-	374,018	-	-	145
Slovenia	115,058	115,058	-	197,712	-	197,712	-	-	-
South Africa	-	-	-	848,490	-	848,490	-	-	144
Spain	-	-	-	5,683,852	8	5,683,844	-	-	1,507
State of Palestine	-	-	-	16,641	-	16,641	-	-	101
Suriname	8,049	7,768	281	14,181	-	-	14,181	14,462	-
Sweden	-	-	-	2,224,152	-	2,224,152	-	-	86,342
Switzerland	-	-	-	2,652,346	-	2,652,346	-	-	195,272
Tajikistan	3,443	3,443	-	9,531	-	4,458	5,073	5,073	-
The former Yugoslav Republic of Macedonia	15,815	15,815	-	16,896	-	16,896	-	-	-
Timor-Leste	-	-	-	7,030	6	-	7,024	7,024	-
Trinidad and Tobago	-	-	-	79,083	-	79,083	-	-	-
Tunisia	164	164	-	68,043	-	68,043	-	-	-
Uganda	33,857	-	33,857	14,139	-	-	14,139	47,996	-
United Kingdom	-	-	-	10,409,624	28,134	10,381,490	-	-	4,127
United Republic of Tanzania	60,128	-	60,128	14,165	-	-	14,165	74,293	-
Uruguay	-	-	-	188,021	-	188,021	-	-	-
Vanuatu	7,191	3,274	3,917	2,403	-	-	2,403	6,320	-
Venezuela	3,379,723	1,770	3,377,953	1,378,810	-	-	1,378,810	4,756,763	-
Zambia	-	-	-	14,139	-	-	14,139	14,139	-
<i>Rounding difference</i>	-	-	-	805	-	805	-	-	-
<i>Difference actual and budgeted loan interest</i>	-	-	-	14,781	-	14,781	-	-	-
Total									
(124 States Parties).	20,785,674	16,440,445	4,345,229	138,785,600	267,867	124,457,996	14,059,737	18,404,966	4,379,287

Schedule 2

International Criminal Court - Status of Working Capital Fund and Contingency Fund as at 31 December 2016 (in euros)

Status of Working Capital Fund

	2016	2015
Balance at beginning of financial period	1,615,124	7,286,473
Refunds to States Parties	(393,293)	(581)
Receipts from States Parties	364,492	119,696
Withdrawals	(3,837,292) ⁽¹⁾	(5,790,464)
Replenishments	5,790,464	-
2014 Cash Surplus	95,020 ⁽²⁾	-
Balance as at 31 December	3,634,515	1,615,124
Established level	7,405,983	7,405,983
Due from States Parties (Schedule 3)	(29,196)	(395)
Funding shortage	(3,742,272)	(5,790,464)
Balance as at 31 December	3,634,515	1,615,124

Status of Contingency Fund

	2016	2015
Balance at beginning of financial period	5,784,923	7,468,427
Receipts from States Parties	385	25,450
Withdrawals	-	(1,708,954)
Replenishments	-	-
Balance as at 31 December	5,785,308	5,784,923
Established level	7,000,000	7,000,000
Due from States Parties (Schedule 4)	(5,738)	(6,123)
Funding shortage	(1,208,954)	(1,208,954)
Balance as at 31 December	5,785,308	5,784,923

⁽¹⁾ Funding of permanent premises costs (ICC-ASP/14/Res.1.B, paragraph 5).

⁽²⁾ 2014 cash surplus was used for the replenishment of the Working Capital Fund in accordance with ICC-ASP/14/Res.1.B, paragraph 3.

Schedule 3

International Criminal Court - Status of advances to the Working Capital Fund as at 31 December 2016 (in euros)

<i>States Parties</i>	<i>2016 Scale of assessment</i>	<i>Working Capital Fund</i>	<i>Cumulative payments</i>	<i>Outstanding</i>
Afghanistan	0.0100	741	741	-
Albania	0.0136	1,007	1,007	-
Andorra	0.0102	755	755	-
Antigua and Barbuda	0.0034	252	252	-
Argentina	1.5193	112,519	112,519	-
Australia	3.9804	294,788	294,788	-
Austria	1.2263	90,820	90,820	-
Bangladesh	0.0100	741	741	-
Barbados	0.0119	881	881	-
Belgium	1.5074	111,638	111,638	-
Belize	0.0017	126	126	-
Benin	0.0051	378	378	-
Bolivia	0.0204	1,511	1,511	-
Bosnia and Herzegovina	0.0221	1,637	1,637	-
Botswana	0.0238	1,763	1,763	-
Brazil	6.5114	482,233	482,233	-
Bulgaria	0.0766	5,673	5,673	-
Burkina Faso	0.0068	504	504	-
Burundi	0.0017	126	118	8
Cabo Verde	0.0017	126	118	8
Cambodia	0.0068	504	504	-
Canada	4.9751	368,455	368,455	-
Central African Republic	0.0017	126	118	8
Chad	0.0085	630	237	393
Chile	0.6796	50,331	50,331	-
Colombia	0.5484	40,614	30,483	10,131
Comoros	0.0017	126	118	8
Congo	0.0102	755	420	335
Cook Islands	0.0017	126	126	-
Costa Rica	0.0801	5,932	5,932	-
Côte d'Ivoire	0.0153	1,133	1,133	-
Croatia	0.1686	12,486	12,486	-
Cyprus	0.0732	5,421	5,421	-
Czech Republic	0.5859	43,392	43,392	-
Democratic Republic of the Congo	0.0100	741	355	386
Denmark	0.9947	73,667	73,667	-
Djibouti	0.0017	126	118	8
Dominica	0.0017	126	118	8
Dominican Republic	0.0783	5,799	5,799	-
Ecuador	0.1141	8,450	8,450	-
El Salvador	0.0238	1,763	-	1,763
Estonia	0.0647	4,792	4,792	-
Fiji	0.0051	378	378	-
Finland	0.7767	57,522	57,522	-
France	8.2760	612,919	612,919	-
Gabon	0.0290	2,148	2,148	-
Gambia	0.0017	126	118	8
Georgia	0.0136	1,007	1,007	-
Germany	10.8819	805,912	805,912	-
Ghana	0.0273	2,022	2,022	-
Greece	0.8022	59,411	59,411	-
Grenada	0.0017	126	126	-
Guatemala	0.0477	3,533	3,533	-
Guinea	0.0034	252	118	134
Guyana	0.0034	252	252	-
Honduras	0.0136	1,007	1,007	-
Hungary	0.2742	20,307	20,307	-
Iceland	0.0392	2,903	2,903	-
Ireland	0.5706	42,259	42,259	-
Italy	6.3837	472,776	472,776	-

<i>States Parties</i>	<i>2016 Scale of assessment</i>	<i>Working Capital Fund</i>	<i>Cumulative payments</i>	<i>Outstanding</i>
Japan	16.4872	1,221,039	1,221,039	-
Jordan	0.0341	2,525	2,525	-
Kenya	0.0307	2,274	2,274	-
Latvia	0.0852	6,310	6,310	-
Lesotho	0.0017	126	126	-
Liberia	0.0017	126	126	-
Liechtenstein	0.0119	881	881	-
Lithuania	0.1226	9,080	9,080	-
Luxembourg	0.1090	8,073	8,073	-
Madagascar	0.0051	378	378	-
Malawi	0.0034	252	140	112
Maldives	0.0034	252	252	-
Mali	0.0051	378	378	-
Malta	0.0273	2,022	2,022	-
Marshall Islands	0.0017	126	118	8
Mauritius	0.0204	1,511	1,511	-
Mexico	2.4441	181,010	181,010	-
Mongolia	0.0085	630	630	-
Montenegro	0.0068	504	504	-
Namibia	0.0170	1,259	1,259	-
Nauru	0.0017	126	126	-
Netherlands	2.5242	186,942	186,942	-
New Zealand	0.4565	33,808	33,808	-
Niger	0.0034	252	222	30
Nigeria	0.3560	26,365	10,591	15,774
Norway	1.4460	107,091	107,091	-
Panama	0.0579	4,288	4,288	-
Paraguay	0.0238	1,763	1,763	-
Peru	0.2316	17,152	17,152	-
Philippines	0.2810	20,811	20,811	-
Poland	1.4324	106,083	106,083	-
Portugal	0.6677	49,450	49,450	-
Republic of Korea	3.4729	257,202	257,202	-
Republic of Moldova	0.0068	504	504	-
Romania	0.3134	23,210	23,210	-
Saint Kitts and Nevis	0.0017	126	126	-
Saint Lucia	0.0017	126	126	-
Saint Vincent and the Grenadines	0.0017	126	126	-
Samoa	0.0017	126	126	-
San Marino	0.0051	378	378	-
Senegal	0.0085	630	630	-
Serbia	0.0545	4,036	4,036	-
Seychelles	0.0017	126	126	-
Sierra Leone	0.0017	126	126	-
Slovakia	0.2725	20,181	20,181	-
Slovenia	0.1431	10,598	10,598	-
South Africa	0.6200	45,917	45,917	-
Spain	4.1610	308,163	308,163	-
State of Palestine	0.0119	881	881	-
Suriname	0.0102	755	755	-
Sweden	1.6283	120,592	120,592	-
Switzerland	1.9417	143,802	143,802	-
Tajikistan	0.0068	504	504	-
The former Yugoslav Republic of Macedonia	0.0119	881	881	-
Timor-Leste	0.0051	378	378	-
Trinidad and Tobago	0.0579	4,288	4,288	-
Tunisia	0.0477	3,533	3,533	-
Uganda	0.0100	741	704	37
United Kingdom	7.6015	562,966	562,966	-
United Republic of Tanzania	0.0100	741	741	-
Uruguay	0.1346	9,968	9,968	-
Vanuatu	0.0017	126	126	-
Venezuela	0.9725	72,023	72,023	-
Zambia	0.0100	741	704	37
<i>Rounding difference</i>	<i>0.0005</i>	<i>27</i>	<i>27</i>	<i>-</i>
Total (124 States Parties)	100.00	7,405,983	7,376,787	29,196

Schedule 4

International Criminal Court - Status of contributions to the Contingency Fund for 2016 (in euros)

<i>States Parties</i>	<i>Outstanding as at 31-12-2015</i>	<i>Replenishment of Contingency Fund</i>	<i>Collections</i>	<i>Outstanding as at 31-12-2016</i>
Afghanistan	-	-	-	-
Albania	-	-	-	-
Andorra	-	-	-	-
Antigua and Barbuda	-	-	-	-
Argentina	-	-	-	-
Australia	-	-	-	-
Austria	-	-	-	-
Bangladesh	-	-	-	-
Barbados	-	-	-	-
Belgium	-	-	-	-
Belize	-	-	-	-
Benin	24	-	-	24
Bolivia	-	-	-	-
Bosnia and Herzegovina	-	-	-	-
Botswana	-	-	-	-
Brazil	-	-	-	-
Bulgaria	-	-	-	-
Burkina Faso	-	-	-	-
Burundi	-	-	-	-
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	-	-	-	-
Czech Republic	-	-	-	-
Democratic Republic of the Congo	-	-	-	-
Denmark	-	-	-	-
Djibouti	-	-	-	-
Dominica	8	-	-	8
Dominican Republic	358	-	358	-
Ecuador	-	-	-	-
El Salvador	-	-	-	-
Estonia	-	-	-	-
Fiji	-	-	-	-
Finland	-	-	-	-
France	-	-	-	-
Gabon	-	-	-	-
Gambia	-	-	-	-
Georgia	-	-	-	-
Germany	-	-	-	-
Ghana	-	-	-	-
Greece	-	-	-	-
Grenada	8	-	8	-
Guatemala	-	-	-	-
Guinea	84	-	-	84
Guyana	-	-	-	-
Honduras	-	-	-	-
Hungary	-	-	-	-
Iceland	-	-	-	-
Ireland	-	-	-	-
Italy	-	-	-	-

<i>States Parties</i>	<i>Outstanding as at 31-12-2015</i>	<i>Replenishment of Contingency Fund</i>	<i>Collections</i>	<i>Outstanding as at 31-12-2016</i>
Japan	-	-	-	-
Jordan	-	-	-	-
Kenya	-	-	-	-
Latvia	-	-	-	-
Lesotho	-	-	-	-
Liberia	-	-	-	-
Liechtenstein	-	-	-	-
Lithuania	-	-	-	-
Luxembourg	-	-	-	-
Madagascar	-	-	-	-
Malawi	26	-	-	26
Maldives	-	-	-	-
Mali	-	-	-	-
Malta	-	-	-	-
Marshall Islands	-	-	-	-
Mauritius	-	-	-	-
Mexico	-	-	-	-
Mongolia	-	-	-	-
Montenegro	-	-	-	-
Namibia	-	-	-	-
Nauru	-	-	-	-
Netherlands	-	-	-	-
New Zealand	-	-	-	-
Niger	92	-	-	92
Nigeria	-	-	-	-
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	11	-	11	-
Samoa	-	-	-	-
San Marino	-	-	-	-
Senegal	-	-	-	-
Serbia	-	-	-	-
Seychelles	-	-	-	-
Sierra Leone	-	-	-	-
Slovakia	-	-	-	-
Slovenia	-	-	-	-
South Africa	-	-	-	-
Spain	-	-	-	-
State of Palestine	-	-	-	-
Suriname	-	-	-	-
Sweden	-	-	-	-
Switzerland	-	-	-	-
Tajikistan	-	-	-	-
The former Yugoslav Republic of Macedonia	-	-	-	-
Timor-Leste	-	-	-	-
Trinidad and Tobago	-	-	-	-
Tunisia	-	-	-	-
Uganda	48	-	-	48
United Kingdom	-	-	-	-
United Republic of Tanzania	354	-	-	354
Uruguay	-	-	-	-
Vanuatu	8	-	8	-
Venezuela	4,983	-	-	4,983
Zambia	-	-	-	-
Total (124 States Parties)	6,123	-	385	5,738

Schedule 5

International Criminal Court - Status of cash surplus as at 31 December 2016 (in euros)

<i>Current year</i>	<i>2016</i>	<i>2015</i>
Credits		
Receipts of assessed contributions	124,725,863	112,958,573
Receipts of voluntary contributions	805,000	2,822,142
Receipts of miscellaneous income	878,867	593,278
Adjustment of 2015 Assessed Contributions (ICC-ASP/13/Res.1)	-	2,068,000
Cost overrun of the Permanent Premises Project (ICC-ASP/15/Res.2)	(1,196,674)	-
	125,213,056	118,441,993
Charges		
Disbursed expenditures	127,229,898	126,865,432
Unliquidated obligations	8,289,690	4,440,901
Provision for US Tax liability	64,684	122,996
Provision for doubtful debt	447,866	443,800
Provision for ILOAT cases	1,781,017	-
Provision for termination benefits	363,871	116,930
Accrual for annual leave and relocation allowance for Judges	216,900	203,000
	138,393,926	132,193,059
Contingency Fund withdrawal (Schedule 2)	-	1,708,954
Provisional cash surplus/(deficit)	(13,180,870)	(12,042,112)
Disposition of prior year's provisional surplus/(deficit)		
Prior year's provisional surplus/(deficit)	(12,042,112)	(5,794,731)
Plus: receipt of prior period contributions and other income	16,512,799	6,432,115
Savings on, or cancellation of, prior period obligations	923,758	1,525,636
Prior year's cash surplus/(deficit)	5,394,445	2,163,020
Adjustment of 2015 Assessed Contributions (ICC-ASP/13/Res.1)	-	(2,068,000)
Prior year's cash surplus/(deficit) after adjustment	5,394,445	95,020
Reconciliation of provisional surplus/(deficit) to budget surplus/(deficit)		
Provisional cash surplus/(deficit)	(13,180,870)	(12,042,112)
Assessed contributions receivables	14,059,737	12,639,067
Voluntary contributions	-	177,858
Miscellaneous income receipts	(878,867)	(593,278)
Increase in budget due to Contingency Fund notification	3,010,000	6,264,000
Contingency Fund Withdrawal	-	(1,708,954)
Budget surplus/(deficit) (Statement V)	3,010,000	4,736,581

Includes Major Program VI: Secretariat of the Trust Fund for Victims.

Schedule 6

International Criminal Court - Status of voluntary contributions as at 31 December 2016 (in euros)

<i>Trust Fund</i>	<i>Donors</i>	<i>Contributions received in 2016</i>	<i>Contributions recorded in 2016</i>	<i>Contributions related to 2017</i>	<i>Balance due from donors</i>	<i>Refunds paid to donors</i>	<i>Refunds due to donors</i>
General Trust Fund	Republic of Korea	-	(39,497)	-	-	-	-
	Netherlands/Municipality of The Hague	-	(1,144)	-	-	-	-
	<i>Sub-total</i>	-	<i>(40,641)</i>	-	-	-	-
Ceremony of Official Opening of New Premises, 2016	Netherlands	27,000	27,000	-	-	728	-
	<i>Sub-total</i>	<i>27,000</i>	<i>27,000</i>	-	-	<i>728</i>	-
Moot Court Competition, 2016	Netherlands/Municipality of The Hague	-	1,144	-	-	-	-
	<i>Sub-total</i>	-	<i>1,144</i>	-	-	-	-
Building Legal Expertise and Fostering Cooperation, 2015-2016	European Commission	-	-	-	-	-	44,163
	Norway	-	-	-	-	17,443	-
	Organisation internationale de la Francophonie	-	-	-	-	7,499	-
	<i>Sub-total</i>	-	-	-	-	<i>24,942</i>	<i>44,163</i>
Building Legal Expertise and Fostering Cooperation, 2016-2017	European Commission	850,000	489,640	360,360	-	-	-
	Norway	17,443	17,443	-	-	-	-
	Netherlands	15,000	2,260	12,740	-	-	-
	Organisation internationale de la Francophonie	-	2,260	13,740	16,000	-	-
	<i>Sub-total</i>	<i>882,443</i>	<i>511,603</i>	<i>386,840</i>	<i>16,000</i>	-	-
Launch Event OTP Policy on Children, 2016	Argentina	2,000	2,000	-	-	-	-
	Costa Rica	2,500	2,500	-	-	-	-
	Republic of Korea	4,000	4,000	-	-	-	-
	Finland	5,000	5,000	-	-	-	-
	<i>Sub-total</i>	<i>13,500</i>	<i>13,500</i>	-	-	-	-
Development of Interns and Visiting Professionals, 2016-2018	Republic of Korea	-	39,497	-	-	-	-
	Netherlands	100,000	100,000	-	-	-	-
	Republic of Korea	38,037	38,037	-	-	-	-
	<i>Sub-total</i>	<i>138,037</i>	<i>177,534</i>	-	-	-	-
Special Fund for Relocations	Luxembourg	55,000	55,000	-	-	-	-
	Australia	199,545	199,545	-	-	-	-
	<i>Sub-total</i>	<i>254,545</i>	<i>254,545</i>	-	-	-	-
Regional Seminar	France	-	-	-	-	-	26,039
	<i>Sub-total</i>	-	-	-	-	-	<i>26,039</i>
Focal Points Seminar, 2014	France	-	-	-	-	2,361	-
	<i>Sub-total</i>	-	-	-	-	<i>2,361</i>	-
Family Visit for Indigent Detainees	Netherlands	20,000	20,000	-	-	-	-
	Switzerland	10,000	10,000	-	-	-	-
	Philippines	4,750	4,750	-	-	-	-
	<i>Sub-total</i>	<i>34,750</i>	<i>34,750</i>	-	-	-	-
Least Developed Countries	Ireland	5,000	5,000	-	-	-	-
	Pan African Forum Limited	-	-	-	-	-	1,000
	<i>Sub-total</i>	<i>5,000</i>	<i>5,000</i>	-	-	-	<i>1,000</i>
Total voluntary contributions		1,355,275	984,435	386,840	16,000	28,031	71,202

General description and purpose of 2016 trust funds disclosed in Schedules 6 and 7: The *General Trust Fund* relates to various projects, implementation of which was on hold during 2016. The *Ceremony of Official Opening of New Premises* was organised by the Court on 19 April 2016. His Majesty King Willem-Alexander of the Kingdom of the Netherlands officially opened the building during the event which was attended by around 350 guests representing States, NGOs, academia and journalists. Honoured guests were the Secretary-General of the United Nations and the President of the Assembly as well as several Ministers of States Parties and the Mayor of The Hague. The ceremony was mainly funded by the Government of the Netherlands.

The *2016 Moot Court Competition*: the Court supports external implementing partners with worldwide *ICC Moot Court Competitions* on the substantive and procedural aspects of the Court's applicable law and jurisprudence. While the external organizers arrange the entire competition and the initial rounds, the ICC hosts the final round in one of its courtrooms. As the Moot Courts are organised in various languages including Russian and the Court has no Russian speaking Judges, Russian interpretation needs to be provided. In 2016 the municipality of The Hague, as the "International City of Peace and Justice" and a continuous supporter of the ICC Moot Court competition, made funds available to the Court to cover the costs of Russian interpreters for the final round of the competition.

Contracts with the European Commission and other donors on *Building legal expertise and fostering cooperation* provide financial support to implementation of the following two sub-projects:

The sub-project "*Furthering cooperation, sharing expertise and building national capacity*" aims to increase support for and cooperation with the Court, thereby helping to reinforce the fundamental principles of the Rome Statute, broaden understanding of the Court, and reinforce national capacities to deal with crimes under the Rome Statute. These objectives are achieved through such activities as: (i) *Seminars, events and training for fostering cooperation*, which provides representatives and legal professionals, including counsel, from States Parties and non-States Parties, with opportunities to develop their knowledge and practical skills as well as share mutually relevant information so as to, inter alia, strengthen the Court's capacity to implement its mandate based on improved judicial cooperation; and (ii) *Legal Professionals Programme*, which provides representatives and professionals from third countries, situation countries, countries under preliminary investigation, and any other relevant developing country State Party, with an opportunity to work with the Court on a short-term basis in The Hague as a means of developing their capacity to investigate and prosecute crimes within the Court's jurisdiction.

The sub-project "*Legal Tools*" 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 accused of such crimes can be brought to justice in accordance with international standards.

The official event of the Trust Fund entitled *Launch Event OTP Policy on Children* took place on 16 November 2016, the first day of the fifteenth session of the Assembly, in The Hague, to mark the occasion of the official launch of the Policy on Children of the Prosecutor of the International Criminal Court. The Policy was set to guide the Office of the Prosecutor's ongoing efforts in addressing international crimes against and affecting children, under the Rome Statute, as well as in its child-sensitive approach to engaging with children in the course of its work, bearing in mind their rights and best interests.

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 countries which are States Parties to the Rome Statute. The programme provides the participants with 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 States Parties.

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 to increase the number of effective relocations and build 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.

The (East-Asian and Pacific) Regional Seminar, originally planned in Phnom Penh (Cambodia), is on hold since 2013 and might take place in another francophone country.

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.

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 and promotes participation of delegates of the least developed countries and other developing countries in the work of the Assembly by covering their travel costs to the Assembly as determined by the Fund.

Schedule 7

International Criminal Court - Status of trust funds as at 31 December 2016 (in euros)

<i>Trust Fund</i>	<i>Balance</i>		<i>Contribution</i>		<i>Total</i>	<i>Balance</i>
	<i>brought forward</i>	<i>Contributions recorded</i>	<i>transfers between projects</i>	<i>Financial/ other revenue</i>		
General Trust Fund	100,670	-	(40,641)	55	-	60,084
Ceremony of Official Opening of New Premises, 2016	-	27,000	-	-	27,000	-
Moot Court Competition, 2016	-	-	1,144	-	1,144	-
Building Legal Expertise and Fostering Cooperation, 2015-2016	346,514	-	-	1,113	347,627	-
Building Legal Expertise and Fostering Cooperation, 2016-2017	-	511,603	-	593	512,196	-
Launch Event OTP Policy on Children, 2016	-	13,500	-	-	13,133	367
Development of Interns and Visiting Professionals, 2016-2018	-	138,037	39,497	36	-	177,570
Special Fund for Relocations	980,405	254,545	-	981	13,499	1,222,432
Regional Seminar	62,445	-	-	56	26,039	36,462
Focal Points Seminar, 2014	2,361	-	-	-	2,361	-
Family Visits for Indigent Detainees	9,873	34,750	-	9	11,555	33,077
Least Developed Countries	16,261	5,000	-	14	15,989	5,286
Programme Support	43,701	-	-	211	(44,122)	88,034
Total	1,562,230	984,435	-	3,068	926,412	1,623,312

Schedule 8

International Criminal Court - One-time payments to the Permanent Premises Project from States Parties (in euros)

<i>States Parties</i>	<i>Opening balance</i>	<i>2016 receipt</i>	<i>Refund of overpayment</i>	<i>Rounding/ adjustment</i>	<i>Closing balance</i>
Albania	24,645	-	-	-	24,645
Andorra	19,685	-	-	-	19,685
Antigua and Barbuda	1,741	-	-	-	1,741
Argentina	1,068,835	-	(4,760)	-	1,064,075
Australia	5,108,955	-	(155)	-	5,108,800
Barbados	19,685	-	-	-	19,685
Bolivia	22,165	-	-	-	22,165
Bosnia and Herzegovina	41,850	-	-	(1)	41,849
Burkina Faso	4,576	-	-	-	4,576
Cambodia	2,288	-	-	-	2,288
Canada	7,350,410	-	-	(1)	7,350,409
Chad	2,281	-	-	-	2,281
Chile	822,740	-	-	-	822,740
Colombia	637,980	-	-	-	637,980
Costa Rica	93,620	-	-	-	93,620
Cyprus	115,785	-	-	-	115,785
Czech Republic	950,770	-	-	(1)	950,769
Democratic Republic of the Congo	6,864	-	-	-	6,864
Denmark	1,662,685	-	-	-	1,662,685
Ecuador	108,345	-	-	-	108,345
Estonia	98,580	-	-	-	98,580
Finland	1,290,503	-	(12,063)	-	1,278,440
Gabon	18,220	-	-	-	18,220
Georgia	17,205	-	-	-	17,205
Germany	17,590,485	-	(310)	-	17,590,175
Greece	1,571,545	-	-	-	1,571,545
Hungary	558,303	-	-	-	558,303
Iceland	84,661	-	(18,166)	-	66,495
Ireland	1,029,665	-	-	-	1,029,665
Italy	11,621,392	-	(664,752)	-	10,956,640
Jordan	54,250	-	-	(1)	54,249
Latvia	41,483	74,302	-	-	115,785
Liechtenstein	22,881	-	(716)	-	22,165
Lithuania	179,800	-	-	-	179,800
Luxembourg	199,485	-	-	-	199,485
Malta	39,370	-	-	(1)	39,369
Mauritius	32,085	-	-	-	32,085
Mexico	5,164,300	-	(626,985)	-	4,537,315
Mongolia	7,440	-	-	-	7,440
Montenegro	12,245	-	-	-	12,245
Namibia	24,645	-	-	-	24,645
Netherlands	7,772,802	-	(198,627)	-	7,574,175
Panama	51,038	-	-	-	51,038
Philippines	379,413	-	(128)	-	379,285
Poland	2,268,735	-	-	-	2,268,735
Portugal	1,205,842	-	(38,227)	-	1,167,615
Republic of Korea	913,567	-	-	-	913,567
Republic of Moldova	7,440	-	-	-	7,440
Romania	556,760	-	-	-	556,760
Samoa	2,480	-	-	-	2,480
San Marino	7,440	-	-	-	7,440
Serbia	55,051	43,529	-	-	98,580
Slovakia	421,290	-	-	(1)	421,289
Slovenia	246,295	-	-	-	246,295
South Africa	916,360	-	-	-	916,360
Spain	7,323,898	-	(613)	-	7,323,285
Suriname	2,281	-	-	-	2,281
Sweden	2,450,583	-	(85,903)	-	2,364,680
Switzerland	2,774,014	-	(194,969)	-	2,579,045
Timor-Leste	4,927	-	-	33	4,960
Trinidad and Tobago	108,345	-	-	-	108,345
United Kingdom	12,757,430	-	(2,635)	-	12,754,795
Uruguay	-	128029	-	-	128029
Total					
one-time payments received	97,950,439	245,860	(1,849,009)	27	96,347,317

Final Audit Report on the Financial Statements of the International Criminal Court, for the period ended 31 December 2016

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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 ISA¹ and Regulation 12 of its Financial Regulations and Rules, including the additional terms of reference governing the audit of the 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 Auditor could provide an opinion as to whether these statements were drawn up, in all material respects, in accordance with IPSAS² for financial year 2016.

3. The additional terms of reference governing the External Auditor apply in accordance with Annex 6.c) of the Financial Regulations and Rules, 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 (“the Assembly”) must be brought to the notice of the Assembly.

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 comparison between budget and actual data and notes for the financial year then ended.

5. A set of eight statements presenting additional information not falling within the scope of this audit was appended to the financial statements by the Court.

¹ International Standards on Auditing.

² International Public Sector Accounting Standards.

6. The audit consisted of two phases:
- (a) An interim audit, focused on aspects relating to internal controls (from 5 to 16 December 2016); and
- (b) A final audit, focused on the financial statements and the disclosure obligations imposed by IPSAS (from 22 May to 9 June 2017).
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, the Head of the Human Resources (HR) Section, and the Head of Internal Audit was held on 7 June 2017.
8. We hereby provide **an unqualified opinion** on the financial statements of the Court for the year ended 31 December 2016.

II. Summary of recommendations

Recommendation no. 1: In order to strengthen the internal control dedicated to the administration of salaries and benefits, the External Auditor recommends incorporating 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, etc), 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.

Recommendation no. 2: 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.

Recommendation no. 3: For easier monitoring of ex gratia payments, the External Auditor recommends creating a specific general ledger account in the trial balance and respectively classifying the related expenses.

III. Follow-up of previous recommendations

9. The External Auditor reviewed the implementation of the recommendations made in the context of the audits of the financial statements conducted in previous years but still in effect as of the date of the audit.

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
2015-1	Staff	The External Auditor recommends that the HR section (i) set up a way to monitor the average workforce size for easier comparison between the average workforce size and the workforce table in the budget and (ii) reconcile the various payroll files to establish the workforce size with certainty.		X	
2015-2	Staff	The External Auditor recommends reclassifying expenditures for individual contractors and consultants to "Expenses for contractual services" on the financial statements for easier reading.	X		
2015-3	Permanent premises	For better visibility and budgeting of maintenance costs, the External Auditor recommends that the Court: (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
2015-4	Loan from the host State	In order to ensure regular monitoring of the loan, the External Auditor recommends that the Court come to an agreement with the host State on an amortization schedule detailing the amortized principal, interest and annual repayments payable, which will be validated by both parties.	X		

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
2015-5	Financial internal control	In order to improve the budgetary control of all activity segments of the Court, the External Auditor recommends revising the configuration of the SAP enterprise resource planning software to require the completion of an additional field indicating, for each accounting entry, whether it has a budgetary impact or an accounting impact.		X	
2015-6	Accounting internal control	In order to ensure effective and efficient internal control, the External Auditor recommends that the Court 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	
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 proceedings 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	
2013/5	Establish separate rules for staff and individual service providers under short-term agreements	The External Auditor recommends establishing a procedure with a set of rules for all short-term agreements. This procedure should apply to short-term agreements and individual service providers under special service agreements (SSA) who perform functions similar to a staff member. These rules should also provide for validation by the HR section in order to minimise the potential risk of nepotism and to avoid favouritism in the recruitment process.	X		
Total number of recommendations			3	4	1

10. Recommendation 2015-1 is considered under implementation for 2016. The HR section has developed a new report presenting the workforce by category. However, the External Auditor notes that this report will need to be supplemented by the reconciliation of the workforces between the various payroll extractions (payroll journal, salary payment journal and workforce files) and by the calculation of the average workforce by category (excluding vacancy rate) and by programme. The External Auditor will make every effort to verify the final implementation during the audit of the 2017 financial statements.

11. Recommendation 2015-2 is considered implemented because it is taken into account in the 2016 financial statements.

12. Recommendation 2015-3 is considered not yet implemented. The development of the long-term maintenance plan providing for the replacement of all building components is envisaged for the closure of financial year 2018. This plan will serve as a basis for defining the various components of the Permanent Premises Project. In the meantime, the entry in the accounts of the Project and its depreciation schedule will not change.

13. Recommendation 2015-4 is considered implemented, following the signing of a loan contract providing for a repayment schedule between the Court and the Department of Foreign Affairs of the Netherlands in September 2016.

14. Recommendation 2015-5 is considered partially implemented. The Court incorporated the requirement to complete an additional field in October 2016. However, system configuration improvements are still expected for easier reconciliation of entries between the financial (FI) and budget (FM) modules.

15. Recommendation 2015-6 is considered under implementation. Evaluation and analysis work is in progress to decide on the appropriateness and feasibility of possible configuration improvements of the SAP system, particularly with the deployment of a new general ledger (GL) module.

16. Recommendation 2013-1 is considered partially implemented, given the ongoing preparation of this directive by the Court's Legal Department. The identification of the various cases in which the Court may receive funds by seizure of assets within its legal framework for intervention is in progress, in consultation with the Division of External Operations and the management departments. The development of the current procedure for treating funds collected during the various phases of the judicial process and the definition of roles and responsibility within the Court was intended by June 2017.

17. Recommendation 2013-5 is considered implemented following the new instruction on short-term appointments issued in January 2016.

18. The follow-up of recommendations relating to previous management audits appears in the annexes to this report.

IV. Overview of the financial position

19. Assets represent €267,087 thousand at 31 December 2016 compared with €281,476 thousand at 31 December 2015, a decrease of €14,389 thousand (-5.11 per cent). This decrease is explained particularly by the final closing of the Permanent Premises Project, which led to the use of the entire "Employee Benefits Liabilities" fund, classified in the general fund reserve (-€6,395 thousand compared with 2015) to pay for budget overruns³ and to recognise a depreciation level calculated over a full year (-€1,652 thousand in depreciation in 2016 versus €2,894 thousand in 2015). In addition, the overall level of cash and cash equivalents⁴ decreased by €2,622 thousand, in connection with reduced supplier liabilities.

20. "Receivables" and "other receivables" represent a total of €7,179 thousand at 31 December 2016 compared with €2,932 thousand at 31 December 2015. They mainly relate to receivables from States Parties, and from the host State for the reimbursement of taxes. Receivables for contributions from States Parties represent €18,405 thousand, excluding impairment, with Brazil, Mexico and Venezuela accounting for 78 per cent of the receivables. However, it should be noted that Brazil made two successive payments (€5,536 thousand in mid-December 2016 and €3,170 thousand at the end of December 2016), which led to a marked improvement in the Court's cash position at the end of the period. In accordance with IPSAS 19, receivables presenting a risk of non-payment were fully impaired.

21. Property, plant and equipment represent €199,728 thousand, or 74.7 per cent of assets. Depreciation of construction costs for the permanent premises was calculated over a full year for €10,227 thousand in 2016, which explains the decrease of the amount of this item.

22. Reimbursement rights correspond to the Allianz NL fund to which the Court contributes in order to cover the after-service pensions of Judges.

23. Liabilities are mainly debts to suppliers, employees and the host State for the loan to finance the permanent premises. Proven risks are also recorded there as part of the contingencies and provisions.

24. Contingencies and provisions are split between current liabilities and non-current liabilities. This distinction is primarily based on the degree of payability of the provisioned amount⁵. The provision was subject to a reversal of the provision for the premises for €1,756 thousand in 2016, with the expiry of the leases relating to the interim premises. The contingencies provision mainly includes the amounts (€2,171 thousand) covering disputes before the ILOAT⁶, as well as €36 thousand relating to tax reimbursement obligations for United States employees, as exists in other international organisations.

25. Employee benefits are also split between current and non-current liabilities. The provision for paid holidays and the retirement compensation due within one year appear in current liabilities. The non-current portion corresponds to the Court's long-term debts, such as Judges' pensions and After-Service Health Insurance (ASHI).

³ Audit report on Financial Reporting and Management of the Permanent Premises Project Financial year 2015.

⁴ The amounts in "cash and cash equivalents" correspond to immediately available funds or demand deposits.

⁵ Debts due in less than 12 months are considered current, while others are classified as non-current debts.

⁶ International Labour Organization Administrative Tribunal.

26. The loan from the host State is intended to finance the Permanent Premises Project. It amounts to €74,268 thousand at the end of 2016 (versus €78,011 thousand at the end of 2015). The decrease in this item compared with the previous year is mainly explained by the redemption and repayment of the loan in 2016.

27. Deferred revenue and accrued expenses, totalling €1,229 thousand, are essentially composed of assessed contributions collected in advance (€4,379 thousand), invoices not yet received at the closing of the accounts for services related to the Court's operations (€3,479 thousand), as well as €2,984 thousand in annual payments and interest on the loan maturing on 1 February 2017.

28. Net assets, amounting to €15,852 thousand (€27,474 thousand in 2015), constitute the Court's net position, the various components of which are detailed in statement III "Statement of changes in net assets/equity".

29. This statement shows that the net assets are composed of:

(a) €9,455 thousand for the contribution of States Parties to finance the Working Capital Fund reserve and the Contingency Fund reserve. The Working Capital Fund amounts to €3,664 thousand and is used to meet short-term liquidity needs at the end of the year. The Contingency Fund amounts to €5,791 thousand and is used to finance the operation of the Court;

(b) The Employee Benefits Liabilities Fund amounts to €172 thousand at the end of 2016;

(c) €21,214 thousand for unavailable reserves: Permanent Premises Project for €19,591 thousand and trust funds for €1,623 thousand; and

(d) -€4,989 thousand is negative equity from the Court's general funds.

30. The statement of financial performance shows a negative result of -€3,358 thousand for 2016. If the result of financial performance is restated for the effect of allowances for amortization and depreciation (€2,093 thousand), there is a surplus of €5,547 thousand. Assessed contributions fell from €67,119 thousand in 2015 to €33,061 thousand in 2016, following the decrease of -€41,119 in contributions relating to the financing of the permanent premises due to the end of the project, partially offset by the increase in contributions relating to the financing of the budget for +€1,036 thousand over the period. At the same time, the Court's expenses decreased by €1,748 thousand from €46,489 thousand in 2015 to €44,741 thousand in 2016.

V. Observations and recommendations on the 2016 Financial Statements

1. Change in total payroll

31. The Court's staff expenditure remains relatively stable, increasing from €99,263 thousand in 2015 to €100,433 thousand in 2016:

Table 1: Change in 2016 payroll (in thousands of euros)

	2016	2015	Change 2016/2015	Change as %
Judges' salaries	3,250	2,971	279	9 %
Judges' entitlements and allowances	3,148	1,553	1,595	102 %
Staff salaries	47,627	44,329	3,298	7 %
Staff entitlements and allowances	24,981	25,076	-95	- 0.4 %
Temporary assistance	21,427	25,334	-3,907	- 15 %
Total	100,433	99,263	1,170	1.1 %

Source: External auditor, on the basis of note 16 to the financial statements.

32. This virtual stability of total payroll is explained by various offset effects:

(a) Staff salaries increased by €3.3 million, while temporary assistance decreased by €3.9 million. In 2016, 65 general temporary assistance contracts were converted to established contracts. These converted staff consist of 43 professional staff and 22 general service staff.

Table 2: Details of contract conversions by body

<i>Bodies</i>	<i>General Service Staff</i>	<i>General Service Security</i>	<i>Professional Staff</i>	<i>Total</i>
Registry	7	12	11	30
OTP	3		25	28
Judiciary			7	7
Total	10	12	43	65

Source: External auditor, on the basis of statements provided by the HR section.

(b) Staff entitlements and allowances changed little in 2016 (-0.4 per cent), due to the absence of allowances relating to the ReVision plan in 2016 (€4.2 million in 2015). These amounts were offset by an increase of €4.1 million in staff benefits, following the conversion of general temporary assistance contracts to established contracts: +€1.9 million for repatriation grants, +€1.4 million for travel on separation compensation, +€0.3 million for home leave travel, +€0.28 million in education grants and +€0.26 million in assignment grants.

2. Internal control of payroll

33. During the interim audit mission, the External Auditor examined the internal control of the HR section. This section is responsible for strategic workforce planning, development of the organisational structure, preparation of job descriptions and publication of vacancy notices, recruitment and taking up of duties of new staff members, administration of salaries (payroll statements), benefits (including medical insurance and pension fund contributions), career development prospects and management of positions, management of professional behaviour, training and development as well as all matters relating to human resources and staff policies.

34. According to standard INTOSAI GOV 9100, internal control is an integral process effected by an entity's management and personnel, designed to address risks and to provide reasonable assurance that, in pursuit of the entity's mission, general objectives are achieved, such as executing operations, fulfilling accountability obligations, complying with applicable laws and regulations and safeguarding resources against loss, misuse and damage.

35. This internal control mechanism must be conceived on three levels:

- (a) Definition of human resources policy;
- (b) Its breakdown among the main functions (recruitment, administration and financial management, departures); and
- (c) Which are themselves then sub-divided in terms of internal authorisation and approval procedures.

36. The External Auditor was able to find the existence of such a mechanism with regard to preparation of job descriptions and publication of vacancy notices, recruitment of new staff members and departures of staff members. The tests conducted were deemed satisfactory.

37. However, the analysis of internal control dedicated to the administration of salaries and benefits requires improvements. The procedure communicated to the External Auditor did not provide sufficient details on the implementation process (methods for updating the payroll settings such as pay scales and other compensations), the controls and the control owners (internal authorisation and approval procedures) as well as the separation of functions (processing, recording, verification and authorisation).

Recommendation no. 1: In order to strengthen the internal control dedicated to the administration of salaries and benefits, the External Auditor recommends incorporating 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, etc), 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.

38. The External Auditor wished to test the monthly controls performed by the HR section during payroll preparation. However, the section does not retain the documentation of these controls.

Recommendation no. 2: 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.

39. The External Auditor examined the staff paid annual leave balances, and it appeared that nine employees had accumulated more than 60 days of paid annual leave days as of the end of 2016, without having taken holidays during the year. Although there is no provision in the Staff Rules, it is customary for the employer, concerned about the welfare of its employees, to encourage them to take a minimum number of holidays during the year.

3. Arrears of assessed contributions

Table 3: Receivables for assessed contributions from States Parties (in thousands of euros)

<i>Contributing States</i>	<i>Total receivables at 31 December 2016</i>	<i>Receivables for 2016</i>	<i>Receivables related to prior years</i>
Brazil	6,974	6,974	-
Venezuela	4,757	1,379	3,378
Mexico	2,676	2,676	-
Colombia	1,067	754	313
Argentina	1,045	1,045	-
Nigeria	772	493	278
<i>Total of top six receivables</i>	<i>17,291</i>	<i>13,321</i>	<i>3,970</i>
Total receivables	18,405	14,060	4,345
<i>% of top six receivables</i>	<i>94 %</i>	<i>95 %</i>	<i>91 %</i>

Source: External Auditor on the basis of the 2016 aged balance.

40. At the end of the year, 44 contributing States had not paid their assessed contribution for 2016. Although the amount of receivables decreased from €20,786 thousand at 31 December 2015 to €18,405 thousand at 31 December 2016, the structure of contributors in arrears remains dependent on six countries that alone account for 94 per cent of total receivables.

41. Venezuela represents 78 per cent of the Court's prior period outstanding receivables at the end of 2016, with a balance of €3,378 thousand. Brazil rectified its situation with regard to long-outstanding receivables in 2016. It had a balance of €1,413 thousand at the end of 2015, including €5,532 thousand relating to receivables due in more than one year.

42. The Court recognises impairment with respect to doubtful assessed contributions receivables. It represents 90 per cent of the balance of receivables from States Parties unpaid for more than two years. At 31 December 2016, the amount of this impairment was €4,534 thousand and concerned mainly the receivables of Venezuela (€4,281 thousand), the United Republic of Tanzania (€7 thousand), Uganda (€43 thousand), Congo (€42 thousand) and Niger (€4 thousand).

4. Budget reconciliation

43. The implementation of the Court's 2016 budget resulted in a €3,010 thousand surplus for the year, compared with €4,737 thousand in 2015.

44. This budget result contrasts with the accounting surplus of €2 thousand for the general fund segment, displayed in the statement of financial performance by segment (prepared in accordance with IPSAS), compared with a loss of €6,736 thousand in 2015.

45. The difference between the accounting result and the budget result is explained by various effects that partially offset each other, the largest of which concern:

- (a) The impairment charge of receivables for €4.1 million, not in the budget;
- (b) Other revenue of -€0.9 million, not in the budget;
- (c) Unliquidated obligations for €8.3 million, not in the financial statements; and
- (d) The change in long-term commitments to staff subject to an actuarial valuation for €4.1 million, not in the budget.

46. The remainder is attributable to various timing differences in the recognition of expenses and expenditure.

5. Loan from the host State

47. The Permanent Premises Project had two external sources of financing totalling €190,000 thousand: one-time payments from States Parties and the loan from the host State (minus discounts granted by the host State on the basis of the one-time payments received).

48. At 31 December 2016, one-time payments received and granted amounted to €2,847 thousand, compared with €2,645 thousand in 2015. Following these transactions, a loan addendum was signed in August 2016 between the Court and the host State, stating the amount of the loan granted, the amount of the discount, the amount of annual repayments (principal and interest at 2.5 per cent) and the payment schedule.

49. As a result of this agreement, the amount of borrowed principal after taking into account the discount for an amount of (€18 588 thousand) is €75,192 thousand at 31 December 2016.

50. In March 2017, a second addendum was signed, following Uruguay's accession to the one-time payment mechanism. This new addendum led to the redefinition of the new amount of the loan granted, the amount of the discount, the amount of the annual repayments and the payment schedule. The final amount of the borrowed principal after taking into account the discount is €75,038 thousand at 31 December 2016. €74,268 represents amortized carrying value of the loan using the effective interest rate at 31 December 2016.

6. Ex gratia payments

51. Regulation 10.3 of the Court's Financial Regulations and Rules provides that "*The Registrar may make such ex gratia payments as he or she deems to be necessary in the interest of the Court, provided that the statement of such payments shall be submitted to the Assembly of States Parties with the accounts*".

52. The Registrar thus granted an ex gratia payment of €193 for a medical reimbursement during 2016. This amount was recorded in running expense.

Recommendation no. 3: For easier monitoring of ex gratia payments, the External Auditor recommends creating a specific general ledger account in the trial balance and respectively classifying the related expenses.

VI. Acknowledgements

53. The External Auditor would like to thank the staff of the International Criminal Court, particularly the members of the Registry, for the cooperation and general support given to the audit team during their assignment.

End of audit observations.

Annex I

Follow-up of previous recommendations from the 2015 Report on Cash Reserves (ICC-2015-6)

<i>No.</i>	<i>Subject</i>	<i>Outstanding recommendations</i>	<i>Implemented</i>	<i>Partially implemented</i>	<i>Not implemented</i>
2015-6-2	Cash reserves	In addition to the temporary use of cash reserves, negotiate the opening of a cash line with banks in order to have additional protection in case of occasional difficulties resulting from late contributions that the Working Capital Fund reserve could no longer cover. Upon the establishment of the credit line, the Contingency Fund reserve may continue to be used in accordance with the Court's financial regulations.	X		
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	
2015-6-4	Cash reserves	Improve the predictability of the receipt of contributions to be collected for the current year through recovery planning with the establishment of a payment schedule, negotiated with any State Party in arrears.	X		
2015-6-5	Cash reserves	Establish debt clearance plans to give a sense of responsibility to debtor States for several years.	X		
2015-6-6	Cash reserves	If the recovery of arrears does not improve, apply the sanctions provided for in the Financial Regulations and Rules.	X		
2015-6-7	Cash reserves	Examine how to better adapt the pace of disbursements according to the funds available to the Court.	X		
2015-6-8	Cash reserves	Intensify the procedure of revising the budget during the year in order to control expenditure still to be incurred in view of the contributions collected, redeploy the activities and absorb unexpected expenditure.	X		
Total number of recommendations			6	1	-

1. Recommendation 2015-6-2 is considered implemented because the Court has obtained authorisation for a line of credit by the Assembly¹. A €7 million line of credit was opened for a period from December 2016 to mid-February 2017. This line of credit was not renewed for a subsequent period.

2. Recommendation 2015-6-3 remains under consideration at the Court level.

3. Recommendations 4, 5 and 6 are considered implemented because the Court was able to significantly reduce the level of contributions in arrears. Article 112 of the Rome Statute provides that States in arrears for two full years of contributions must have their voting rights suspended.

4. Recommendation 7 is considered implemented because the invoices are now paid in accordance with the planned schedule.

5. Recommendation 8 is considered implemented.

¹ ICC-ASP/14/Res.1, para. 7.

Annex II

Follow-up of previous recommendations from the audit report on financial information and management of the permanent premises project (ICC-2016-3)

No.	Subject	Outstanding recommendations	Implemented	Partially implemented	Not implemented
2016-3-1	Permanent premises project	The External Auditor recommends that the Assembly examine, at its next session or, failing that, as soon as possible in 2017, the cost estimates for the replacement of fixed assets and put in place a financial solution that does not endanger the prudential level of the Working Capital Fund reserve.		X	
2016-3-2	Permanent premises project	The External Auditor recommends that the Oversight Committee approve the renewal of the Project Director's contract until the end of the next session of the Assembly.	X		
2016-3-3	Permanent premises project	The External Auditor recommends that the project leadership ensure that the project manager verifies the correction of all construction defects.	X		
2016-3-4	Permanent premises project	The External Auditor recommends that the Assembly terminate the Oversight Committee's activities after giving the project leadership final discharge of its management duties and entrust the Committee on Budget and Finance with following up on budget and financial matters relating to the maintenance and renewal of the permanent premises.	X		
2016-3-5	Permanent premises project	The External Auditor recommends concluding, as soon as possible, the contract amendment authorised in December 2014 by the Assembly entrusting the performance of maintenance services to the general contractor Courtys until the end of 2017, in addition to the services stipulated in the contract.	X		
2016-3-6	Permanent premises project	The External Auditor recommends that the Registrar issue to the future Head of the Facilities Management Unit (FMU) an engagement letter specifying the new duties and activities entrusted to this unit since the transfer of ownership of the permanent premises.	X		
2016-3-7	Permanent premises project	The External Auditor recommends that the safety and security department organise immediately the evacuation drills required by the laws of the host State, together with its police and emergency departments.	X		
2016-3-8	Permanent premises project	The External Auditor recommends that the Registrar organise a satisfaction survey of users of the permanent premises during the second half of 2016 and then once a year.	X		
2016-3-9	Permanent premises project	The External Auditor recommends that the Registrar make available to the users of the permanent premises learning tools adapted to their functionalities and constraints.	X		
Total number of recommendations			8	1	-

1. Recommendation 2016-3-1 is considered under implementation, in accordance with recommendation 2015-3 of the report on the 2015 financial statements.
2. Recommendation 2016-3-2 is considered implemented.
3. Recommendation 2016-3-3 is considered implemented because all the defects were verified and validated by the construction company at the end of October 2016. All the defects should be corrected as of 30 June 2017.
4. Recommendation 2016-3-4 is considered implemented in accordance with resolution ICC-ASP/15/Res.2 providing for the end of the mandate of the Oversight Committee.
5. Recommendation 2016-3-5 was implemented by the signing of a new maintenance contract with the company Courtys on 1 November 2016.
6. Recommendation 2016-3-6 was implemented following the recruitment of the future Head of the (FMU) on 30 September 2016 and the communication of an engagement letter by the Registrar on 14 November 2016.
7. Recommendation 2016-3-7 was implemented by the performance of various evacuation drills in the months of July and August 2016.
8. Recommendations 2016-3-8 and 2016-3-9 were implemented.

2. Financial statements of the Trust Fund for Victims for the year ended 31 December 2016*

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Previously issued as ICC-ASP/16/13.

Letter of transmittal

9 June 2017

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 2016.

Herman von Hebel
Registrar

Lionel Vareille
External Audit Director
Cour des Comptes,
13 rue Cambon,
75100 Paris Cedex 01
France

Letter to the Registrar

9 June 2017

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,

Motoo Noguchi,
Chair, Board of Directors of the Trust Fund for Victims

Certification of Financial Statements

9 June 2017

The financial statements and supporting notes are approved.

Motoo Noguchi,
Chair, Board of Directors of the Trust Fund for Victims

Independent auditor's opinion

Opinion

We have audited the Financial Statements of the Trust Fund for Victims ("the Trust Fund"), for the 12 month period ended 31 December 2016. These financial statements include a Statement of Financial Position as at 31 December 2016, 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 as at 31 December 2016, 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 month period ending 31 December 2016 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, 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 of 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.

(Signed) Didier Migaud

Statement I

Trust Fund for Victims - Statement of financial position as at 31 December 2016 (in thousands of euros)

	<i>Note</i>	<i>2016</i>	<i>2015</i>
Assets			
<i>Current assets</i>			
Cash and cash equivalents	3	12,640	13,186
Prepayments and other current assets	4	570	533
Receivables from the Court	5	67	154
<i>Total current assets</i>		<i>13,277</i>	<i>13,873</i>
<i>Non-current assets</i>			
Receivables from the Court	5	586	49
<i>Total non-current assets</i>		<i>586</i>	<i>49</i>
Total assets		13,863	13,922
Liabilities			
<i>Current liabilities</i>			
Provisions	6	364	-
<i>Total current liabilities</i>		<i>364</i>	<i>-</i>
Total liabilities		364	-
Net assets/equity	<i>7</i>	13,499	13,922
Total liabilities and net assets/equity		13,863	13,922

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 2016 (in thousands of euros)

	<i>Note</i>	<i>2016</i>	<i>2015</i>
Revenue			
Assessed contributions	8	1,885	1,816
Voluntary contributions	8	1,727	2,943
Financial revenue	8	20	94
Total revenue		3,632	4,853
Expenses			
Regular administrative expenses	9	1,677	1,766
Programme expenses	9	2,224	1,554
Total expenses		3,901	3,320
Surplus/(deficit) for the period		(269)	1,533

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 2016 (in thousands of euros)

	<i>General Fund</i>	<i>Other funds</i>	<i>Reparation Reserve</i>	<i>Total Net Assets/equity</i>
Opening balance as at 1 January 2015	403	8,635	3,600	12,638
Movement in net assets/equity in 2015				
Surplus/(deficit)	49	1,484	-	1,533
Credits to States Parties/donors	(249)	-	-	(249)
Transfer to reserve	-	(1,200)	1,200	-
<i>Total movements during the year</i>	<i>(200)</i>	<i>284</i>	<i>1,200</i>	<i>1,284</i>
Total net assets/equity as at 31 December 2015	203	8,919	4,800	13,922
Movement in net assets/equity in 2016				
Surplus/(deficit)	586	(855)	-	(269)
Credits to States Parties/donors	(154)	-	-	(154)
Transfer to reserve	-	(200)	200	-
<i>Total movements during the year</i>	<i>432</i>	<i>(1,055)</i>	<i>200</i>	<i>(423)</i>
Total net assets/equity as at 31 December 2016	635	7,864	5,000	13,499

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 2016 (in thousands of euros)

	2016	2015
Cash flows from operating activities		
Surplus/(deficit) for the period (Statement II)	(269)	1,533
Unrealized foreign exchange differences	1	6
(Increase)/decrease in time deposits	-	5,473
(Increase)/decrease in receivables from the Court	(450)	200
(Increase)/decrease in prepayments and other current assets	(37)	(96)
Increase/(decrease) in accounts payable	-	(57)
Increase/(decrease) in deferred revenue and accrued expenses	-	(37)
Increase/(decrease) in provisions	364	-
Less: interest income	(20)	(57)
<i>Net cash flows from operating activities</i>	<i>(411)</i>	<i>6,965</i>
Cash flows from investing activities		
Plus: interest received	20	57
<i>Net cash flows from investing activities</i>	<i>20</i>	<i>57</i>
Cash flows from financing activities		
Credits to States Parties	(154)	(249)
<i>Net cash flows from financing activities</i>	<i>(154)</i>	<i>(249)</i>
Net increase/(decrease) in cash and cash equivalents	(545)	6,773
Unrealized foreign exchange gains/losses on cash and cash equivalents	(1)	6
Cash and cash equivalents at beginning of financial period	13,186	6,407
Cash and cash equivalents at 31 December (Statement I)	12,640	13,186

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 2016 (in thousands of euros)

<i>Object of expenditure*</i>	<i>Appropriation approved</i>	<i>Total expenditure</i>	<i>Total surplus</i>
Staff costs	968	1,049	(81)
General temporary assistance	346	166	180
<i>Sub-total staff costs</i>	<i>1,314</i>	<i>1,215</i>	<i>99</i>
Travel	213	163	50
Hospitality	3	2	1
Contractual services	300	251	49
Training	22	8	14
General operating expenses	20	-	20
Supplies and materials	13	2	11
<i>Sub-total non-staff costs</i>	<i>571</i>	<i>426</i>	<i>145</i>
Total	1,885	1,641	244

*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. Its primary goal is to support victims and their families to overcome harm, lead a dignified life and contribute towards reconciliation and peacebuilding within their communities.

In the annex to that resolution, 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.

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.

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:

(c) The Trust Fund recognizes revenue from voluntary contributions upon receipt or upon signature of a binding agreement, where applicable. While agreements generally include restrictions on the use of funds, they do not include any measurable performance conditions which would require revenue to be deferred until conditions are satisfied; and

(d) The Trust Fund advances funds to implementing partners on the basis of contractual provisions. Management believes that outstanding advances to implementing partners are fully recoverable. Provision for doubtful debt is not recognized in respect of any receivables from implementing partners.

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 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.

2.12 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 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 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.

2.14 *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 Trust Fund is exposed to currency risk through transactions in foreign currencies relating to the projects it funds.

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 Trust Fund deposits its funds only in short-term fixed interest accounts, and therefore has no significant interest rate risk exposure.

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 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.

2.17 *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.

Receivables

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 give rise to an increase in 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, in accordance with the Financial Regulations and Rules of the Court, to the States Parties.

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. The estimate is discounted where the effect of the time value of money is material. 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 fulfils two unique mandates: it 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 two segments: reparations programmes and assistance programmes.

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 10, considering that the full accrual accounting and modified cash basis budget differ.

3. Cash and cash equivalents

<i>In thousands of euros</i>	<i>2016</i>	<i>2015</i>
Cash at bank – current account	816	683
Cash at bank – savings account	11,824	12,503
Total	12,640	13,186

3.1 Cash and cash equivalents contain restrictions on their availability for use depending upon the segment to which they relate (see note 13 for segment information). Cash and cash equivalents include amounts equivalent to €35 thousand (2015: €56 thousand) held in currencies other than the euro.

3.2 Interest-bearing bank accounts and term deposits yielded interest at an average annual rate of 0.17 per cent.

4. Prepayments and other current assets

<i>In thousands of euros</i>	2016	2015
Advances to implementing partners	561	486
Accrued interest	9	47
Total	570	533

5. Receivables from the Court

<i>In thousands of euros</i>	2016	2015
Secretariat's surplus for 2014	-	154
Secretariat's surplus for 2015	49	49
Secretariat's surplus for 2016	586	-
Other receivables from the Court	18	-
Total	653	203

5.1 For detailed information on receivables from the Court, refer to note 2.19.

5.2 Other receivables include €30 thousand cash-in-transit as of 31st December 2016 from the Court for the Trust Fund's voluntary contributions received in the Court's bank account and €12 thousand in-transit from the Trust Fund for the interest accrued in respect of the Court's funds.

6. Provisions

<i>In thousands of euros</i>	2016	2015
Provisions for termination benefits	364	-
Total	364	-

6.1 The Trust Fund went through a re-organization which has resulted in a number of staff separating under separation packages. The provision of €364 thousand represents the estimated costs expected to be incurred in respect of pending cases where it was determined that positions are abolished.

7. Net assets/equity

<i>In thousands of euros</i>	2016	2015
Reparation reserve	5,000	4,800
Other funds	7,864	8,919
General Fund	635	203
Total	13,499	13,922

7.1 General Fund surplus/deficit is non-distributable and represents the accumulated difference between accrual-based accounting and the cash-based surplus calculation.

8. Revenue

<i>In thousands of euros</i>	<i>2016</i>	<i>2015</i>
Assessed contributions	1,885	1,816
<i>Voluntary contributions</i>		
Earmarked contributions	57	278
Non-earmarked contributions	1,670	2,665
<i>Sub-total voluntary contributions</i>	<i>1,727</i>	<i>2,943</i>
<i>Financial revenue</i>		
Interest revenue	20	57
Net foreign currency gains	-	37
<i>Sub-total financial revenue</i>	<i>20</i>	<i>94</i>
Total	3,632	4,853

Contributions in kind

8.1 The Court provides various services free of charge to the Trust Fund, including office space, equipment and administrative services.

9. Expenses

<i>In thousands of euros</i>	<i>2016</i>	<i>2015</i>
Employee benefit expenses	1,281	1,311
Travel and hospitality	158	226
Contractual services	2,447	1,783
Financial expenses	15	-
Total	3,901	3,320

9.1 No *ex-gratia* payment was made by the Trust Fund during the financial period.

10. Statement of comparison of budget and actual amounts

10.1 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.

10.2 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.

10.3 Differences in basis occur when the approved budget is prepared on a basis other than the accounting basis, as stated in paragraph 10.1 above.

10.4 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.

10.5 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.

10.6 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.

10.7 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 2016 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)	244	-	-	244
Basis differences	(122)	-	-	(122)
Presentation differences	134	20	(154)	-
Entity differences	(667)	-	-	(667)
Actual amount in the Statement of cash flows (Statement IV)	(411)	20	(154)	(545)

10.8 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.

10.9 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 2016.

11. Segment Reporting

Statement of financial position by segment as at 31 December 2016

<i>In thousands of euros</i>	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Unallocated</i>	<i>Total</i>
Assets				
<i>Current assets</i>				
Cash and cash equivalents	5,000	7,640	-	12,640
Prepayments and other current assets	-	570	-	570
Receivables from the Court	-	-	67	67
<i>Total current assets</i>	<i>5,000</i>	<i>8,210</i>	<i>67</i>	<i>13,277</i>
<i>Non-current assets</i>				
Receivables from the Court	-	-	586	586
<i>Total non-current assets</i>	<i>-</i>	<i>-</i>	<i>586</i>	<i>586</i>
Total assets	5,000	8,210	653	13,863

<i>In thousands of euros</i>	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Unallocated</i>	<i>Total</i>
Liabilities				
<i>Current liabilities</i>				
Provisions	-	-	364	364
<i>Total current liabilities</i>	-	-	364	364
Total liabilities	-	-	364	364
Net assets/equity	5,000	8,210	289	13,499
Total liabilities and net assets/equity	5,000	8,210	653	13,863

Statement of financial performance by segment for the year ended 31 December 2016

<i>In thousands of euros</i>	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Unallocated</i>	<i>Total</i>
Revenue				
Assessed contributions	-	-	1,885	1,885
Voluntary contributions	-	1,727	-	1,727
Financial revenue	-	20	-	20
Total revenue	-	1747	1885	3632
Expenses				
Administrative expenses	-	-	1,677	1,677
Sexual and gender-based violence project expenses	-	1,262	-	2,224
Other assistance project expenses	-	962	-	-
Total expenses	-	2224	1677	3901
Surplus/(deficit) for the period	-	(477)	208	(269)

Statement of financial position by segment as at 31 December 2015

<i>In thousands of euros</i>	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Unallocated</i>	<i>Total</i>
Assets				
<i>Current assets</i>				
Cash and cash equivalents	4,800	8,386	-	13,186
Time deposits	-	-	-	-
Prepayments and other current assets	-	533	-	533
Receivables from the Court	-	-	154	154
<i>Total current assets</i>	<i>4,800</i>	<i>8,919</i>	<i>154</i>	<i>13,873</i>
<i>Non-current assets</i>				
Receivables from the Court	-	-	49	49
<i>Total non-current assets</i>	-	-	<i>49</i>	<i>49</i>
Total assets	4,800	8,919	203	13,922

<i>In thousands of euros</i>	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Unallocated</i>	<i>Total</i>
Liabilities				
<i>Current liabilities</i>				
Accounts payable	-	-	-	-
Deferred revenue and accrued expenses	-	-	-	-
<i>Total current liabilities</i>	-	-	-	-
Total liabilities	-	-	-	-
Net assets/equity	4,800	8,919	203	13,922
Total liabilities and net assets/equity	4,800	8,919	203	13,922

Statement of financial performance by segment for the year ended 31 December 2015

<i>In thousands of euros</i>	<i>Reparations Programme</i>	<i>Assistance Programme</i>	<i>Unallocated</i>	<i>Total</i>
Revenue				
Assessed contributions	-	-	1,816	1,816
Voluntary contributions	-	2,943	-	2,943
Financial revenue	-	94	-	94
Total revenue	-	3,037	1,816	4,853
Expenses				
Administrative expenses	-	-	1,766	1,766
Sexual and gender-based violence project expenses	-	1,008	-	1,008
Other assistance project expenses	-	546	-	546
Total expenses	-	1,554	1,766	3,320
Surplus/(deficit) for the period	-	1,483	50	1,533

12. Commitments

12.1 At 31 December 2016, the Trust Fund had contractual commitments amounting to €36 thousand based on contracts concluded with implementing partners.

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	7	180	-

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	59	78

13.5 The Court and the Trust Fund are related parties as they are subject to common control by the Assembly.

13.6 The receivable from the Court at year end amounted to €53 thousand. In 2016, the Assembly approved an appropriation of €1,885 thousand for the Secretariat which administers the Trust Fund and provides administrative support to the Board and its meetings. Expenditures on a modified cash basis for the Secretariat during the financial period, as disclosed in Statement V, are €1,641 thousand. The unspent amount of appropriations for the current and prior period is pending credit to States Parties.

13.7 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.

Final Audit Report on the Financial Statements of the Trust Fund for Victims, financial year ended 31 December 2016

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I. Audit objectives, scope and approach

1. We have audited the financial statements of the Trust Fund for Victims ("the Trust Fund"). The audit was conducted in accordance with the International Standards on Auditing (ISSAI and ISA³⁷⁴) and Regulation 12 of the Financial Regulations and Rules of the International Criminal 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 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 the Court and all trust funds including the Trust Fund for Victims, disclosed in paragraph 6.(c) of the annex to the Financial Regulations and Rules, lists other matters which the External Auditor considers should be brought to the notice of the Assembly, such as wasteful or improper expenditure of the Trust Fund's money and other assets, and expenditure not in accordance with the intention of the Assembly.

4. The audit mission consisted of two phases:

(a) An interim audit (from 5 to 16 December 2016) focusing on aspects relating to internal control and International Public Sector Accounting Standards (IPSAS); and

(b) A final audit (from 22 May to 9 June 2017) focusing on the financial statements and IPSAS disclosure requirements, as well as financial and governance controls.

5. A closing meeting with the Executive Director of the Trust Fund and his staff was held on 7 June 2017.

6. This report has been prepared taking into account the written comments sent by the Trust Fund on 30 June 2017.

7. We express **an unqualified opinion** on the financial statements of the Trust Fund for the financial year ended 31 December 2016.

II. Recommendations

Recommendation 1: The External Auditor recommends that the Secretariat add an extra note to the financial statements giving a fair view of each project's status, detailing the following information:

(a) The annual budget allocated to each project;

³⁷⁴ International Standards of Supreme Audit Institutions and International Standards on Auditing.

- (b) Advances paid, including those justified and those yet to be justified; and
- (c) Actual expenditure over the period.

This detailed note would make it possible to reconcile actual amounts paid out during the year with those shown in the financial statements.

Recommendation 2: The External Auditor recommends that the 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.

III. Follow-up on prior year recommendations

8. The External Auditor reviewed implementation of recommendations arising from prior year audits of the financial statements.

Table 1: Follow-up on previous recommendations

No.	Subject	Outstanding recommendations	Implemented	Partially implemented	Not implemented
2015-1	Field operations	The External Auditor recommends that the Secretariat define the performance evaluation criteria in the tender documents to standardise the monitoring procedures and allow for potential benchmarking.	X		
2015-2	Field operations	The External Auditor recommends that the Secretariat implement financial training initiatives for field programme officers.			X
2015-3	Field operations	The External Auditor recommends that the 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 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, the External Auditor recommends to: (a) For the 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 Secretariat staff so they may manage their operations and activities, as indicated in the Trust Fund Regulations; and (b) Establish a suitable arbitration mechanism, involving if necessary the Board of Directors of the Trust Fund and the Bureau or another appropriate subsidiary organ of the Assembly, 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 the Secretariat leading to a lack of clarity about accountability and responsibilities by clarifying the roles and responsibilities of the Trust Fund 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 the Trust Fund 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 the Trust Fund, which identifies roles and responsibilities and avoids any confusion.			X
Total number of recommendations			1	2	3

9. Recommendation 2015-1 is considered to have been implemented by the Trust Fund following improvements to requests for proposals issued by the Fund, which now include eligibility criteria (registration, past performance and audit). Programme control and evaluation also form part of tender documentation. Each applicant's monitoring and evaluation arrangements are reviewed in detail and discussed at the shared project kick-off meeting, held before project activities begin.

10. Recommendation 2015-2 is considered not to have been implemented: the Trust Fund has yet to organize any financial training.

11. Recommendation 2015-3 is considered under implementation insofar as the Trust Fund has introduced four spot checks on projects undertaken in the Democratic Republic of the Congo. The Trust Fund is currently working to harmonize, strengthen and formalize such checks. The External Auditor believes that the current controls need to be better documented, in particular by sending copies of documents tested and analysed during spot checks back to headquarters.

12. Recommendation 2015-4 is considered under implementation following budget approval by the Assembly in November 2016. It authorizes establishment of the Trust Fund's new organizational structure. As of now, the Trust Fund is still in the process of recruiting field programme staff skilled in project and programme management as well as a Financial Officer. The latter will be responsible for supervising operational procedures and internal financial control, reporting directly to the Executive Director.

13. Recommendations 2014-1 and 2014-2 are still open. The Trust Fund and the Registry are planning to develop an overall framework for delegating the Registry's administrative authority to the Trust Fund's Executive Director and Management. When this delegation of administrative authority is put in place, roles and responsibilities will need to be reviewed to incorporate the new functions included in the Trust Fund's new organisational structure.

IV. Overview of the financial position at 31 December 2016

14. The Trust Fund's statement of financial performance shows a deficit of €69 thousand, compared with a €1,533 thousand surplus in 2015. This change was mainly driven by a 41 per cent decline in voluntary contributions, which totalled €1,727 thousand in 2016, and an increase in programme expenditure, which rose from €1,554 thousand in 2015 to €2,224 thousand in 2016. According to the Trust Fund, the decline in voluntary contributions is a result of additional budget constraints faced by funding providers due to the huge influx of migrants and refugees into Europe. Meanwhile, the increase in programme expenditure was the result of the continuation of existing projects in the Democratic Republic of the Congo and Uganda.

15. The statement of financial position remained broadly stable, down from €13,922 thousand in 2015 to €13,863 thousand in 2016. A €364 thousand provision for severance benefits was recognized in the financial statements following a restructuring of the Trust Fund initiated in 2016. Severance terms were defined on the same basis as in the *ReVision* plan.

V. Main findings and recommendations

16. The Trust Fund, established by article 79 of the Rome Statute, was created by decision of the Assembly in 2002 and began field operations in 2008.

17. The Trust Fund has following mandates:

(a) An assistance mandate, which includes three forms of intervention: physical rehabilitation, psychological rehabilitation and material support. Using donors' voluntary contributions, the Trust Fund provides assistance to victims and their families whose situations fall under the jurisdiction of the Court. The assistance mandate is a way of providing an immediate, non-judicial response to the urgent needs of victims (and their communities) who have suffered harm as a result of the commission of crimes falling under

Court jurisdiction. The assistance mandate makes it possible to help victims without taking into consideration who committed the crimes;

(b) A reparations mandate, which involves implementing awards for reparations ordered by the Court against a convicted person. Implementation of this mandate began after the Appeals Chamber of the Court confirmed, in December 2014, the conviction and sentencing of Mr. Lubanga, who was found guilty of enlisting and conscripting child soldiers aged under the age of fifteen and using them actively in hostilities in the eastern part of the Democratic Republic of the Congo between 2002 and 2003. In March 2015, the Appeals Chamber issued a judgement and amended the order for reparations against Mr. Lubanga wherein it instructed the Trust Fund to put forward a draft “implementation plan for reparations to eligible direct and indirect victims” by September 2015 at the latest. In November 2015, the Trust Fund submitted a draft implementation plan for reparations to victims. Further to additional information provided by the Trust Fund, this plan was sequentially approved in September 2016 (symbolic reparations) and in March 2017 (service-based reparations); and

(c) As part of the preparatory activities for the implementation of reparations awards in the Lubanga case and further to instructions of the Trial Chamber, the Trust Fund engaged a partner in eastern Democratic Republic of the Congo in April 2016 to conduct a project on the “Identification and assessment of psychological, physical and socioeconomic harm suffered by young people who participated in armed groups in Ituri in 2002–2003.”

18. As regards its assistance mandate, the Trust Fund has continued with its activities in Uganda and the Democratic Republic of the Congo, undertaken thanks to implementing partners present on the ground.

19. The Trust Fund is organized as follows: the Secretariat is responsible for managing administrative and financial procedures, searching for donors and controlling project budgets. Field programme managers carry out operational project monitoring. They are responsible for the oversight and guidance of physical and financial project implementation by the Trust Fund’s implementing partners, as well as of the quality of financial and operational results reporting by implementing partners.

20. Implementing partners are paid in accordance with a standard scale whereby 50 per cent of the contract value is paid in advance when the contract is signed, 35 per cent is paid in the course of the project in line with programme implementation, and the remaining 15 per cent is paid once the project is confirmed to have been fully implemented.

21. The External Auditor reviewed all projects, for which expenditure totalled €2,224 thousand in 2016, compared with €1,554 thousand in 2015.

Table 2: List of projects funded in 2016 (in euros)

<i>Partner</i>	<i>2016 budget</i>	<i>Advances paid</i>	<i>Justified advances</i>	<i>Advances yet to be justified</i>	<i>Budget spending</i>
Missionnaires d’Afrique	39,468	131,844	126,156	5,688	226,129
Réseau Haki na Amani -RHA	0	0	0	0	24,219
Association of Volunteers in International Service -AVSI	258,870	238,695	103,777	134,918	202,185
Cooperazione Internazionale -COOPI DRC	49,335	166,507	155,195	11,312	447,582
Appui à la Communication Interculturelle et à l’Autopromotion Rurale -ACIAR	0	0	0		10,315
Action for Living Together -ALT	49,335	169,995	150,130	19,866	334,406
Association des Mamans Anti-Bwaki -AMAB	49,335	183,987	157,441	26,546	358,135
Collectif des associations féminines -CAF	13,455	33,274	26,594	6,680	73,040
Center for Victims of Torture -CVT	367,380	351,599	120,514	231,085	292,386
Center for Children in Vulnerable Situations-CCVS	100,000	57,500	24,933	32,567	78,379
Amuria District Development Agency -ADDA	100,000	59,000	42,493	16,507	98,335

<i>Partner</i>	<i>2016 budget</i>	<i>Advances paid</i>	<i>Justified advances</i>	<i>Advances yet to be justified</i>	<i>Budget spending</i>
North Chili Producers Association -NECPA	100,000	59,000	44,144	14,856	100,657
Gulu Women Economic Development and Globalization - GWED-G	100,000	59,000	47,714	11,286	95,268
Transcultural Psychosocial Organization - TPO	100,000	80,000	59,455	20,545	102,580
Ayira Health Services - AHS	100,000	57,500	35,727	21,773	88,409
Katolico Actions pour l'Afrique -KAF_FINAL PROJECT	4,410	4,410	-3,048	7,458	0
Association des Mamans Anti-Bwaki - AMAB-Reparations	98,784	49,954	49,954	0	37,071
Total	1,530,372	1,702,265	1,141,177	561,087	2,569,095

Source: External Auditor, based on budget information provided by the Trust Fund.

22. The information set out above is not shown in the financial statements, which do not provide a sufficiently comprehensive and detailed picture of payments relating to projects managed by implementing partners, in respect of advances paid and their justification as well as expenses.

Recommendation 1: The External Auditor recommends that the Secretariat add an extra note to the financial statements giving a fair view of each project's status, detailing the information following:

- (a) The annual budget allocated to each project;
- (b) Advances paid, including those justified and those yet to be justified; and
- (c) Actual expenditure over the period.

This detailed note would make it possible to reconcile actual amounts paid out during the year with those shown in the financial statements.

23. The External Auditor also assessed the audit arrangements for monitoring implementation of projects set up by the Secretariat in 2016. This approach translated into a review of procedures, follow-up of prior year recommendations, and detailed tests on all projects in progress. The External Auditor did not carry out any field audits.

24. The External Auditor found that, generally speaking, prior year recommendations had begun to be implemented; in particular, new terms of reference had been drawn up for field based staff (as well as for the programme related financial and administrative posts in The Hague) and an internal control and quality assurance manual had been drafted.

25. The External Auditor also noted that four spot checks had been carried out in the Democratic Republic of the Congo in the final quarter of 2016.

26. The External Auditor encourages the Trust Fund to expand its control manual and extend its spot check approach to all intervention programmes. The External Auditor finds that the current controls also need to be better documented, in particular by sending copies of documents tested and analysed during spot checks back to headquarters.

27. The Trust Fund also has a 2014–2017 strategic plan that includes a risk management matrix covering risks audited as part of an internal audit in 2015. Drawing on the work of the internal auditor and the Secretariat's responses, the External Auditor finds that this risk management matrix is not yet fully operational, since risk management responsibilities and the corresponding mitigating measures have yet to be allocated among staff.

28. The External Auditor notes that, while partner monitoring and evaluation reports are sometimes produced by Field Programme Officers, their frequency remains low.

29. Each project must be certified by a local auditor. In practice, there are three types of situation. The audit report:

(a) Is not provided;

(b) Is provided but is of very limited use: it covers the entity as a whole and not the assistance project concerned, or contains no recommendations; and

(c) Is provided and gives rise to relevant recommendations covering, in particular, cash management, purchasing and internal control by the cooperating partner. However, the effect of these recommendations is uncertain insofar as their follow-up by the Secretariat is neither formalized nor systematic.

Recommendation 2: The External Auditor recommends that the 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.

VI. Acknowledgements

30. The External Auditor wishes to thank The Trust Fund and the members of the Office of the Registrar of the Court, for the cooperation and general support provided to the audit teams during the audit.

End of audit observations.
