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## **Report on the Activities of the International Criminal Court**

### **I. The Court in brief: 2018–2019**

#### **A. Introduction**

1. This report presents an overview of the activities of the International Criminal Court (“ICC” or “Court”) between **16 September 2018 and 15 September 2019**. The report is structured around the current situations before the Court and provides the most important statistics in a single table, to afford States Parties and other relevant stakeholders with a holistic view of the Court’s activities.

#### **B. Overview of situations and preliminary examinations**

2. As of 15 September 2019, the Court was seized of 22 cases, and 11 situations – Burundi, Central African Republic (“CAR”) I and II, Uganda, Democratic Republic of the Congo (“DRC”), Darfur (Sudan), Kenya, Libya, Côte d’Ivoire, Mali and Georgia. Chambers were seized of additional situations, including the situation in Afghanistan. A detailed overview of the activities emanating from each situation is provided in Part II of this report. During the reporting period, the Office of the Prosecutor (“OTP” or “Office”) has been conducting 9 preliminary examinations. An overview of the OTP’s preliminary examination activities is contained in part III of this report. Part II also reports on other situations beyond those 11 situations with ongoing investigations and prosecutions mentioned in this paragraph.

#### **C. The ICC’s year in numbers** (*details provided in the annex*)

In the courtroom	22 cases in 11 situations; 3 cases on trial; 96 hearings with 47 witnesses testifying; 10,685 victims participating; 671 decisions and 107 orders issued; and 6 final judgments rendered.
Behind the courtroom	6,022 filings made; 23 defence and victims’ teams assisted; 5 persons in custody; 4,055 forms received from victims applying for participation in the proceedings, reparations or related, as well as 286 registrations of follow-up documentation of victim forms; 43 candidates admitted to be added to the list of counsels, with a total of 367; 799 Article 15 communications received; 2,192 interpreter days; 12,523 transcribed pages; 10,252 translated pages; 23,346 visitors received; 15,813 job applications processed, with 131 recruitments and 896 staff members on established posts; 296 interns and 44 visiting professionals recruited; 4 Administrative Instructions promulgated; and 3 external audits and 5 internal audits conducted.

In the field	91 witnesses/victims and 466 dependants protected; 1,679 missions undertaken; 697 outreach meetings and workshops for affected communities, reaching around 123,268 individuals; 7 country offices and 1 liaison office; and requests for arrest and surrender outstanding against 15 individuals; 2 arrest warrants executed.
States-related	122 States Parties; 919 cooperation requests sent; 79 high-level visits from States to the seat of the Court; 22 documents submitted to the ASP and 67 documents to the Committee on Budget and Finance.

## II. Situations before the Court

### A. Situation in Afghanistan

#### 1. Judicial developments

3. On 12 April 2019, Pre-Trial Chamber II issued its decision, unanimously rejecting the Prosecutor's request for authorisation to initiate an investigation on the grounds that an investigation would not serve the interests of justice. Following the filing of the concurring and separate opinion of Judge Mindua on 30 May 2019, the Prosecutor requested leave to appeal the decision on 7 June 2019. In addition, on 10 June 2019, the legal representatives for 82 victims and two organizations that submitted representations on behalf of a significant number of victims requested Pre-Trial Chamber II to grant leave to appeal this decision; furthermore, three groups of victims filed notices of appeal directly before the Appeals Chamber. Pre-Trial Chamber II partially granted the Prosecutor's request, on 17 September 2019, and dismissed *in limine*, by majority, the victims' request.

#### 2. Victims' Participation and Outreach

4. In implementation of the Chamber's 12 April 2019 Decision, the Registry's Victims Participation and Reparations Section ("VPRS") notified the victims who had made representations to the Chamber in relation to the situation, and prepared subsequent communications to keep victims and their representatives informed of key judicial developments ensuring the Decision.

5. Following the issuance of Pre-Trial Chamber II's Decision rejecting the Prosecution's request to authorise the opening of an investigation, the Office of Public Counsels for Victims ("OPCV") and Legal Representatives of Victims sought and obtained authorisation to appear before the Pre-Trial Chamber on the three issues identified by the OTP in its Request for leave to appeal said decision and directly affecting the victims' rights.

#### 3. Outreach

6. The Registry's Public Information and Outreach Section ("PIOS") continued holding consultations with key stakeholders from Afghanistan in order to understand concerns, perceptions and information needs in Afghanistan. PIOS developed information materials to explain Pre-Trial Chamber II's Decision. It also contacted key stakeholders to communicate the Decision as well as the OTP's Request for Leave to Appeal.

### B. Situation in Bangladesh/Myanmar

#### 1. Judicial developments

7. On 6 September 2018, Pre-Trial Chamber I decided, by majority, in response to the Prosecutor's request of 9 April 2018, that the Court may exercise jurisdiction over the alleged deportation of the Rohingya people from Myanmar (a State not party to the Statute) to Bangladesh (a State Party), as well as potentially other crimes under article 7 of the Rome Statute "if at least one element of a crime within the jurisdiction of the Court or part of such a crime is committed on the territory of a State Party to the Statute"

8. On 4 July 2019, the Prosecutor requested authorisation to initiate an investigation into alleged crimes against humanity committed against the Rohingya people, namely deportation, persecution and other inhumane acts. More specifically, the Prosecutor seeks authorisation to investigate crimes allegedly committed since 9 October 2016, in the context of two waves of violence in Rakhine State, Myanmar, as well as any other crimes sufficiently linked to these events, where at least one element occurred on the territory of Bangladesh. The Prosecutor's request is pending before Pre-Trial Chamber III. Victims may make representation to the Pre-Trial Chamber until 28 October 2019.

## **2. Victims' Representations**

9. The victims of the alleged crimes committed against the Rohingya population in Myanmar have the right to submit representations under article 15 (3) of the Rome Statute, i.e. to provide their views, concerns and expectations, to the ICC Judges who are considering the Prosecutor's request. The Registry's VPRS, has organised for this purpose several missions to meet and engage with victims and solicit their views. The Registry posted extensive information on the process on the ICC's webpage, including representation forms and guidance material in various languages as well as an online form for completion and submission online.

## **C. Situation in Burundi**

### **1. Judicial developments**

10. On 25 October 2017, Pre-Trial Chamber III issued its decision authorising the Prosecutor to open an investigation regarding crimes allegedly committed in Burundi or by Burundian nationals outside Burundi between 26 April 2015 and 26 October 2017. The Prosecutor is authorised to extend her investigation to crimes committed before 26 April 2015 or continued after 26 October 2017 if certain legal requirements are met. In its decision, the Chamber found a reasonable basis to believe that a widespread and systematic attack against the Burundian civilian population has been carried out pursuant to a State policy to suppress dissenting views and opposition to President Nkurunziza's third term in office. The Chamber was also satisfied to the requisite threshold that the attack was both widespread and systematic. The Chamber further indicated that the Prosecutor would have to enquire during her investigation whether a non-international armed conflict existed in Burundi during the relevant period and whether war crimes were committed.

### **2. Investigations**

11. OTP conducted multiple missions in connection to investigations into the alleged crimes committed in the situation in Burundi, as well as to build and maintain relevant cooperation networks.

### **3. Victims' Participation**

12. Following the Pre-Trial Chamber III's 9 November 2017 decision on the Authorization of an Investigation into the Situation in the Republic of Burundi, the Registry continued to prepare and disseminate communications in order to provide information on the potential role of victims at the investigation stage.

### **4. Counsel Support**

13. The Registry appointed two duty counsels in relation to this situation.

### **5. Outreach**

14. Due to security considerations and the lack of access to the country, PIOS conducted limited activities in relation to Burundi during the reporting period. It is currently finalising video material providing information about the Court in general, and specifically about the

Burundi situation. PIOS also conducted training with a group of selected stakeholders on the mandate of the Court, the Burundi situation and the ICC activities in relation to it.

## **D. Situation in the Central African Republic (“CAR”)**

### **1. Judicial developments**

#### *(a) The Prosecutor v. Jean-Pierre Bemba Gombo*

15. Following Mr Bemba’s acquittal on 8 June 2018, Trial Chamber III on 3 August 2018 issued a final decision in the reparations proceedings, noting that no reparations order could be made against Mr Bemba under article 75 of the Statute, and acknowledging all the victims who came forward to participate in the trial proceedings by testifying before the court or sharing their views and concerns in other ways.

16. On 8 March 2019, Mr Bemba filed a claim for compensation and damages before Pre-Trial Chamber II. Mr Bemba requests compensation in the amount of no less than €68.6 million following his acquittal by the Appeals Chamber. In the alternative, he requests no less than €42.4 million for damages to his property caused through the seizure/freezing of his assets or, failing that, his claim for financial loss to be submitted to binding arbitration under UNCITRAL Rules. On 9 May 2019, Pre Trial Chamber II held a hearing during which the parties presented orally their observations on Mr Bemba’s claim. The decision on Mr Bemba’s claim is pending.

#### *(b) The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido*

17. Following the Appeals Chamber’s 8 March 2018 judgement partially reversing the convictions Messrs. Bemba, Kilolo and Mangenda, and remanding the determination of new sentences to Trial Chamber VII, the Trial Chamber issued its decision on re-sentencing on 17 September 2018. In its new decision, Trial Chamber VII sentenced M. Bemba to one year imprisonment and fined him EUR 300,000. Mr. Kilolo and Mr. Mangenda were sentenced each to a total of 11 months of imprisonment. Mr. Kilolo was also fined EUR 30,000. The Chamber ordered the deduction from the convicted persons' sentence of the time they have spent in detention, pursuant to an order of the Court and, accordingly, considered the sentences of imprisonment as served. The fines were ordered to be paid to the Court within 3 months of its decision and thereafter transferred to the Trust Fund for Victims.

18. On 18 October 2018, Mr Bemba appealed Trial Chamber VII’s decision on re-sentencing; the Prosecutor responded, opposing the appeal. On 20 August 2019, the Appeals Chamber issued a decision on the scope of the appeal, summarily dismissing Mr Bemba’s arguments seeking to reverse the findings made, and the evidentiary procedure taken, in the judgment on conviction issued pursuant to article 74 of the Statute. The Appeals Chamber held a hearing to hear arguments in respect of the merits of the appeal on 4 September 2019.

### **2. Victims’ Participation**

19. On 15 November 2019, the Registry launched the Registry Support Programme (“RSP”) in furtherance of Trial Chamber III’s 3 August 2019 Final Decision on Reparations, which ‘strongly encouraged’ relevant stakeholders to cooperate with the Trust Fund for Victims (“TFV”) and specifically encouraged the VPRS to share all relevant information of consenting victims with the TFV. The former Legal Representative of victims in the *Bemba* case was hired as a consultant tasked, together with a small team with her, to contact all 5,229 victims whom she had represented during the *Bemba* case with a view to ascertaining if they would consent to their personal information, as updated and held by VPRS, being shared with the TFV for the purposes of its assistance mandate activities in CAR. Progress was initially slow, however at the time of this report some 1,700 victims have submitted consent forms and updated personal data. This data is being provided to the TFV to enable the victims to participate in the TFV’s general assistance

programme, which is expected to be launched in 2020. VPRS has provided the names of 106 HIV-/AIDS-positive victims for inclusion in the TFV's urgent pilot programme, which is currently being launched and which focuses on the urgent health needs and the housing situation of particularly vulnerable victims and their dependants. The RSP will conclude on 30 September 2019.

### 3. Counsel Support

20. The Registry supported 3 missions of legal representatives of victims to CAR.

## E. Situation in the Central African Republic II ("CAR II")

### 1. Judicial Developments

#### (a) *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona*

21. On 11 November 2018, Pre-Trial Chamber II issued a warrant of arrest for Alfred Yekatom for his alleged criminal responsibility for war crimes and crimes against humanity committed in western Central African Republic between December 2013 and August 2014. Mr Yekatom was surrendered to the Court by the CAR authorities on 17 November 2018 and he made his initial appearance before the Chamber on 23 November 2018.

22. On 7 December 2018, Pre-Trial Chamber II issued a warrant of arrest for Patrice-Edouard Ngaïssona for his alleged criminal responsibility for war crimes and crimes against humanity allegedly committed in various locations in the CAR between at least 5 December 2013 and at least December 2014. Mr Ngaïssona was surrendered to the Court by the authorities of the French Republic on 23 January 2019. His initial appearance before Pre-Trial Chamber II took place on 25 January 2019.

23. Pre-Trial Chamber II joined the proceedings against Mr Yekatom and Mr Ngaïssona and the confirmation of charges hearing in the joint case commenced on 19 September 2019. The decision on the confirmation of charges is pending.

### 2. Investigations

24. The investigations initiated by the OTP on 24 September 2014 in the CAR II continue. The OTP conducted numerous missions to CAR and the wider region, in connection to its active investigations into both sides of the conflict in CAR.

25. The OTP has maintained and further strengthened cooperation with CAR authorities, as well as other countries in the region, in particular neighbouring countries. Furthering and sustaining cooperation of international and regional organisations, NGO's, and other relevant entities remained a priority.

26. The OTP continued to monitor and encourage national proceedings. In line with its Strategic Goals, the OTP shared expertise and best practises with domestic judicial actors, including the CAR Special Criminal Court.

### 3. Pre-trial Activities

27. On 20 February 2019, Pre-Trial Chamber II joined the Yekatom and Ngaïssona cases. Mr Yekatom and Mr Ngaïssona are in the Court's custody. The confirmation of charges hearing opened on 19 September 2019. A decision is expected before the end of 2019.

### 4. Field Activities

28. In addition to routine support to the OTP, the ICC Country Office ("CO") has supported missions from the different organs of the Court as well as the TFV. The arrests of Mr Yekatom and Mr Ngaïssona resulted in increased activities, not only in terms of support provided to OTP, Defence Counsel and OPCV, but also in terms of substantive engagement with victims and case-focused outreach activities. Those arrests, and the underlying

operating environment in CAR, resulted in a number of enhanced security concerns which resulted in temporary reductions in operating capabilities. Support from the CO to *Bemba* related activities by the Legal Representatives for Victims (“LRV”) and the TFV has continued.

29. The CO has continued to benefit from close cooperation with the CAR Government and United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (“MINUSCA”).

## 5. Victims’ Participation

30. The pre-trial proceedings in the *Yekatom/Ngaïssona* case have triggered intense activity by the Registry’s VPRS and related field resources in the facilitation of the application process for victim participation. Relevant staff in the field reached out to relevant victim groups and communities to inform about the proceedings and the application process, and collected relevant information. Such information was legally analysed, processed and submitted to the Chamber and parties in a number of filings. VPRS received 1,256 application forms from victims related to the case. The Chamber granted participating status to 1,111 victims at the time of the confirmation of charges hearing in mid-September. The victim application process continues.

31. In the *Yekatom* and *Ngaïssona* case, the OPCV is representing 283 former child soldiers and, jointly with external counsel, 1,846 victims of other crimes.

## 6. Counsel Support

32. Through the Counsel Support Section (“CSS”), the Registry facilitated 3 missions of defence counsel to CAR and appointed 20 duty counsels.

## F. Situation in Côte d’Ivoire (“CIV”)

### 1. Judicial Developments

#### (a) *The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé*

33. On 23 July 2018, the Defence for Mr Gbagbo and the Defence for Mr Blé Goudé filed their motions seeking a judgment of acquittal, to which the Prosecutor and the victim’s legal representative responded on 10 September 2018. In October and November 2018, the parties made final oral submissions in relation to the aforesaid motions.

34. On 15 January 2019, Trial Chamber I, by majority, Judge Herrera Carbuccia dissenting, acquitted Mr Gbagbo and Mr Blé Goudé of all charges. On 16 January 2019, Trial Chamber I issued an oral decision on the release of Mr Gbagbo and Mr Blé Goudé following their acquittal. The Prosecutor appealed the decision to immediately release both detained men pending her appeal of the merits of Trial Chamber I’s decision to acquit. On 1 February 2019, the Appeals Chamber held a hearing at the end of which it unanimously issued an oral decision, according to which conditions Mr Gbagbo and Mr Blé Goudé were to be released to a State willing to accept them on its territory, subject to conditions aimed at ensuring their presence before the Court as may be required in the future.

35. On 16 July 2019, Trial Chamber I, Judge Herrera Carbuccia dissenting, filed written reasons for the acquittal. Mr Gbagbo and Mr Blé Goudé remain under conditional release pursuant to the Appeals Chamber’s decision of 1 February 2019. On 16 September 2019, the Prosecutor filed a notice of appeal before the Appeals Chamber, seeking reversal of the majority’s decision acquitting Mr Gbagbo and Mr Blé Goudé and the declaration of mistrial.

#### (b) *The Prosecutor v. Simone Gbagbo*

36. On 14 September 2018, Pre-Trial Chamber II issued an order to the Registrar to request information from the national authorities in Côte d’Ivoire concerning any acts taken by the judicial authorities of Côte d’Ivoire after 11 December 2014, when the Court ruled

on the admissibility of the case concerning Simone Gbagbo, or any other relevant information which could have an impact on the admissibility of the case.

## 2. Investigations

37. The OTP continued its investigations of alleged crimes committed by all parties to the conflict during the post-election period.

## 3. Field Activities

38. During the reporting period, CIV Country Office supported a total of 86 missions and continued to monitor the security situation within the area of responsibility, and provide security briefings, travel advisories and risk assessments.

39. The CO stepped up awareness campaigns for a better understanding of the functioning mechanisms of the Court and the current judicial proceedings. About 560 opinion leaders (community representatives, victims' associations, women's groups, youth groups and local media) from 14 administrative regions within Côte d'Ivoire were sensitized on the Rome Statute.

40. The CO organized, in partnership with the National Council for Human Rights, several awareness sessions with more than 280 members from national NGOs working in the field of human rights promotion to strengthen their capacities in the fight against impunity. The CO also initiated a vast awareness-raising campaign with members from the National Press Agency ("ANP"), the Office of the Ombudsman and the National Assembly to relay the Court's key messages and popularize the Rome Statute. Twelve radio and print media were also trained on the different judicial proceedings and general principles of international criminal justice.

41. The CO also supported several joint activities with TFV, LRV and Outreach to present the Fund's mandate and the launch of its assistance programme in CIV, scheduled for 2020.

## 4. Victims' Participation

42. During the reporting period, and particularly in the aftermath of the *Gbagbo/Ble Goude* acquittal decision, the Registry engaged with victim groups and communities with a view to explaining the meaning and consequences of the Chamber's decision, in coordination with the victims' common legal representative (OPCV), the latter being the main interlocutor for all participating victims in the case.

43. 729 victims participating in the Gbagbo & Blé Goudé case are represented by the OPCV. Following the acquittal of the accused in the 'no case to answer proceedings' by Trial Chamber I, victims continue to participate in the appeal filed by the Prosecution.

## 5. Counsel Support

44. The Registry supported 11 missions involving defence teams in Côte d'Ivoire. The Registry appointed 12 duty counsels in relation to this situation.

## G. Situation in Darfur

### 1. Judicial developments

#### (a) *The Prosecutor v. Omar Hassan Ahmad Al Bashir*

45. On 11 December 2017, Pre-Trial Chamber II found that the Hashemite Kingdom of Jordan had failed to comply with its obligations under the Statute by failing to arrest and surrender Mr Al-Bashir to the Court while he was on Jordanian territory, and referred the matter to the ASP and UN Security Council ("UNSC"). The Chamber recalled that the Court's jurisdiction in this case was triggered by UNSC Resolution 1593 (2005), whereby

the Council, acting under Chapter VII of the Charter, referred the situation in Darfur to the ICC Prosecutor.

46. Having obtained leave to appeal, on 12 March 2018, Jordan filed its brief against Pre-Trial Chamber II's decision. This was the first time in the Court's history that the Appeals Chamber was seized of an appeal concerning the legal obligations of States and immunities (if any) available to Heads of State in light of articles 27 and 98 of the Rome Statute, customary international law, and UNSC Resolution 1593 (2005). Besides the submissions from Jordan and from the Office of the Prosecutor, the Appeals Chamber received a total of 11 *amici curiae* observations from the African Union, the League of Arab States and professors of international law, and held a hearing from 10 to 14 September 2018 with oral submissions by the parties and the *amici curiae*.

47. On 6 May 2019, the Appeals Chamber confirmed the Pre-Trial Chamber's finding that Jordan had failed to comply with its obligation to cooperate with the Court. It found that Mr Al-Bashir did not enjoy immunity as a Head of State vis-à-vis the Court under customary international law, including in respect of an arrest by a State Party to the Rome Statute at the request of the Court and that Resolution 1593 imposes upon Sudan a specific obligation to 'cooperate fully' with the Court. As to whether Jordan's non-cooperation with the ICC should be referred to the Assembly of States Parties and the Security Council, the Appeals Chamber found, Judge Ibáñez and Judge Bossa dissenting, that the Pre-Trial Chamber had erred in the exercise of its discretion, and reversed this part of the Pre-Trial Chamber's decision.

## 2. Investigations

48. The OTP conducted multiple missions to collect evidence as well as to conduct witness interviews to strengthening cases in this situation.

49. As highlighted in her December 2018 and June 2019 briefings to the UN Security Council pursuant to UNSC Resolution 1593(2005), given the changes on the ground in Sudan, the Prosecutor has called for cooperation from the new government of Sudan as well as renewed collective efforts to secure the execution of the outstanding arrest warrants. The OTP continued to make progress with its investigations, notwithstanding resource and cooperation challenges, and lack of access to the territory of Sudan.

## H. Situation in the Democratic Republic of the Congo ("DRC")

### 1. Judicial developments

#### (a) *The Prosecutor v. Thomas Lubanga Dyilo*

50. On 15 January 2018, Mr Lubanga and the legal representative for the V01 group of victims filed notices of appeal against Trial Chamber II's decision of 15 December 2017 setting Mr Lubanga's liability for collective reparations at USD 10,000,000 and concluding that, out of the 473 applications received, 425 met the requirements to benefit from the collective reparations, but that further evidence indicated the existence of hundreds or even thousands of additional victims. Responses were filed by the OPCV and the legal representatives for the V02 group of victims, as well as the appellants. The Trust Fund for Victims filed observations on 15 November 2018. On 18 July 2019, the Appeals Chamber issued its judgment largely confirming Trial Chamber II's decision, subject to an amendment such that the victims who Trial Chamber II found ineligible to receive reparations may seek a new assessment of their eligibility by the Trust Fund for Victims.

51. The process for locating new applicants and determining their eligibility for reparations, as approved by Trial Chamber II on 7 February 2019, is ongoing.

52. Mr Lubanga is currently serving the remainder of his sentence, which will expire on 15 March 2020, in the DRC.

(b) *The Prosecutor v. Germain Katanga*

53. Trial Chamber II remains seized of the implementation of its reparations order issued on 24 March 2017.

(c) *The Prosecutor v. Bosco Ntaganda*

54. Trial Chamber VI delivered its judgment on 8 July 2019, finding Mr Ntaganda guilty of five counts of crimes against humanity and thirteen counts of war crimes, committed in Ituri, DRC, in 2002 and 2003. The Chamber found Mr Ntaganda liable as a direct perpetrator for parts of the charges of three of the crimes (murder as a crime against humanity and as a war crime and persecution as a crime against humanity), and as an indirect co-perpetrator for the other parts of these crimes and for the remaining crimes. On 9 September 2019, both Mr Ntaganda and the Prosecutor filed notices of appeal against Trial Chamber VI's judgment.

55. A sentencing hearing took place from 17-20 September 2019.

56. Trial Chamber VI issued its Judgement on the conviction on 8 July 2019.<sup>1</sup> Following that decision, on 25 July 2019 the Trial Chamber issued an Order for preliminary information on reparations,<sup>2</sup> which has been complied with since by the Registry in a filing proposing a streamlined Registry methodology for the reparations process.<sup>3</sup> Responses by the parties and the TFV will follow after the present reporting period.

## 2. Investigations

57. During the reporting period, the OTP continued to engage with the authorities, including to secure cooperation in the context of the ongoing proceedings before the Court, to encourage the arrest/surrender of M. Sylvestre Mudacumura subject to warrant for arrest as well as to encourage national investigations.

## 3. Field Activities

58. The DRC field presence is composed by two CO located in Kinshasa and Bunia. These DRC offices supported a total of 173 missions during this reporting period. The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo ("MONUSCO") continues to play a key role in supporting the Court's operations.

59. During the reporting period, operations in the Ituri province were sometimes challenged because of security conditions, the prevailing Ebola outbreak in some specific locations and the deteriorated status of certain roads during the rainy season. Some missions were suspended and some others were readjusted to take into account the difficulties faced on the ground.

60. In the *Lubanga* and *Katanga* cases, the DRC offices worked in close collaboration and coordination with the TFV to support as much as possible the implementation of the reparations. In the *Lubanga* case, a hybrid team composed by TFV, VPRS and LRV was set up to work together to identify and interview potential new reparations beneficiaries in the Ituri province. This team is operating under the leadership of the TFV. In the *Katanga* case, the TFV – with the support of the DRC offices - set up innovative approaches to implement the education and income generating activities (IGA) reparations programmes benefiting the victims. At the time of writing, the implementation of these programmes is on-going in the Ituri province.

61. Regarding the *Ntaganda* case, the DRC offices' activities focused on publicizing the verdict pronounced on 8 July 2019 through engagement with media, interactive sessions

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<sup>1</sup> ICC-01/04-02/06-2359

<sup>2</sup> ICC-01/04-02/06-2366

<sup>3</sup> Registry's observations, pursuant to the Single Judge's "Order for preliminary information on reparations" of 25 July 2019, ICC-01/04-02/06-2391, 5 September 2019.

with affected communities in the Ituri province, as well as through AV programs broadcast by a network of televisions and community radios.

#### 4. Victims' Participation

62. In the reparations proceedings in the *Ntaganda* case, victims of the alleged attacks and former child soldiers continue to be represented by the OPCV. The Registry submitted filing to the Chamber proposing *inter alia* a streamlined Registry methodology for the reparations process which would allow new reparations applications to be collected.

63. 283 victims are represented by external counsel in relation to the *Katanga* reparations proceedings, and 39 victims are represented by the OPCV.

64. Of the 424 former child soldiers that were admitted to receive reparations in the *Lubanga* case, 374 are represented by the OPCV and 51 by external counsel. Over the reporting period, 289 applications for reparations linked to the *Lubanga* case were received, analysed and processed by the Registry in the process of transmission to the TFV.

#### 5. Counsel Support

65. The Registry assisted legal teams from defence counsel and legal representatives of victims to conduct 15 missions to the DRC.

### I. Situation in Georgia

#### 1. Investigations

66. The OTP continued to investigate alleged crimes in the situation in Georgia. The OTP continues to call upon all parties to cooperate with its investigations, including the Russian Federation and South Ossetia, and welcomes the efforts of those who have done so.

67. From 6 to 10 May 2019, the Registry, the OTP and the Trust Fund for Victims carried out a joint outreach mission to Georgia. The delegation met with civil society representatives, victims and members of affected communities, local authorities and the diplomatic community, legal professionals and academics, and media representatives. A key objective of the mission was to enhance knowledge and understanding about the investigation in Georgia and the work of the ICC more broadly among the afore-mentioned target audiences.

#### 2. Field Activities

68. During the ongoing investigation phase, the CO focuses primarily on maintaining relations with external stakeholders on the ground, both national and international (including national authorities, the diplomatic community, international and regional organisations, media, academia, and civil society); on providing operational, logistical, and diplomatic support to the organs and missions of the Court; as well as on carrying out outreach and communication activities with affected communities, civil society, media, and legal professionals.

69. The Court organised a High-Level Regional Seminar on the ICC, as well as a workshop for legal counsels of the region and a roundtable with civil society for the Court's officials present in Tbilisi, including the Registrar, in October 2018 to commemorate the 20-year anniversary of the Rome Statute. The first two events were made possible thanks to the financial support of the European Commission. In addition, the Court carried out a joint OTP/Registry/TFV mission to Georgia in May 2019, which included meetings with media and civil society, as well as outreach activities in IDP settlements. CO Georgia has conducted more than forty different outreach activities (including 20 outreach meetings with affected communities, 10 civil societies, 10 with academia and legal professionals) during the reporting period. The outreach sessions with the affected communities involved approximately 300 individuals.

### 3. Counsel Support

70. The Registry facilitated the appointment of three duty counsels in connection with the Georgia situation.

## J. Situation in Kenya

### 1. Investigations

71. The OTP continued to receive information on the alleged commission of crimes under the jurisdiction of the Court and to call for the surrender and transfer to the Court of individuals subject to ICC warrants in the Kenya situation for alleged article 70 offences against the administration of justice.

### 2. Counsel Support

72. The Registry appointed one duty counsel in relation to this situation.

## K. Situation in Libya

### 1. Investigations

73. The OTP conducted numerous missions to collect documentary and other evidence as well as to conduct witness interviews. As highlighted in the Prosecutor's reports of 2 November 2018 and 8 May 2019 to the Security Council, the OTP continued to advance investigations relating to both existing and potential new cases and called for State support to secure execution of the outstanding arrest warrants. In its investigative activities, the OTP received close cooperation from relevant States, as well as the UN Support Mission in Libya and other international organizations. With a view to closing the impunity gap, as per its Strategic Plan, the OTP has also continued to pursue its strategy of cooperation with a number of States and organisations to support national investigations and prosecutions that relate to human smuggling and trafficking through Libya.

### 2. Judicial developments

#### (a) *The Prosecutor v. Saif Al-Islam Gaddafi*

74. On 5 June 2018, Saif Al-Islam Gaddafi challenged the admissibility of the case pursuant to articles 17(1)(c), 19 and 20(3) of the Statute. On 5 April 2019, Pre-Trial Chamber I rejected Mr Gaddafi's admissibility challenge and found that his case was admissible before the ICC. Pre-Trial Chamber I was satisfied, that Mr Gaddafi had procedural standing to lodge an admissibility challenge, but rejected his challenge on the grounds that: (i) the judgment of the Tripoli Criminal Court rendered against Mr Gaddafi on 28 July 2015, was not final and had not acquired the effect of *res judicata*; (ii) Mr Gaddafi was excluded from the amnesty and/or pardon provided by Law No. 6 of 2015; and (iii) granting amnesties and pardons for serious acts such as murder constituting crimes against humanity would, in any case, be incompatible with internationally recognised human rights. On 11 April 2019, Mr Gaddafi filed an appeal against Pre-Trial Chamber I's decision rejecting his challenge to the admissibility of the case. Responses were filed by the Prosecutor and the OPCV.

#### (b) *The Prosecutor v. Mahmoud Mustafa Busayf Al-Werfalli*

75. On 4 July 2018, Pre-Trial Chamber I issued a second warrant of arrest against Mr Al-Werfalli for alleged murder as a war crime in the context of an incident of 24 January 2018, when he allegedly killed 10 persons outside the Bi'at al-Radwan Mosque in Benghazi, Libya. The Prosecutor made public calls for his immediate arrest and surrender to the Court, including at the UNSC, which referred the situation in Libya to the ICC Prosecutor through Resolution 1970 (2011).

### 3. Counsel Support

76. The Registry appointed nine duty counsels in relation to this situation.

### 4. Victim's Participation

(a) *The Prosecutor v. Saif Al-Islam Gaddafi*

77. The OPCV represented the victims who already communicated with the Court in relation to the Gaddafi case for the purposes of the proceedings arising from the admissibility challenge brought by the Defence.

## L. Situation in Mali

### 1. Investigations

78. The OTP conducted several missions for the purpose of collecting evidence, screening and interviewing witnesses, and securing the continued cooperation of its partners, including States in the Sahel region.

### 2. Judicial developments

(a) *The Prosecutor v. Al Mahdi*

79. On 27 September 2016, Trial Chamber VIII found Mr Al Mahdi guilty of the war crime of attacking historic monuments and buildings dedicated to religion in Timbuktu and sentenced him to nine years' imprisonment. On 17 August 2017, Trial Chamber VIII issued its reparations order, determining that Mr Al Mahdi's acts had caused physical damage to protected buildings, as well as economic and moral harm, resulting in total liability of 2.7 million euros.

80. On 4 March 2019, Trial Chamber VIII approved the TFV's updated reparations implementation plan. 12 selected projects were approved. 12 selected projects were approved. The implementation of the reparations remains ongoing.

(b) *The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud ("Mr Al Hassan")*

On 4 July 2019, Mr Al Hassan submitted a challenge to the admissibility of the case, arguing that the charges are insufficiently grave to satisfy the gravity threshold. On 27 September 2019, Pre-Trial Chamber I rejected the admissibility challenge; an appeal against this decision is pending before the Appeals Chamber.

81. The confirmation of charges hearing took place between 8 July 2019 and 17 July 2019. On 30 September 2019, Pre-Trial Chamber I issued a unanimous decision, confirming the charges of war crimes and crimes against humanity against Mr Al Hassan and committed him to trial before a Trial Chamber.

### 3. Field Activities

82. Following the signature of a Memorandum of Understanding ("MoU") between the ICC and United Nations Multidimensional Integrated Stabilization Mission in Mali ("MINUSMA"), the ICC Mali CO successfully completed its relocation within the MINUSMA compound in March 2019. Despite Mali's volatile security environment, the CO provided support to 145 field missions during the reporting period.

83. Mali CO intensified its outreach activities and organized from 8 to 12 October 2018 information and awareness sessions reaching out to 50 members of civil society and 5 media professionals, in Bamako and within the country. From 24 to 27 March 2019, the Registrar led a mission in Bamako during which meetings and information sessions on the

Court's mandate and cases in Mali were held with the diplomatic corps, 6 NGOs and 4 media professionals.

84. In collaboration with the VPRS and with support from the CAR, DRC and Uganda Country Offices, information and training sessions were organised for different communities in Mali and in refugee camps. From 21 September 2018 to 30 April 2019, 17 people working as paralegals in northern Mali, 67 people from affected communities residing in Bamako and Timbuktu and 4 refugee victims from Mbera refugee camp in Mauritania were trained on the Court's mandate and the rights of the affected communities. From 1 to 15 November 2018, the Office conducted a mission with VPRS and the support of WiLDAF (Women in Law and Development in Africa) to collect requests for participation from some 50 victims living in the suburbs of Bamako. From 4 April to 10 May 2019, consultations were held with 74 victims on legal representation, as part of the implementation of Pre-Trial Chamber I decision of 20 March 2019 on the principles applicable to victims' applications for participation, their legal representation and the modalities of their participation in the proceedings.

#### 4. Victims' Participation

85. In *Al Mahdi*, during the reporting period, the Registry submitted three reports on its legal processing of existing reparation applications on 10 October, 13 November and 21 December 2018.<sup>4</sup>

86. In the *Al Hassan* case, the Chamber's decisions generated extensive Registry activity linked to victims' participation and involving, in the reporting period: (i) the legal assessment and the Chamber's admission of 882 victim applications for participation during the pre-trial proceedings; (ii) the organisation of several missions in the field to train lawyers and intermediaries on the filling in of the new application form approved by the Chamber; and (iii) the submission of several filings to the Chamber and the parties (i.e. a proposal on the system for participation to be implemented in the case; a report on identity documents; a joint report VPRS/PIOS mission; a report on legal representation; and the first assessment report on applications for participation).

#### 5. Counsel Support

87. The Registry facilitated five missions to Mali of legal teams of legal representatives of victims. It also appointed 17 duty counsels who participated in activities related to the situation.

#### 6. Outreach

88. Due to the security constraints and in the absence of outreach staff in the field, activities to publicise the developments in two Mali cases were undertaken by PIOS in coordination with the CO. PIOS finalised a survey of knowledge and perceptions about the ICC in Mali. It gave an insight in to the most effective communication tools, languages and the interests in the work of the Court. The results of the survey are being used to develop strategies and action plans for outreach activities.

89. During the Confirmation of Charges hearing in the case of Al-Hassan, PIOS hosted a group of journalists from the main television and radio stations in Mali. This visit was organised in cooperation with the "Journalists for Justice" NGO based in The Hague. Journalists had an opportunity to follow the hearings in the case, meet with the staff of the Court, Principals as well as parties and participants in the proceedings.

<sup>4</sup> See ICC-01/12-01/15-287, ICC-01/12-01/15-298, ICC-01/12-01/15-308.

## **M. Situation in Uganda**

### **1. Judicial Developments**

#### *(a) The Prosecutor v. Dominic Ongwen*

90. Mr Ongwen's trial on 70 counts of crimes against humanity and war crimes resumed on 18 September 2018 with the opening statements of the Defence, followed by Defence presentation of evidence.

91. On 14 March 2019, Mr Ongwen applied for leave to appeal the decision of Trial Chamber IX on his motions alleging defects in the decision on the confirmation of charges. Leave to appeal was granted on 1 April 2019. On 17 July 2019, the Appeals Chamber issued its judgment rejecting the appeal, finding that Trial Chamber IX did not err in its interpretation of rule 134 of the Rules and did not improperly exercise its discretion when dismissing *in limine* Mr Ongwen's motions alleging defects in the decision on the confirmation of charges.

92. The Prosecution's presentation of evidence concluded on 13 April 2018; the Chamber received the testimony of 47 witnesses (31 in court appearance, 16 via video link) during this presentation.

### **2. Investigations**

93. The OTP conducted several missions including for trial support purposes, and continued to encourage national proceedings where appropriate.

### **3. Field Activities**

94. The CO conducted 306 outreach and public information activities namely video projections of the trial of Dominic Ongwen, face-to-face meetings with victim communities and stakeholders, radio programmes and broadcast of daily spot messages, media briefings and public lectures at universities and high schools. These diverse platforms provided opportunities for direct engagements with various interest groups to address their concerns as well as provided them factual information and updates regarding the trial.

95. 101,070 people in northern Uganda was directly reached with information about the proceedings in the Ongwen case during the activities listed above, while an estimated population of twelve million five hundred was reached through radio and interactive SMS platform.

96. The CO held joint outreach activities in the case four case locations with the Prosecution, Defence and Counsels for victims, which were useful in providing the victims and affected population pertinent information and responses to issues related to the on-going trial.

### **4. Victims' Participation**

97. 1,532 victims participating in the *Ongwen* case are represented by the OPCV. 2,599 victims are represented by external counsel.

### **5. Counsel Support**

98. The Registry facilitated 34 missions of both, defence counsel and legal representatives of victims, to Uganda and appointed 19 duty counsels related to the situation.

## **N. Situation on Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia**

### **1. Judicial Developments**

99. On 15 November 2018, Pre-Trial Chamber I directed the Prosecutor to reconsider her decision not to investigate. The Prosecutor sought leave to appeal the Pre-Trial Chamber's decision, which the Chamber granted, in part, on 18 January 2019.

100. On 2 September 2019, the Appeals Chamber delivered its judgment and rejected the appeal of the Prosecutor against the decision of Pre-Trial Chamber I on the application for judicial review by the Comoros. The Appeals Chamber nevertheless maintained, Judge Chile Eboe-Osuji and Judge Luz del Carmen Ibáñez Carranza dissenting, that the 'ultimate decision' as to whether or not to initiate an investigation is that of the Prosecutor.

## **O. Situation in the State of Palestine**

### **1. Judicial Developments**

101. Between 12 November 2018 and 9 August 2019, Pre-Trial Chamber I received four reports from the Registry on information and outreach activities concerning victims and affected communities in the situation.

### **2. Outreach**

102. Following the Pre-Trial Chamber Decision on Information and Outreach for Victims of the Situation, VPRS and PIOS drafted messages for the Court's website and PIOS created an informative page on the Court's website for the victims of the situation of Palestine in English, French, Arabic and Hebrew. Information was also added to the page on victims of the Court's webpage to promote greater understanding of the ICC stages of proceedings and the role of victims in the various stages.

## **P. Outstanding requests for arrest and surrender**

103. Requests for arrest and surrender issued by the Court are outstanding against 15 individuals:

- (a) DRC: Sylvestre Mudacumura, since 2012;
- (b) Uganda: Joseph Kony and Vincent Otti, since 2005;
- (c) Darfur: Ahmad Harun and Ali Kushayb, since 2007; Omar Al Bashir, since 2009; Abdel Raheem Muhammad Hussein, since 2012; Abdallah Banda, since 2014;
- (d) Kenya: Walter Barasa, since 2013; Paul Gicheru and Philip Kipkoech Bett, since 2015;
- (e) Libya: Saif Al-Islam Gaddafi, since 2011; Al-Tuhamy Mohamed Khaled, since 2013; Mahmoud Mustafa Busayf Al-Werfalli, since 2017; and
- (f) Côte d'Ivoire: Simone Gbagbo, since 2012.

## **III. Preliminary examinations**

104. 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.

105. During the reporting period, completed two preliminary examinations. The OTP requested authorisation to proceed with an investigation concerning the alleged deportation of the Rohingya people from Myanmar to Bangladesh and it closed the preliminary examination of the situation in Gabon following the determination by the Prosecutor that

there was no reasonable basis to proceed with an investigation into this situation for lack of subject-matter jurisdiction. The OTP continued preliminary examinations of the situations in Colombia, Guinea, Iraq/UK, Nigeria, Palestine, the Philippines, Ukraine, and Venezuela.

106. In Colombia, the OTP continued its factual and legal assessment of information relating to the status and progress of national proceedings carried out by the Colombian authorities under the ordinary justice system, the Justice and Peace Law and the Special Jurisdiction for Peace systems and to engage with relevant Colombian authorities.

107. In Guinea, the OTP continued to closely examine any obstacle to genuine accountability respecting the 28 September 2009 events in the Conakry stadium and to support the organisation of a fair and impartial trial that would be meaningful to the victims.

108. With regard to Iraq/UK, the OTP has focussed its analysis on the admissibility assessment, namely complementarity and gravity and in this context, has been in regular contact with the UK authorities and other relevant stakeholders, including civil society representatives and academics.

109. In Nigeria, the OTP fine-tuned its factual and legal assessment of information received in particular on alleged sexual and gender-based crimes in the armed conflict between Boko Haram and Nigerian security forces, as well as alleged killings in the North West and North Central regions of Nigeria. The Office has also further gathered information on national proceedings relating to the potential cases it has identified.

110. With regard to Palestine, the OTP significantly advanced in its assessment to determine whether there is a reasonable basis to proceed with an investigation into the situation, pursuant to the Rome Statute criteria. In this respect, the Office continued to analyse issues concerning jurisdiction and admissibility as well as to engage with relevant stakeholders, with a view to completing the preliminary examination as expeditiously as possible.

111. While the withdrawal of the Philippines from the Rome Statute took effect on 17 March 2019, the OTP has continued its preliminary examination of alleged crimes committed during the time in which the State was party to it. The OTP received and analysed numerous communications and public reports concerning killings allegedly committed by members of the national police and vigilante groups as part of the so-called “war on drugs” campaign, and interacted with relevant stakeholders.

112. In relation to Ukraine, the OTP focused its analysis on alleged crimes in Crimea and eastern Ukraine with a view to defining potential cases for investigation and has engaged with the Ukrainian Government, non-governmental organizations and others, with a view to advancing its assessment of the admissibility criteria.

113. The Office received a referral from a group of States Parties regarding the situation in the Bolivarian Republic of Venezuela while its preliminary examination was on-going, and further advanced its analysis of reported killings and abuse in detention affecting in particular actual or perceived members of the opposition.

114. A full report on the status of the situations under preliminary examination will be available before the 18th session of the Assembly of States Parties, as per OTP practice.

#### **IV. Administration, management, and judicial support activities**

115. This section highlights the Court’s main developments in the fields of administration, management and judicial support.

116. On 3-4 October 2019, the Judges held a judicial retreat near Arnhem (The Netherlands). The retreat provided an opportunity for private exchanges among judges on topics related to the efficiency and functioning of the judiciary. The retreat achieved a number of concrete outcomes. The judges agreed on the adoption of a consistent set of internal guidelines regulating the timing of key decisions at the pre-trial, trial and appeals stages, thereby enhancing the efficiency and predictability of proceedings. The judges agreed on five specific sets of time frames for rendering various types of decisions or judgments, including that a written decision on conviction or acquittal under article 74 of

the Rome Statute should be delivered within 10 months from the date of the end of the closing statements. Recognising the importance of cohesive and consistent decision-making, the judges also adopted 'Guidelines for ICC Judgement Drafting' and 'Guidelines for ICC Judgment Structure'. These guidelines aim at establishing a unified approach to the judgment drafting process and setting out a structure for judgments on conviction or acquittal rendered by the Court. Drawing upon best practices and lessons learned, the judges agreed on the adoption of a methodology to ensure that trial chambers commence the preparation of judgments at an early stage and follow a coherent and consistent structure, while still being appropriately adapted to the need of specific cases. The guidelines on timeframes as well as judgment drafting and judgment structure will be incorporated into the Chambers Practice Manual, which is publicly available on the ICC website.

117. On 17 July 2019, upon consultation with external stakeholders, the Court issued its Court-wide Strategic Plan for 2019-2021, complemented by organ-specific strategic plans of the OTP and the Registry for the same period. The synchronised issuance of the three plans for the first time in the Court's history is designed to ensure optimal use of resources and a harmonized approach to matters of common concern, taking into account the specificities of each organ.

118. The Court-wide Strategic Plan identifies 10 strategic goals, grouped under three categories: judicial and prosecutorial performance; cooperation and complementarity; and organisational performance. The Strategic Plan furthermore discusses performance indicators, risk management and internal and external influencing factors the Court's operating environment; as well as provides a description of the Court's mission and vision. The Plan acknowledges the crucial role of the Court's staff in the achievement of its mission and identifies geographical representation and gender balance as key issues for all areas of the Court's work.

119. On 12 November 2018, the Judges adopted amendments to the Regulations of the Court in order to address a number of procedural issues arising in connection to the activation of the jurisdiction of the Court over the crime of aggression as of 17 July 2018 by the Assembly of States Parties at its sixteenth session on 14 December 2017. These amendments entered into force on 15 November 2018. The adopted amendments ensure clarity on certain matters related to the exercise of judicial functions by the Pre-Trial Division under article 15*bis*(8) of the Rome Statute. They clarify the composition of the Pre-Trial Division for such purposes and provide for the election of a Presiding Judge. The amendments also address a number of procedural matters concerning the availability of a situation record and the assignment of situations to a Pre-Trial Chamber by the Presidency

## V. Conclusion

120. The reporting period was marked by busy activity and many important developments in the Court's pre-trial, trial and appeals proceedings, as well as the investigations and preliminary examinations conducted by the Office of the Prosecutor.

121. As a permanent court of last resort, the Court plays a key role in the system of international criminal justice aimed at ending impunity for the most serious crimes of concern to the international community and contributing to their prevention. As described in its Strategic Plan for 2019-2021, the Court envisions being a universal, responsive, flexible and resilient organisation that strives to improve continuously. To succeed in these aspirations, the Court needs the strong and consistent backing of the international community for the conduct of its mandate. The States Parties and the Assembly pay a critical role in this regard, and the Court recognises with gratitude the invaluable cooperation it receives for its judicial, prosecutorial and investigative activities.

## Annex

## The ICC's year in numbers

<i>Where</i>	<i>What</i>	<i>Details and remarks</i>
e courtroom	22 cases and 11 situations	BURUNDI – no case; DRC – 1) <i>Lubanga</i> , 2) <i>Ntaganda</i> , 3) <i>Katanga</i> , 4) <i>Mudacumura</i> ; CAR I – 5) <i>Bemba Gombo</i> , 6) <i>Bemba et al.</i> ; CAR II – 7) <i>Yekatom and Ngaïssona</i> ; UGANDA – 8) <i>Dominic Ongwen</i> , 9) <i>Joseph Kony and Vincent Otti</i> ; DARFUR (SUDAN) – 10) <i>Al Bashir</i> , 11) <i>Ahmad Harun and Ali Kushayb</i> , 12) <i>Banda</i> , 13) <i>Hussein</i> ; KENYA – 14) <i>Barasa</i> , 15) <i>Paul Gicheru and Philip Kipkoech Bett</i> ; LIBYA – 16) <i>Gaddafi</i> , 17) <i>Al-Tuhamy Mohamed Khaled</i> , 18) <i>Mahmoud Mustafa Busayf Al-Werfalli</i> ; COTE D'IVOIRE – 19) <i>Laurent Gbagbo and Blé Goudé</i> , 20) <i>Simone Gbagbo</i> ; MALI – 21) <i>Al Mahdi</i> , 22) <i>Al Hassan</i> ; GEORGIA – no case.
	96 hearings with 47 witnesses testifying	47 witnesses testified, with 31 appearing physically before the Court in The Hague and 16 testifying via video link.
	10,685 participating victims <sup>1</sup>	More than 1,700 victims as TFV beneficiaries following the <i>Bemba</i> case, <sup>2</sup> more than 2,000 in the <i>Ntaganda</i> case, more than 700 in the <i>Gbagbo-Blé Goudé</i> case, more than 4,000 in the <i>Ongwen</i> case, and 8 in the <i>Al Mahdi</i> case, 1,111 in the <i>Yekatom/Ngaïssona</i> case and 882 in the <i>Al Hassan</i> case. Victims are represented by external counsel or, in the <i>Gbagbo-Blé Goudé</i> , <i>Ntaganda</i> , <i>Al Hassan</i> and <i>Yekatom/Ngaïssona</i> cases, (also) by the OPCV. In the <i>Ongwen</i> case, victims are divided into two groups represented by an external counsel and OPCV respectively. In the <i>Yekatom/Ngaïssona</i> case, a counsel from the OPCV is representing the child soldier victims and another counsel from the OPCV is representing the other victims together with four external counsel.
	671 decisions and 107 orders issued	Decisions: excluding annexes – 593; excluding annexes and corrigenda – 578; excluding annexes, corrigenda, and redacted versions – 459. Orders: excluding annexes – 103; excluding annexes and corrigenda – 103; excluding annexes, corrigenda, and redacted versions – 92.
	2 decisions at first instance on guilt or innocence	Oral decision of 15 January 2019 in <i>The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé</i> ; Judgement of 8 July 2019 in <i>The Prosecutor v. Bosco Ntaganda</i> .
	1 appeal judgment on final appeals and 4 judgments on interlocutory appeals	Judgment on the Prosecutor's appeal against the oral decision of Trial Chamber I pursuant to article 81(3)(c)(i) of the Statute; Judgment on the appeal of the Prosecutor against Pre-Trial Chamber I's 'Decision on the "Application for Judicial Review by the Government of the Union of the Comoros"'; Judgment on the appeal of Mr Dominic Ongwen against Trial Chamber IX's 'Decision on Defence Motions Alleging Defects in the Confirmation Decision'; Judgment in the Jordan Referral re <i>Al-Bashir</i> Appeal; Judgment on the appeals against Trial Chamber II's 'Decision Setting the Size of the Reparations Award for which Thomas Lubanga Dyilo is Liable'
	6,022 filings made	Includes originals, translations, annexes, corrected and redacted versions.
	Assistance provided on requests to 30 defence and victims' teams (excluding States' representatives and situation-related representatives)	The Registry's Counsel Support Section centralises and coordinates all logistical and administrative support to defence counsel, legal representatives of victims and their teams. During the reporting period, it facilitated the deployment of 62 missions to situation countries. CSS provided support to 16 defence and 14 victims' teams, including 121 defence team members in <i>Lubanga</i> , <i>Katanga</i> , <i>Ntaganda</i> , <i>Bemba et al.</i> , <i>Gbagbo &amp; Blé Goudé</i> , <i>Ongwen</i> , <i>Al Mahdi</i> , <i>Banda</i> , <i>Gaddafi</i> , <i>Al Hassan</i> ; <i>Yekatom</i> and <i>Ngaïssona</i> and 45 members of legal representatives of victims' teams in <i>Lubanga 1 &amp; 2</i> , <i>Katanga</i> , <i>Bemba</i> , <i>Banda</i> , <i>Al Bashir</i> , <i>Al Hassan</i> , <i>Al Mahdi</i> , <i>Ongwen</i> , <i>Yekatom</i> and <i>Ngaïssona</i> .

<sup>1</sup> A growing number of victims participating in the proceedings also become reparation applicants where cases enter into the reparations phase, as in *Al Mahdi*; *Katanga*; *Lubanga*; and *Ntaganda*. Figures of participating victims and reparations applicants/beneficiaries largely overlap as many individuals choose both instruments in their application forms to the ICC. In addition, victims of the former *Bemba* proceedings are no longer participants in a judicial process but potential beneficiaries of the TFV through its assistance mandate (see the next footnote *infra*).

<sup>2</sup> Following the acquittal of Mr Bemba, the TFV announced on 13 June 2018 that victims "in the situation of the Central African Republic ("CAR")", including those affected by the *Bemba* case, would be subject to assistance-mandated activities. To date, approx. 1,700 victims could be identified that consent to such assistance.

Behind the courtroom	5 persons in custody	The total number of persons in custody during the reporting period varied between 5: Mr. Ntaganda, Mr. Onwgen, Mr. Al Hassan, Mr. Yekatom and Mr. Ngaïssona.
	1,993 new victims were granted participating status. 289 victims submitted reparation forms in the <i>Lubanga</i> case	The newly accepted victims were granted participating status in the <i>Yekatom/Ngaïssona</i> case (1,111) and in the <i>Al Hassan</i> case (882).
	2,355 forms for participation and/or reparations received	The vast majority of applications are related to the Mali and CAR II situations.
	1,700 consent forms from CAR I victims received	The Registry received and processed for transmission to thee TFV approximately 1,700 consent forms from former victim participants in the <i>Bemba</i> proceedings to benefit from future TFV assistance mandated activities
	286 registrations of follow-up documents	Mainly related to the situation in Côte d'Ivoire and the reparations phase of the <i>Al Mahdi</i> case.
	43 candidates admitted within period to be added to the list of counsels	In addition, 23 persons added to the list of assistants to counsel, making a total of 367 persons.
	799 Article 15 communications received	The OTP continued to analyse information received alleging the commission of crimes potentially falling within the Court's jurisdiction. From 1 September 2018 to 31 August 2019, the OTP registered 799 communications submitted under Article 15, of which 617 were manifestly outside the Court's jurisdiction; 36 were unrelated to current situations and warranted further analysis; 125 were linked to a situation already under analysis; and 21 were linked to an investigation or prosecution. Additionally, during the same period the Office received 3959 items of additional information to already existing communications
	2,192 interpreter days	Court and conference interpretation: hearings, seminars/ roundtables, visits from delegations, NGO/diplomatic briefings and others – 1,196 interpreter days; field and operational interpreter days – 996.
	12,523 pages or 234 transcripts	Includes 5,859 pages French and 6,664 pages of English transcripts.
	27,911 pages of translation requested; 10,252 pages finalized	23,804 pages of judicial translations were requested, with 6,523 pages finalized. 4,107 pages of non-judicial translations were requested, with 3,729 pages finalized.
	23,346 visitors received	VIP visits (ministerial level and above) – 79, approximately 400 individuals; stakeholder visits (diplomats, NGOs, lawyers, prosecutors and journalists) – 144 visits or 2,310 individuals; general information visits by university students and the general public – 542 visits or 21,036 individuals; which include walk in visitors or high school groups.
	15,813 job applications processed, with 131 recruitments, and 896 staff members on established posts	During the period covered: 5,894 applications for short-term positions, 9,919 applications for fixed-term positions, with 70 recruitments for fixed-term and 61 recruitments for short-term positions. In addition, 172 staff members are on positions funded by General Temporary Assistance, 38 on short-term appointments and 5 staff occupy Junior Professional Officer (JPO) positions.
	296 interns and 44 visiting professionals recruited	There were 234 Interns and 62 Visiting Professionals at the Court, of which 8 Visiting Professionals received a monthly stipend from the Court, funded by the European Commission grant, 10 Interns and 6 Visiting Professionals were funded by the Trust Fund for the Development of IVPs (contributions from the government of the Netherlands, Republic of Korea and ICC staff members)
	4 Administrative Instructions promulgated	<b>Presidential Directives</b> set up procedures for implementation of regulations, resolutions and decisions adopted by the ASP, including regulations and rules on finance, staff, programme planning and budget. No Presidential Directive was promulgated during the reporting period. <b>Administrative Instructions</b> involve procedures, policies and regulatory matters of general concern. Four were published in this reporting period. These related to performance appraisal system, flexible working arrangements, delegation of authority under the financial rules and regulations and classification and reclassification of posts. <b>Information Circulars</b> are announcements of one time or temporary interest regarding, inter alia, changes in salary scales, entitlements and composition of committees and boards. No Information Circulars was promulgated during the reporting period.

	3 external audits, 5 internal audits and 3 advisory service performed	<b>External audits:</b> Audit of Financial Statements of the International Criminal Court for the year ended 31 December 2018; Audit of Financial Statements of the Trust Fund for Victims for the year ended 31 December 2018; Performance audit on ICC budget process. <b>Internal audits:</b> IT Audit on Audit on Logical Access Controls (December 2018); Audit on Physical and Environmental Protection (December 2018); Audit on Field Offices operations: administrative and financial controls (December 2018); Audit on Training Program of Investigators (April 2019); Audit on HQ Security (May 2019); Advisory Service on Procurement Rules within Registry (October 2018); Advisory Service on Review of the SOP on Miscellaneous Obligating Documents (December 2018); and IT Advisory Service on Risk identification and evaluation facilitation for IMSS (February 2019).
	91 witnesses and 466 dependants protected or relocated	The number of witnesses and dependants protected has remained stable compared to the previous report. While successful risk reductions measures have continued to be implemented for the benefit of formerly protected individuals, new persons at risk have been granted protection during the course of the reporting period, offsetting the total number of protected persons.
	1,679 missions undertaken	OTP undertook 312 missions in non-situation countries, and 237 missions in situation countries for the purposes of, <i>inter alia</i> , collecting evidence, screening and interviewing witnesses, and securing the continued cooperation of its partners. The Registry undertook 581 missions in situation countries and 404 missions in non-situation countries. 93 additional missions were conducted in situation countries and 52 in non-situation countries by other entities including the Presidency, the Chambers, the Assembly of States Parties, the Trust Fund for Victims, the Audit and IOM.
In the field	697 outreach meetings and workshops for affected communities, reaching out to around 123,268 individuals	Between 1 September 2018 and end-August 2019: 697 Outreach meetings and workshops, including in Burundi (1), CAR (195), CIV (34), DRC (49), Georgia (99), Mali (3), and Uganda (316). These meetings reached out to 123,268 individuals - in Burundi (10), CAR (2,586), CIV (3,071), DRC (2,679), Georgia (800), Mali (72), and Uganda (114,050).
	478 hours of media broadcast, with an estimated audience of 84,500,000	Includes ICC radio and TV productions and local productions in partnership with the ICC, in English, French and local languages. According to local media statistics, estimated audiences reached: CAR – 2.5 million, CIV – 18 million, DRC – 23 million, Georgia – 1 million, and Uganda – 40 million.
	7 country offices, 1 liaison office	Country offices in Kinshasa and Bunia (DRC); Kampala (Uganda); Bangui (CAR); Abidjan (Côte d’Ivoire), Bamako (Mali) and Tbilisi (Georgia). The liaison office to the UN in New York promotes cooperation between the ICC and the United Nations, represents the Court in various meetings, and assists in organising relevant events as well as visits of senior Court officials.
	Requests for arrest and surrender outstanding against 15 individuals	Against: Mr Sylvestre Mudacumura, Mr Joseph Kony, Mr Vincent Otti, Mr Ahmad Muhammad Harun, Mr Ali Muhammad Ali Abd-Al-Rahman, Mr Omar Hassan Ahmad Al Bashir, Mr Abdel Raheem Muhammad Hussein, Mr Abdallah Banda Abakaer Nourain, Mr Walter Osapiri Barasa, Mr Paul Gicheru, Mr Philip Kipkoech Bett, Mr Saif Al-Islam Gaddafi, Mr Al-Tuhamy Mohamed Khaled, Mr Mahmoud Mustafa Busayf Al-Werfalli, Ms Simone Gbagbo.
States-related	122 States Parties	No new States joined the Rome Statute during the reporting period.
	919 cooperation requests sent	During the reporting period, the Registry transmitted 332 primary judicial cooperation requests (including 45 requests from the Victims and Witnesses Section). 587 requests from OTP.
	3 cooperation agreements	2 agreements on enforcement of sentences out of the total of 12 agreements and 1 witness relocation agreements out of the total of 21 agreements.
	79 high-level visits from States welcomed at the seat of the Court	Visits to the seat of the Court included the King of Lesotho, President of Cabo Verde, Ministers from various states such as; Argentina, Tunisia, Spain, Sweden, State of Palestine, Japan, Bosnia and Herzegovina, Mexico, Korea, Uruguay and Sweden, amongst others. These visits also included as well the ECOWAS Court President, representatives from other International Organisations and EU special representatives.
	22 documents submitted for the ASP and 67 documents for the CBF. 36 documents submitted for the Audit Committee	For the 31st session of the CBF, the Court submitted 31 documents. For the 32nd session of the CBF, the Court submitted 36 documents. The Court submitted 22 documents for the ASP during the reporting period. For the 8th Audit Committee, the Court submitted 15 documents. For the 9th Audit Committee, the Court submitted 21 documents.