## INDEPENDENT EXPERT REVIEW: CATEGORIZATION OF RECOMMENDATIONS AND REMAINING ISSUES Prepared by the Review Mechanism

	Cluster (Sub)-Section	Assembly	Assembly & Court	Court	Comments
			I. GOVERNANCE		
	. Structure of the Court: (1)				
	CC/Court Governance, (2) ICC/IO	R1	R2, R3	R4, R5, R6, R7	
	iovernance				
	. Decision-Making Process and			R8, R9, R10, R11	
	nternal Legal Framework			, ,	
	. Content of Internal Legal		R13	R12	
	ramework				
4.	. Working Culture at the Court		R15	R14, R16, R17, R18, R19, R20	The recommendations regarding working
		B. Chambers Governance (W	orking Environment and Culture, Structi	ure, Management and Organisation	
1	. Working Environment and				
	ulture, 2. Chambers Structure and				
	Organisation (1) Static and Dynamic				
	ase Teams Led by référendaires (2)				
	pecialised Pre-trial Team (3)				
Transferability of Case Teams (4)					
	ole of Presiding Judges (5) Legal			R21, R22, R23, R24, R25, R26, R27,	
	taff Support to Judges, 3.			R28, R29, R30, R31, R32, R33, R34,	
	Nanagment in Chambers (1) Head			R35, R36, R37	
0	f Chmabers Staff (2) Legal Advisers				
to	Divisions (3) Quality of Legal				
Sı	upport Staff and Professional				
D	evelopment (4) Administrative				
Α	ssistants				
L					
			C. OTP Governance		
1	. The OTP Structure, 2. The OTP		C. C. I. Governance		
	egulatory Framework (1) Current				
	TP Regulatory Framework (2)			R38, R39, R40, R41, R42, R43, R44,	
	reas Not Addressed Under the			R45	
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3. OTP Management and Leadership Structures (1) Prosecutor and Deputy Prosecutor - Roles of Prosecutor and Deputy Prosecutor, Ussue of two Deputy Prosecutors		R46, R47, R48	
3. (2) Executive Committee (ExCom)		R49, R50, R51, R52	
3. (3) Immediate Office of the Prosecutor (IOP) - <i>Chef de Cabinet,</i>		R53, R54, R55, R56	
Public Information Unit (PIU) 3. (4) Integrated Teams		R57, R58, R59, R60, R61, R62, R63	
4. OTP Staffing (1) Staff		R64, R65, R66, R67, R68, R69, R70	
Qualifications 4. (2) Quantity of Staff		R71, R72, R73, R74, R75	
	D. Dowish		
1. Election of the Registrar and		Governance	
Deputy Registrar	R76, R77, R78		
2. Various Sections of the Registry		R79	
3. Field offices		R80, R81, R82, R83, R84, R85, R86	
	II. HUMAN	RESOURCES	
	A. General; B. Working Environment and Culture, Staff	Engagement, Staff Welfare; C. Bullying and Harassment;	
		R87, R88	
	D. Management o	of Human Resources	
		R89, R90	
		; F. Short-Term Appointments, Local Recruitment	
		DO4 DO2 DO2 DO4	
	R95, R96	R91, R92, R93, R94	
		R91, R92, R93, R94  nnce Appraisal	
		<u> </u>	
	G. Performa	R97, R98	
	G. Performa	nnce Appraisal	
	G. Performa  H. Staff Training  R99	R97, R98  and Development	
	G. Performa  H. Staff Training  R99	and Development ingualism	
	G. Performa  H. Staff Training  R99	R97, R98  and Development	
	G. Performa  H. Staff Training  R99  I. Multil	and Development ingualism	
1. Internal Mobility 2. External Mobility 3. Secondments	G. Performa  H. Staff Training  R99  I. Multil	ance Appraisal  R97, R98  and Development  ingualism  R100	

	III. ETHICS AND PREVENTIO	N OF CONFLICTS OF INTEREST	
	A. Ethics	Framework	
Court staff and/or officials, Individuals affiliated with the Court	R108, R109	R106, R107	
	B. Prevention of	Conflict of Interest	
	R110, R111, R112,		
	IV INTERNAL COL	EVANCE PROCEDURES	
		ountability of Judges	
1. Disciplinary Mechanisms and Complaints 2. Disciplinary Standards 3. A Readjusted Disciplinary R124 Arrangement 4. Judicial Council of the Court	1, R125 R126, R127, R131	R115, R116, R117, R118, R119, R120, R121, R122, R123, R128, R129, R130	
	V RUDG	ET PROCESS	
A. Court Budge		C. Enhancing Trialogue D. Assembly of States Parties E. M	iscellaneous
R135	5, R136, R137, R139, R140, R141 R134, R138, R143	R132, R133, R142	In light of the concerning level of arrears and the recurring liquidity crisis, recommendations regarding improvement of the budget process should be adressed as priority.
		DRS AND STRATEGIC PLANNING  B. Effectiveness	
	R148	R144, R145, R146, R147	
		AL RELATIONS	
A. Relations with the United Nation		UN (NYLO) Relations with UN Agencies and Other Internate R149, R151, R152	ional and Regional Organisations
	R150	K149, K151, K152	
	D. Relations with Civil Soci	ety and Media Organisations	
	R161, R162	R153, R154, R155, R156, R157, R158, R159, R160	
	E. Communications Stra	ategy F. Outreach Strategy	
		R163, R164, R165, R166, R167, R168	
	G. External Political Mo	easures against the Court	
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	VIII. ELECTION OF TH				
	R173	R171, R172			
	IV WORKING N	ETHORS			
IX. WORKING METHODS  A. Induction and Continuing Professional Development					
1. Induction Programme 2. Timing 3.	A. induction and continuing Fre	Messional Development			
Contents 4. Continuing Professional		R174, R175, R176, R177			
Development		,			
·		<u> </u>			
	B. Full-Time Service o	f New Judges			
		R178, R179, R180			
	C. Code of Judic				
		R181, R182, R183, R184			
	D. Judicial Coll	ogiality			
	D. Judicial Coll	R185, R186, R187, R188			
		N103, N100, N107, N100			
	X. EFFICIENCY OF THE JUDICIAL PRO	CESS AND FAIR TRIAL RIGHTS			
	A. Pre-Trial S	tage			
1. Disclosure of Evidence 2.					
Confirmation of Charges 3. Length		R189, R190, R191, R192, R193, R194,			
of Pre-Trial Stage 4. Chambers		R195, R196, R197, R198			
Practice Manual and Judicial Case		N155, N156, N157, N156			
Management					
	B. Trial Sta	σ <sub>Φ</sub>			
1. Transfer of the Case to Trial	D. ITIAI Sta				
Division 2. No Case to Answer 3.					
Amicus Curiae 4. Evidence Admitted					
vs Submitted 5. Witness					
Preparation/Proofing 6. Prior					
Recorded Testimony and Live					
Testimony by Means of Audio or					
Video-Link Technology 7.		R199, R200, R201, R202, R203, R204,			
	R206, R207				
Management of the Trial 8. Court		R205, R208, R209, R210, R211, R212			
Activities in situ and Site Visits 9.					
Brief Absence of a Judge 10.					
Technology in the Judicial Process					
(1) Case Law Database (2) Other					
Digital Resources and Legal Tools (3)					
Effect on the Defence and Legal					
Representatives of Victims					

C. In	iterlocutory Appeals	
	R213	
D. Managemen	t of Transitions in the Judiciary	
L. Continuing in Office on Expiry of		
Ferm 2. Designation of an Alternate		
udge 3. Appointment of a		
Substitute Judge		
XI. DEVELOPMENT OF PROCESSES AND PROCEDURES TO PRO	MOTE COHERENT ANDACCESSIBLE JURISPRUDENCE AND DECISION	ON-MAKING
A. Standard of Review in Appeals B. Departure from Established Practice and Jurispru	dence C. developing a Deliberation Culture D. Judgment Structur	e and Drafting E. Conflicts Between
Different Leg	al Systems and Best Practices	
	R216, R217, R218, R219, R220, R221,	
	R222, R223, R224, R225	

OSM: OTP	XII. OTP SITUATIONS AND CASES: PROSECUTORIAL STRATEGIES OF SELECTION, PRIORITISATION, HIBERNATION AND CLOSURE			
	A. Initial Situation and Case Selection: Preliminary Examinations			
	<ol> <li>Situation Selection During Phase 1</li> <li>Situation Selection during PRs</li> <li>(Phases 2-4) (1) Narrower Standards</li> <li>for Admissibility (2) Feasibility</li> <li>Considerations in Situation Selection</li> <li>and Prioritisation</li> </ol>	R226, R227, R228, R229		

B. Selection and Prioritisation of Cases and Perpetrators					
1. The Criteria for Case Selection					
and Prioritisation (1) The Policy in					
relation to Selecting and Charging	R230, R231, R232, R233, R234, R235,				
Suspects (2) Defining a Case:	R236, R237, R238, R239				
Charging Practices (3) Case					
Prioritisation: Feasibility Issues					
2. The Process of Case Selection and	D240 D241 D242				
Prioritisation	R240, R241, R242				

C. Situation Prioritisation, Hibernation and Closure			
	R243, R244, R245, R246, R247, R248,		
	R249, R250		

XIII. PRELIMINARY EXAMINATIONS	
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## B. Length of PE Activities, Time Limits

		D254 D255 D256 D257 D250 D250	
		R254, R255, R256, R257, R258, R259,	
		R260, R261	
	C. Complementarity and Positive Complem	nentarity	
1. Complementarity Assessments for	, , , , , , , , , , , , , , , , , , ,		
Admissibility (Article 17) 2. Positive		R262, R263, R264, R265	
Complementarity		,	
	D. Transparency of Preliminary Examina	ations	
		R266, R267	
		-	
	XIV. INVESTIGATIONS		
	A. Investigative Strategy		
		R268, R269, R270, R271	
	B. Investigative Technique and Too	ls	
1. Cooperation for Evidence	R272, R273, R274, R275, R277, R278	R276	
Collection	, -, , -, , -		
2. Cooperation Requests - JCCD		R279, R280, R281, R282	
International Cooperation Section			
3. Developing Technical Expertise			
within the ID (1) Financial Investigations (2) Tracking and R284	P290 P200	R283, R285, R286, R287, R288, R291,	
Investigations (2) Tracking and R284 Arrests of Fugitives (3) Remote	R289, R290	R292	
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vestigations			
	C. ID Field Presence in Situation Count	tries	
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		R293, R294, R295, R296, R297, R298	
	D. Evidence Assessment and Analys	is	
		R299, R300, R301, R302, R303, R304	
	XV. OTP INTERNAL QUALITY CONTROL MEC	LLANIICNAC	
	A. Evidence Reviews: Internal and Peeer		
	7. Evidence Neviews. Internal and Feeel		
		R305, R306, R307, R308, R309, R310	
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	C. Lessons Learnt		
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	XVI. DEFENCE AND L		
	A. Institutional Repre		1
		R320, R321, R322, R323, R324, R325,	
		R326, R327	
	B. Legal Aid		
R332	R328	R329, R330, R331, R333, R334, R335	
	XVII. VICTIM PARTIC	CIPATION	
A. Outline of the System B. The System in Operation C	C. Recognition of Victims as Participants D. Conce the Reparations I		ntation of Victims F. Tracing Vict
		R336, R337, R338, R339, R340, R341	
	XVIII. VICTIMS: REPARATIONS	AND ASSISTANCE	
A. Current Framework for V	ictims Participation in the Rome Statute System	, and its Functioning B. Judicial Matters Related to	Reparations
B. 1. General (Judicial) Principles on Reparations 2. Specialised Reparations Chamber 3. Non-Stay of Reparation Proceedings 4. Individual Requests for Reparations 5. Registry- Led Victim Application Process 6. New Potential Beneficiary Requests and Information 7. Reparations Experts 8. Mutually Agreed Protocols 9. Chambers Oversight Role in Implementation	R344, R345, R351	R342, R343, R346, R347, R348, R349, R350, R351, R353	
	C. The TFV and its Secretariat: Gove	rnance and Functioning	
<ol> <li>Delivery of Mandate 2.</li> <li>Governance, Oversight and R357</li> <li>Management</li> </ol>		R354, R355, R356, R358, R359, R360	
	XIX. OVERSIGHT B A. ASP - Court Rel		
	R361, R363		In order to ensure that the ASP in the most efficient way and su the Court in the best possible was recommendations in section XII report should be discussed as a

of priority.

B. Internal and External Oversight Mechanisms					
R364, R366, R368	R367	R365			
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XX	. IMPROVEMENT OF THE SYST	EM OF NOMINATION OF JUDGES			
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XX	I. DEVELOPMENT OF THE RULE	ES OF PROCEDURE AND EVIDENCE			
R381, R382, R383, R384					

RI	RESOLUTION ICC-ASP/18/Res.7	
	OP 18	(a) Strengthening, cooperation (b)
		Non-cooperation, (c)
		Complementarity, and the
		relationship between national
		jurisdictions and the Court, (d)
		Equitable geographical
		representation and gender balance
	Appendix II, para 5	The election of the Prosecutor,
		implementation of arrest warrants
		and reviewing Assembly working
		methods

KEY		
CWM	Court-wide Matters	
OSM: C	Organ Specific Matters: Chambers	
OCM, OTD	Organ Specific Matters: Office of the	
OSM: OTP	Prosecutor	
OSM: R	Organ Specific Matters: Registry	
EG	External Governance	
RI	Remaining Issues	